

**North Korea and the Quest for
an Effective Strategy**

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Introduction

The Democratic People's Republic of Korea (DPRK or North Korea) is now a nuclear and ballistic missile armed adversary of the United States, Japan and the Republic of Korea (ROK or South Korea). Two decades of bilateral and multilateral negotiations have failed to forge a durable end to the DPRK's efforts to build an arsenal of weapons of mass destruction. Unless stopped in the near future, Pyongyang will eventually deploy nuclear tipped long range ballistic missiles.

Options for dealing with North Korea are now limited essentially to negotiating with it or destroying it. The DPRK has made it adamantly clear that it has no intention of fading away or bowing to international pressure. On the contrary, its leadership remains determined to build a "nuclear deterrent capability" aimed at preserving the nation's "sovereignty" despite nearly sixty years of economic sanctions and international condemnation. The United States and its allies either fight another Korean War or re-engage in negotiations.

Unlike the first Korean War of 1950-53, another war could not be restricted to the Korean Peninsula. The United States' collective security network formed with Japan and ROK in 1953 would immediately be drawn into the conflict. North Korean ballistic missiles could strike Japan, South Korea and US military bases there. The human cost could be horrendous. The global economy would be disrupted extensively and Northeast Asia's economic dynamism and impressive prosperity dealt severe damage. Only North Korea seems willing to risk such a possibility.

The United States and its East Asian allies, backed by the US "nuclear umbrella" and eventually an anti-ballistic missile system, may deter North Korean offensive military action but military might cannot forge a durable peace in the region.

Economic sanctions and international condemnation, first initiated against North Korea by the United Nations in June 1950, thus far have failed to compel North Korea's compliance with international norms and demands. North Korea's politically potent generals have repeatedly used UN Security Council resolutions and bilateral sanctions imposed by the United States and Japan to rationalize Pyongyang's pursuit of a nuclear arsenal.

Kim Jong Il's poor health and an apparent stroke in 2008 have weakened his ability to manage his generals. Kim, who cherishes the title of "Supreme Commander," appears to have gradually allowed his generals a greater voice in the formulation of the DPRK's foreign policy. The trend can be traced from 1998 when he declared his "military first policy" (*son'gun chongchi*) and announced his goal of "building a strong and great nation," (*kangsong taeguk*). Kim then formally assumed the title of "Supreme Commander," designated the National Defense Commission the nation's foremost policy making body and was "elected" as its chairman. Beginning in January 2009 the General Staff of the Korean People's Army (KPA) has repeatedly issued its own, unprecedented policy statements. One consequence of this trend has been an intensification of North

Korea's belligerence and provocative conduct to unprecedented heights since January 2009.

A possible explanation for Kim Jong Il's catering to the KPA's thirst for political dominance is Kim's desire to win the KPA's support of his chosen successor. Unlike his father Kim Il Sung, the nation's founder, Kim Jong Il achieved his position solely based on his relationship to his father. His father, however, won the KPA's and North Korean people's respect by expelling the so-called "imperialists" Japan and the United States from the northern half of Korea. To legitimize his rule, Kim Jong Il first served a long apprenticeship under his father. After his father's death, Kim promptly and closely aligned himself with the KPA. Ever since, the Korean Workers Party (KWP) and bureaucracy appear to have taken a back seat to the KPA.

Given these circumstances and the potential cost of war, negotiations remain our only rational option. But two decades of negotiations that commenced with South-North Korea dialogue in 1989 have yet to yield a durable formula to end North Korea's belligerence and WMD development programs. Negotiations themselves do not appear to be the problem. Rather history suggests the problem lies with the goals of past negotiations and the methods employed to forge a durable agreement.

If future negotiations are to be successful the United States, Japan and ROK will have to adopt an entirely new game plan, one that replaces former goals and tactics with entirely different ones.

Perpetual Debate: "Hard" or "Soft" Line

Future negotiations should be built upon the assumption that the DPRK will survive. China and Russia share this assessment. But previous efforts by the United States, Japan and ROK to negotiate either bilaterally or multilaterally with the DPRK have been plagued by divergent views in the three capitals regarding North Korea's survivability. Factions within political and policy circles in Washington, Tokyo and Seoul continue to squabble over how to deal with Pyongyang. Generally speaking, these camps divide themselves into so-called "hard" and "moderate" camps.

"Hard line" advocates favor tactics that they believe will either end the DPRK or compel its compliance with international demands and norms. Hardliners favor economic sanctions and similar coercive methods. They believe the DPRK is on the brink of economic collapse and contend that if economic sanctions were enforced consistently and multilaterally, the DPRK would either concede to international demands or the Kim Jong Il regime would falter and collapse. They argue that international pressure and censure will foster discord in Pyongyang over how best to deal with the outside world, and thus erode the regime's cohesiveness.

Some "hard liners" complain that China's continuing economic cooperation with North Korea sustains the current regime in Pyongyang. A similar contention in South Korea split the electorate and brought to power in 2008 the "conservative" President Lee

Myung-bak who reinstated Seoul's traditional "hard line" approach to the DPRK after his two predecessors had pursued a "moderate" strategy. Extreme "hard liners" in all three capitals have advocated military action against North Korea even though it would kindle a second Korean War.

So-called "moderates" prefer tactics that would gradually transform the DPRK. They counter that coercive tactics have failed to achieve any sustainable progress toward peace and stability in Northeast Asia. Some claim these tactics have back fired. They argue that coercive tactics nurture Pyongyang's distrust and rejection of the international community, particularly of the United States and Japan. Instead of weakening the DPRK, such tactics, moderates contend, fuse North Koreans into a resolute mass loyal to their leaders and determined to defend their nation's sovereignty. "Moderates" champion a strategy of diplomatic and economic "engagement" designed to induce North Korea to cooperate with the international community and gradually transform it into a responsible member of global society. China and Russia prefer such an approach.

The DPRK government has survived more than a half century of economic sanctions, international condemnation, diplomatic and commercial isolation and famine. Ample evidence supports the contention that North Korea's "hard liners," particularly its generals, have used the international community's coercive tactics to rationalize the suffering the government demands of the North Korean people. North Korea's leadership further alleges that coercive tactics are evidence of the United States' so-called "hostile policy" toward the DPRK designed to "strangle it."

The "hard liners" would do well to discard their assumption that the collapse of Kim Jong Il's regime would automatically result in Korea's reunification, the end of North Korea's WMD programs and a durable peace in Northeast Asia. On the contrary, even if the Kim Jong Il regime were to quickly evaporate, North Korea's belligerence, disarmament and democratization would not necessarily follow. The most likely consequence would be a new military dictatorship armed with weapons of mass destruction that could prove even more hostile and dangerous.

Likewise the moderates must adopt a more realistic appraisal of what is necessary to achieve a durable peace in Northeast Asia. Previously they assumed that North Korea would undergo a gradual transformation as it opened itself to the outside world. This has not happened. Today the DPRK has diplomatic and commercial relations with most major nations in the world except for the United States and Japan yet its government rigidly blocks foreign access to its society and strives to prevent social and economic change. At the same time, North Korea's conduct since 2003 has become increasingly provocative.

Going in Circles

More important than each perspective's credibility is the impact their persistent squabbling has had on negotiation efforts. Repeated vacillation between "hard" and "moderate" policy lines in Washington, Tokyo and Seoul have blunted the effectiveness

of efforts to forge a resolution with Pyongyang. The problem has and continues to be not one about the strategy of negotiations but rather the inability of governments to decide on their goals and tactics.

Washington, Tokyo and Seoul between 1989 and 2009 experienced alternating cycles of “hard” and “moderate” goals and tactics. The United States and Japan concentrated on negotiation and diplomatic engagement with Pyongyang between 1990 and 2000, but then President Bush in 2001 halted both.

Seoul experienced four cycles of change in its approach to the DPRK since 1989. Presidents Roh Dae-woo, Kim Dae-jung and Roh Moo-hyun favored negotiation, economic engagement and political reconciliation. But President Kim Young-sam between 1993 and 1997 wavered between “hard” and “moderate” tactics while President Lee Myung-bak in 2008 reverted to a confrontational and coercive approach.

Japan has had similar experiences. During the 1990s Japan supported the Clinton Administration’s “carrot and stick” approach to Pyongyang that accented negotiations with inducements. Prime Minister Koizumi continued such tactics until the end of 2002 when Japanese public outrage over North Korea’s abduction of Japanese citizens compelled the Japanese government to adopt a more confrontational approach. Koizumi’s successors Abe, Fukuda and Aso all preferred coercive tactics such as bilateral and multilateral sanctions, and multilateral diplomatic pressure and condemnation of the DPRK.

Vacillation’s Price

Meanwhile Pyongyang’s “hard liners” have adroitly manipulated to their advantage their adversaries’ vacillation by playing one off against the other. During the 1990s, South Korea and the US Republican controlled Congress between 1995 and 1997 opposed giving North Korea economic inducements in exchange for its promise to “freeze” its nuclear program. This frustrated the Clinton Administration’s efforts to implement the 1994 US-DPRK Agreed Framework. No sooner did South Korea in 1998 shift to providing financial support for the agreement than the US Congress increasingly obstructed the Clinton Administration’s ability to implement it.

Critics of the 1994 US-DPRK agreement have long and loudly accused North Korea of failing to adhere to its promises in this accord. However, the same can be said of the United States. Washington proved unable to supply heavy fuel oil as promised in the 1994 and subsequent agreements. It failed to phase out significant economic sanctions and construction of the two light water nuclear reactors promised North Korea as part of the 1994 deal lagged far behind schedule because the Clinton Administration’s inability to win Congressional funding. Eventually South Korea’s “moderate” President Kim Dae-jung assumed responsibility for most of the project’s cost beginning in 1998.

A similar situation developed during the Six Party Talks between 2003 to 2008. Initially the Bush Administration adamantly opposed giving the DPRK any inducements to bring

it to the negotiating table and to win its cooperation. Japan staunchly backed the Bush Administration. South Korea, however, teamed up with China and Russia to champion economic incentives to induce Pyongyang to negotiate.

Pyongyang exploited the gap between Washington and Seoul in the hope of maximizing its economic gains while minimizing concessions. The Bush Administration unwittingly played into North Korea's hands. No sooner had North Korea in September 2005 agreed to phase out its nuclear program than the Bush Administration slapped financial sanctions on the DPRK that severely disrupted its international commerce. Pyongyang pointed to these sanctions as evidence of the United States' "hostile policy." China, Russia and South Korea urged Washington to back off.

As evidence of its shift from "hard" to "moderate" tactics, the Bush Administration announced that it would discontinue its financial sanctions and its half century old Trading with the Enemy Act (TWEA) sanctions on the DPRK. As further evidence, President Bush eventually dropped North Korea from the so-called US terrorism list. The Japanese people reacted with anger to the US move. They saw keeping North Korea on the list as being essential to compel Pyongyang to be more forthcoming about its abduction of Japanese citizens. Japan subsequently imposed increasingly extensive sanctions on the DPRK just as the United States was lifting some of its sanctions.

Clinging to the Cold War

The only consistently common meeting ground for the three allies has been their shared support for sustaining the military based strategy of deterrence. This relies on maintaining superior conventional and nuclear military might to deter a possible DPRK attack on any of its neighbors

United States, Japan and the ROK have by and large clung to their Cold War era preference for the diplomatic strategy that the United States first deployed against North Korea in June 1950 after it attacked South Korea. In 1950 the United States rallied international support at the UN Security Council (UNSC) for a strategy of "containment." The DPRK was labeled an international outlaw, publicly condemned and extensive economic sanctions were imposed on it. The aim then was to "contain" North Korea diplomatically and economically so as to isolate it in the hope that it would eventually collapse. North Korea views this as the genesis of the United States' so-called "hostile policy" toward it.

Despite Washington's repeated rejections of Pyongyang's allegations regarding a "hostile policy," the United States, supported by Japan and the ROK, responded to the DPRK's 2006 nuclear test and April 2009 long range ballistic missile test in virtually the same manner as the United States and the United Nations Security Council (UNSC) had done in 1950.

Pyongyang Shifts its Strategy

Pyongyang's provocative conduct in 2009 essentially repeats similar steps taken in 2003 and 2006. When the Bush "43" Administration in October 2002 accused North Korea of committing a "material breach" of the 1994 US-DPRK Agreed Framework, North Korea expelled International Atomic Energy Agency (IAEA) inspectors, withdrew from the Treaty on the Non-proliferation of Nuclear Weapons (NPT) and restarted its nuclear weapons program. Three years later Pyongyang reacted similarly to the United States' imposition of financial sanctions on it immediately after the DPRK had agreed at the Six Party Talks in September 2005 to dismantle out its nuclear program. Pyongyang first announced it no longer would maintain its moratorium on testing ballistic missiles and subsequently in July 2006 launched several ballistic missiles, including a long range Taepodong. When the UNSC condemned the tests, North Korea conducted its first nuclear test in October 2006. The UNSC then passed Resolution 1718 that condemned North Korea's test and imposed multilateral sanctions on it.

Such conduct by the DPRK, when viewed in the context of North Korea's *Juche* political ideology is predictable. *Juche* labels the international community's condemnation of its weapons test an infringement on North Korea's "sovereignty." Preservation of the nation's right of self determination and defense of national sovereignty are core values of *Juche*.

More important is the possibility that the previous decades of squabbling between Washington, Tokyo and Seoul may have pre-empted the debate between "hard liners" and "moderates" over how best to deal with North Korea. Pyongyang's actions since April 5, 2009 suggest that it has seized the initiative regarding its future. First, North Korea apparently has revised his fundamental strategy for dealing with the international community from one of diplomacy and negotiation to "bolstering up its (military) muscle ..." At the same time the General Staff of the Korean People's Army (KPA) appears to have assumed a position at least equal, if not superior to that of the foreign ministry regarding advising Supreme Leader Kim Jong Il about foreign policy. An indication of this is the increasingly frequent policy statements being issued in the name of the General Staff of the KPA, something previously extremely rare.

The DPRK Foreign Ministry (FM) spokesman previewed this shift in strategy in a March 24 statement (KCNA, "Spokesman for DPRK Foreign Ministry Slams Anti-DPRK Campaign over its Projected Satellite Launch," www.kcna.co.jp/item/2009/200903/news24.) that concluded, "If it is impossible to put an end to the hostile relations through dialogue, then there is no other option but to bolster up the muscle to deter the hostile actions."

KPA vice Marshal Kim Yong Chun, vice chairman of the powerful National Defense Commission which is chaired by Supreme Leader Kim Jong Il, issued a report on April 8 ("Anniversary of Kim Jong Il's Election as NDC Chairman Celebrated," www.kcna.co.jp/item/2009/200904/news08/)

In his report, Marshal Kim described the KPA as “the main force of our revolution and the hardcore force for defending the country ...” He went on to urge that “We should continue to push ahead with the work for increasing the national defence capability ...,” and “give priority to the development of the defence industry, ...”

On April 5 and May 25 Pyongyang under scored its rhetoric with action, first launching a long range *Taepodong* ballistic missile and then conducting its second nuclear test. Both tests disregarded the UNSC Resolution 1718 adopted in October 2006 after North Korea’s first nuclear test and the UNSC president’s statement of April 14, 2009. The DPRK FM statement of April 14 (DPRK FM Vehemently Refutes UNSC’s ‘Presidential Statement,’ www.kcna.co.jp/2009/200904/news14/). Predictably, Pyongyang declared that it would ignore the statement. More worrisome was Pyongyang’s decision that, “the DPRK will never participate in such six-party talks nor will it be bound any longer to any agreement of the talks ...” Again Pyongyang declared its determination to “boost its nuclear deterrent for self-defence in every way.”

The KPA General Staff’s spokesman followed with a statement on April 18. The statement first labeled South Korea’s decision for “total participation” in the US promoted weapons of mass destruction counter proliferation effort Proliferation Security Initiative (PSI) to be a “... a declaration of war against the DPRK.” (“KPA General Staff Spokesman blasts Hostile Forces’ Anti-DPRK Racket,” www.kcna.co.jp/item/2009/200904/news18/). The statement further declares, “The army of the DPRK has never pinned any hope on the six-party talks from their outset ...”

North Korea’s rhetoric between March and June 2009 has essentially painted the nation into a corner. Pyongyang demands that either the international community, represented by the UNSC, apology to the DPRK and retract the April 14 Presidential Statement or the DPRK will:

- declared that it would not return to the Six Party Talks,
- continue to test its ballistic missiles and
- strengthen its “nuclear deterrent capability.”

The KPA’s Panmunjom Mission (formerly the KPA Mission to the Korean War Military Armistice Commission) also announced that, “The KPA will not be bound to the Armistice Agreement any longer ...” (“KPA Panmunjom Mission Clarifies Revolutionary Armed Forces’ principled Stand,” www.kcna.co.jp/item/2009/2009/05/news27/) By May 29, Pyongyang said it would “not recognize any resolution and decision of the UNSC ...” and reiterated its determination to strengthen its nuclear might. (“DPRK Foreign Ministry Spokesman Clarifies Its Stand on UNSC’s Increasing Threat,” www.kcna.co.jp/item/2009/200905/news29/)

The New Dilemma: War or Peace?

The DPRK once again is attempting to confront the United States, Japan and ROK with a dangerous dilemma. In 1993, these allies faced the dilemma of either engaging in negotiations with Pyongyang to end its nuclear ambitions or attempt to destroy it with either military might or economic isolation. Now in 2009 Pyongyang has maneuvered itself into a similar dilemma: either engage in a second Korean War or resume negotiations on Pyongyang's terms.

Clearly options for dealing with North Korea are even more limited today than previously. A full range of coercive tactics have been employed since 1950 but none of them have yielded the desired result – an end to North Korea provocative conduct and dismantlement of either its nuclear or conventional arms arsenals.

Multiple layers of unilateral and multilateral economic sanctions have been maintained on North Korea since 1950, but numerous studies of their impact document that such sanctions have not altered the DPRK's conduct. Studies of similar sanctions imposed on nations since 1919 clearly indicate marginal if any impact on the target nation. Regarding the DPRK, only US unilateral financial sanctions imposed on the DPRK in September 2005 appear to have significantly disrupted Pyongyang's financial transactions. Politically, however, the sanctions may have back fired since they severely disrupted progress toward ending North Korea's nuclear program. Actually this delay gave the DPRK's nuclear weapons and ballistic missile designers more time to perfect their weapons systems.

The reluctance of China and Russia to enforce economic sanctions against the DPRK severely limits the sanctions' effect. Both Beijing and Moscow oppose the DPRK's collapse either because of internal turmoil or external economic pressure. They see the DPRK as a valued strategic buffer between them and the United States. At the same time China and Russia prefer the status quo on the Korean Peninsula over the risk of a second Korean War.

Similarly the Bush Administration Proliferation Security Initiative (PSI) did nothing to halt the DPRK's WMD programs and similarly disruptive progress toward a negotiated end to those programs.

China and Russia after the Soviet Union's collapse in 1990 dismantled their Northeast Asia Cold War security architecture. First Russia and then China established diplomatic and commercial relations with the ROK, and supported the two Koreas' admission to the United Nations (UN). Russia then modified its security treaty with the DPRK. It ended its "nuclear umbrella" over North Korea. Moscow also altered its defense commitment to Pyongyang. Instead of an unlimited pledge of support and willingness to supply weapons' technology and defense aid, Russia declared that it would only "consider" the situation in the event of an apparent attack on the DPRK. Moscow halted its military assistance and told Pyongyang that it would have to pay in hard currency cash prior to obtain Russian weapons and technology.

China also revised its commitments to the DPRK but less drastically. Beijing adopted a policy of treating both Koreas in a balanced manner. It maintained its defense commitment to the DPRK but without the promise of a “nuclear umbrella” that promised it would retaliate against any nation that might attack it with nuclear weapons. Initially Beijing reduced its economic assistance to the DPRK by cutting off the supply of crude oil in 1992 and halting so-called “concessional” loans, i.e. interest free loans. China’s relations with the DPRK followed the same path as Russian-DPRK relations, they deteriorated from friendly to tense.

The DPRK’s then leader Kim Il Sung responded with anger toward his allies Russia and China while striving to negotiate a new security arrangement with ROK, Japan and the USA. Considerable progress was accomplished between 1989 and 1992. South-North Korea negotiations yielded several important agreements that included the Agreement on Reconciliation, Non-aggression and Exchanges plus the South-North Joint Declaration on the De-nuclearization of the Korean Peninsula.

Pyongyang also initiated negotiations with Tokyo and Washington, but Kim Il Sung was pursuing a dual track strategy. While negotiating with his adversaries and pledging not to build a nuclear weapons arsenal, the Korean People’s Army (KPA) apparently attempted to maintain a stockpile of plutonium for possible use to build one or more nuclear weapons. The International Atomic Energy Agency’s (IAEA) discovery of evidence in August 1992 that the DPRK had produced more plutonium than it had declared sparked an international crisis. First Japan, the ROK and USA urged the IAEA to press the UN Security Council to declare the DPRK in violation of its treaty obligations to the IAEA and take stern action to rectify the situation. North Korea responded by declaring in March 2003 that it would withdraw from the Treaty on the Non-proliferation of Nuclear Weapons (NPT). Only after virtually the entire membership of the UN voted to censure the DPRK in April 1993 did Pyongyang ask Washington to negotiate terms for North Korea remaining in the NPT.

The legacy of the Korean War and North Korea’s misconduct in 1992 continue to haunt the international perception of the DPRK. Repeated rounds of intense multilateral diplomacy ever since have failed to forge an agreement acceptable to all the concerned parties. The goal remains one of peacefully ending the DPRK’s pursuit of a nuclear weapons arsenal. But the central problem remains how to sufficiently verify that North Korea has in fact complied with all pledges made in any agreement.

The DPRK consequently persists in building a nuclear arsenal. After eighteen years of effort, optimism is waning that a negotiated settlement is possible. As of May 2009, the situation has become much more dangerous. The DPRK has successfully conducted a second nuclear weapon’s test and continues to make progress toward mounting a nuclear warhead on a ballistic missile.

The United States filled the void left by Imperial Japan's defeat and China's collapse inward into political and economic chaos. The responsibility fell by default to the world's two most powerful nations at the end of World War II: the United States and the Union of the Soviet Socialist Republics (USSR). Their rivalry for supremacy began immediately and resulted in Northeast Asia's division into two hostile and rival camps. Aligned with the United States was its conquered enemy Japan, the southern half of the Korean Peninsula and the remnants of the Nationalist government of China which had sought safe haven on the island of Taiwan. The USSR dominated the northern half of the Korean peninsula and aligned itself with the newly emergent People's Republic of China.

This division of Northeast Asia into rival camps forged a new world order based on the concepts of collective security, nuclear deterrence and the forward deployment of United States military forces oppose North Korea and China. Mutual distrust and fear replaced the Chinese world order's reliance on mutual trust and respect. Fear of nuclear holocaust and conventional "limited" war came to dominate the region's priorities. A fragile stability was achieved after the Korean War's devastation. But a durable peace still eludes the region.

Post-Cold War Northeast Asia

Unlike Europe much of the Cold War's legacy has been erased, the Cold War persists in dominating Northeast Asia. The United States' shift from a diplomatic strategy rooted in "containing communism" to engaging first China and then the Soviet Union reduced tensions and opened the door to reconciliation between the world's four superpowers: the United States, China, Russia (which replaced the USSR in 1990), and Japan. But Korea's continuing division into two mutually hostile nations frustrates all efforts to build a durable peace in Northeast Asia.

A new regional order must be build before Northeast Asia can benefit from a durable peace. So long as Korea remains divided and North Korea is a hostile nuclear armed nation, the region's stability will remain uncertain. The first step toward rectifying the present situation requires a candid recognition that the region's Cold War security architecture must replaced by an entirely new architecture oriented toward mutual respect, trust and the pursuit of mutual benefit.

Progress toward achieving a new security architecture was greatly assisted in the case of the United States, Russia and Europe by the collapse of the Soviet Union and the authoritarian regimes it had sustained in Eastern Europe.

Post-Cold War Northeast Asia also benefited from the Soviet Union's demise and China's recognition of the benefits to be gained from diplomatic and commercial engagement of the United States and its allies. South Korea benefited the most. By 1992 it was able to normalize relations with both its former enemies Moscow and Beijing.

North Korea attempted to benefit similarly by normalizing its relations with Tokyo and Washington. After some initial progress, however, progress stalled.

North Korea has no one to blame for its continuing inability to break out of its Cold War era relations with Washington and Tokyo. The immediate cause was North Korea's decision to pursue a dual track strategy for dealing with the outside world. Pyongyang immediately after the Cold War's end was in a state of keen insecurity. It felt that Moscow and Beijing had betrayed it by engaging its nemesis South Korea.

Unfortunately for all concerned parties, including the world's four superpowers of the USA, Russia, China and Japan, North Korea opted to pursue a dual track strategy. While pursuing diplomatic engagement of South Korea, Japan and the United States, at the same time North Korea's leadership sanctioned the secret development of a nuclear deterrence capability. When discovered, Pyongyang's clandestine nuclear program destroyed its credibility in the eyes of the international community.

Options

It is this legacy that the United States, China, Russia South Korea and Japan must contend with before a new security architecture can be erected in Northeast Asia.

Options for doing so are limited to:

- Confrontation - using military might to destroy North Korea as an independent political entity,
- Coercion – diplomatic and commercial isolation of North Korea,
- Negotiation - engage in bilateral and multilateral negotiations aimed at inducing North Korea to forego its nuclear ambitions.

Option one – confrontation – is rejected by all parties. The Korean War resolved nothing despite the horrendous price it imposed on the Korean people, not to mention the tens of thousands of soldiers from members of the United Nations as well as People's Republic of China. If anything, the war crystallized Korea's division and created a legacy of hatred and mistrust that obstructs and complicates Korean reconciliation. No political leader today would advocate a second Korean War because the conflict too easily could mushroom into a global nuclear war.

Option two – coercion – thus far has only intensified North Korea's determination to build its own nuclear weapons and ballistic missile capability. The United States for half a century attempted to use economic sanctions and diplomatic isolation to compelling North Korea to bow to its will. The North Korean government and people responded with resolution rejection of Washington's demands. Japan clings to the hope that coercive measures such as sanctions might convince North Korea to change its ways. This hope is evident in Tokyo's continuing efforts to intensify both unilateral and multilateral economic sanctions on North Korea. China and Russia once again demonstrated their opposition to coercive tactics during United Nations Security Council (UNSC) discussions in early April 2009 that led to UNSC approval of a President's statement.

Option three – negotiation – obviously would appear to be the strategy most likely to achieve success. South-North Korea negotiations three times produced significant progress toward reconciliation: the 1991 South-North Basic Agreements, the June 15, 2000 South-North Joint Statement and the October 4, 2007 South-North Joint Statement. United States-North Korea negotiations yielded the Agreed Framework of 1994. Despite some weaknesses, the accord effectively halted North Korea's nuclear weapons program for a decade and put it under international monitoring. Even Japan has achieved some success negotiating with North Korea as evidenced by the September 2002 Pyongyang Declaration.

Equally evident, however, is the fact that the achievements of past negotiations proved temporary. One by one, North Korea has retracted its promises to the International Atomic Energy Agency, South Korea, the United States and Japan. The conventional wisdom places the full blame on North Korea. Our purpose here is to look beyond conventional wisdom.

A Matter of Priorities

The ultimate goal of negotiations with North Korea must be the achievement of a durable peace in Northeast Asia. Korea's unification is fundamental to achieving peace in the region. But first, the Korean Peninsula must be turned into a nuclear weapons free zone. Equally critical is the radical alter of the United States, Japan, and the two Korea's Cold War security postures and attitudes. Simply stated, each of these presents a formidable challenge.

Intense multilateral and bilateral efforts have been underway since the Cold War's end to achieve these goals. Initially the results were promising. South and North Korea accomplished much in their 1990-92 negotiations by producing the 1991 South-North Basic Agreements and the Joint South-North Denuclearization Declaration. The two Koreas were admitted into the United Nations in 1992. US-DPRK negotiations between 1992 and 1994 yielded the Agreed Framework that effectively halted North Korea's nuclear weapons program for almost a decade. A major milestone was reached in 2000 when the two Koreas convened their first ever summit. Capping this decade of progress was the 2002 Pyongyang Declaration signed between Japan and North Korea. These impressive achievements, however, have all proven to be temporary.

The Problem's Source

The risk of war on the Korean Peninsula persists. Now that North Korea has a nuclear weapons capability, another Korean War might escalate into a nuclear war. North and South Korea maintain huge military forces that they are constantly modernizing. Both sides are enhancing their ballistic missile capabilities, among other things.

But there is a very significant difference between South and North Korea. Both China and Russia have ended their Cold War military support for North Korea. No longer do

they maintain a nuclear umbrella over it. Nor do they provide assurances that they will intervene on North Korea's side if one of its adversaries invades. Also, their military assistance to North Korea has ended. Now, Pyongyang must purchase with cash any weapons it seeks to acquire from Russia and China.

The United States, however, has yet to alter its Cold War defense commitments to South Korea and Japan. The US-ROK defense treaty has not been significantly revised since it was first signed more than half a century ago. The US still maintains a nuclear umbrella over South Korea and Japan, plus numerous air, sea and ground forces military bases in both nations.

The United States, Japan and South Korea contend that North Korea's formidable land army and increasingly potent ballistic missile and nuclear weapons capabilities pose the primary threat to peace in Northeast Asia. This premise is rooted in the Korean War's legacy. North Korea's effort to achieve forcefully national unification garnered it the wrath and distrust of the international community. The US forward deployment of military forces in Northeast Asia rests on the assumption that North Korea might repeat this effort.

North Korea counters that, while national unification remains an ultimate goal, it no longer seeks to unify the nation through force of arms and subversion. Instead, as reflected in its 1991-92, 2000 and 2007 agreements and summit promises, Pyongyang now insists that its priority is peaceful political reconciliation and economic collaboration. But the United States' "hostile policy," North Korea's leadership claims, obstructs progress toward reconciliation and peace.

We need not necessarily accept North Korea's claims as credible. Summarily dismissing its claims of a "hostile policy" accomplishes nothing. Instead, we need to understand North Korea's definition of "hostile policy" so that we can predict accurately North Korea's demands in future negotiations.

North Korea's Definition of "US Hostile Policy"

American negotiators first heard the words "US hostile policy" when they sat down for their first diplomatic negotiations with North Korea in New York in June 1993. Chief DPRK delegate Kang Sok-ju, first vice minister of Foreign Affairs, initiated the negotiations by reading a statement that claimed the source of the "nuclear issue" was the "US hostile policy" toward North Korea. That claim persists.

The essence of "hostile policy" is that the United States is striving to "strangle North Korea," i.e. destroy it as an independent, sovereign political entity. According to Pyongyang, the effort dates from the Korean War when the United States convinced the United Nations Security Council (UNSC) to label North Korea an international outlaw and an aggressor. A strategy of "containment" was applied to North Korea that included exclusion from membership in international organizations and extensive economic

sanctions. The United States' and South Korea's joint aim was to undermine the government of North Korea.

Reinforcing the diplomatic and commercial strategy of "containment" was the United States' military strategies of collective security and deterrence. The United States signed separate defense treaties with South Korea and Japan. These allowed the United States to forward deploy tens of thousands of US army, navy and air force personnel and their equipment in South Korea and Japan. In exchange, the United States guaranteed that it would counter any North Korean attack on either ally. At the same time it would maintain a "nuclear umbrella" over both allies to deter a possible nuclear attack on them by either of North Korea's two primary allies, Russia (then the Soviet Union) and China (People Republic of China).

This arrangement successfully deterred a second Korean War, but it cannot forge a durable peace in the region.

North Korea claims that the United States' maintenance of this Cold War defense arrangement, combined with President George W. Bush's December 2002 declaration of a doctrine of "pre-emptive nuclear strike" (so-called Bush doctrine) require that North Korea develop and maintain nuclear weapons to "deter" a nuclear attack by the United States.

During the decade from 1992 and 2002, North Korea concentrated on pursuing dismantlement of the "hostile policy" through negotiations, first with the United States, then with South Korea and finally in 2002 with Japan. But President Bush's December 2002 declaration of a "pre-emptive nuclear strike" doctrine followed by his January 2003 "axis of evil" speech escalated North Korea's concerns. The "axis of evil" comments concerned Pyongyang because President Bush identified North Korea as one of three potential targets of his "pre-emptive doctrine." This concern was further intensified when the United States invaded Iraq in April 2003 to prevent it from developing a nuclear arsenal.

One consequence of this invasion was North Korea's decision to develop nuclear weapons in tandem with continuing negotiations. China's hosting of the Six Party Talks sustained North Korea's willingness to pursue a dual strategy of negotiations first with the development of nuclear weapons as a secondary goal. But before it would return to the Six Party Talks, North Korea insisted that President Bush cease its derogatory remarks about North Korean leader Kim Jong Il. His belittlement of Kim Jong Il had come to symbolize in Pyongyang the United States' hostile policy. Only after Bush reluctantly restrained himself did the talks resume.

The Six Party Talks' September 2005 accord aroused hopes that negotiations might achieve results, but within a matter of days, the United States imposed financial sanctions on North Korea, froze some of its financial assets in a Macao bank and blocked Pyongyang's ability to engage in international commerce. Pyongyang's leadership saw these measures as a manifestation of the United States' hostile policy. At the same time,

it apparently convinced some of North Korea's most powerful political figures, i.e. generals of the Korean People's Army (KPA) that the United States could not be trusted. Within a year, North Korea exploded its first nuclear weapon in October 2006.

Another year of intense diplomacy by China, Russia, the United States and South Korea convinced North Korea to return to the Six Party Talks. North Korea's stance remained unaltered: it would eventually dismantle its nuclear weapons program but only if the United States dismantled its "hostile policy."

Inflation

A fundamental characteristic of North Korea's negotiating tactics is to increase the price of agreement the longer it takes for the other side to reach an agreement. Consequently, by 2007, North Korea had expanded its definition of "hostile policy." During the 1990s, Pyongyang was willing to make a deal if the United States lifted some sanctions, ended the annual joint US-South Korea military exercise "Team Spirit," and supplied 500,000 metric tons of heavy fuel oil (HFO) until construction of two light water reactors (LWR) had been completed. In exchange, North Korea "froze" its nuclear development program, remained a member of the Treaty on the Non-proliferation of Nuclear Weapons (NPT), agreed to respect the South-North Joint Declaration of the Denuclearization of the Korean Peninsula, as well as cooperate with the International Atomic Energy Agency (IAEA) and to re-engage South Korea in dialogue.

But by 2007, Pyongyang's price for ending its nuclear weapons program had escalated to ending the "hostile policy" by:

- ending all economic sanctions on the DPRK,
- building the DPRK two light water reactors (LWR)
- supplying HFO (as promised in the September 2005 Six Party Talks Accord)
- providing other economic assistance (September 2005 Accord)
- signing of a peace treaty
- withdrawal of US military forces from South Korea
- joint verification that there were no nuclear weapons in either half of the Korean Peninsula,
- normalization of diplomatic and commercial relations,
- access to the US market for DPRK goods.

Hill's Diplomacy

Chief US negotiator to the Six Party Talks Department of State Assistant Secretary for East Asia and Pacific Affairs Christopher Hill made a determined and sustained effort to convince North Korea that the United States did not harbor a "hostile policy" toward North Korea. His well intended efforts ultimately fell far short of their intended goal.

The causes were many such as:

- distrust in Pyongyang toward Washington,
- vacillation in Washington over how to deal with Pyongyang,
- Japan's objections to his efforts to phase out economic sanctions, and

■ Hill's faulty understanding of the concept of "hostile policy."

Early in his efforts, Hill dismissed "hostile policy" as an illusion. But when Washington imposed financial sanctions on North Korea in October 2005, he could no longer dismiss the idea as a myth. But then Hill concentrated on phasing out economic sanctions as the best way to convince North Korea that the United States no longer harbored a "hostile policy" toward it.

This put Hill on a diplomatic tread mill which he found impossible to dismount. No sooner had he convinced President Bush to cease selected sanctions on North Korea than Pyongyang disputed Washington's narrow definition of "verification." Hill defined this term according to "international standards," that is a definition found in the NPT. But Pyongyang viewed verification in terms of its definition of "hostile policy." For Pyongyang, verification meant joint US-DPRK simultaneous verification in both halves of Korea that there were no nuclear weapons. Hill knew that such a concept could never be sanctioned in Washington.

Escalation

At the beginning of 2009, North Korea appears to have again adjusted its strategy. In the 1990s, it emphasized achieving its goals by pursuing negotiations, primarily with the United States but also with South Korea and Japan, its former allies Russia and China, as well as the European Union and other nations. But between 2002 and 2008 North Korea shifted its strategy to a dual track of pursuing negotiations while simultaneously building a "nuclear deterrent capability," which it justified by pointing to evidence of the "US hostile policy": the "Bush Doctrine" of pre-emptive nuclear strike, Bush's "axis of evil" comments and the US invasion of Iraq.

Now, as of May 2009, North Korea appears to have put building its "nuclear deterrent capability" before achieving a negotiated settlement with the United States, South Korea and Japan. The DPRK Foreign Ministry on January 13, 2009 ("DPRK Foreign Ministry's Spokesman Dismisses U.S. Wrong Assertion," January 13, 2009, www.kcna.co.jp) asserted that it had "consented to the September 19 (2005) Joint Statement" of the Six Party Talks to achieve the,

denuclearize not only the northern half of the Korean Peninsula but the whole of it, and to this end, the United States committed itself to terminate its hostile relations with the DPRK, assure it of non-use of nuclear weapons and clear south Korea of nukes, etc."

The statement makes it very clear that Pyongyang's goal in future negotiations is "simultaneous nuclear disarmament" which it terms as "the only option."

As for the price of "simultaneous nuclear disarmament," the Foreign Ministry declared in another statement on January 17 ("DPRK Foreign Ministry's Spokesman Dismisses U.S. Wrong Assertion," January 17, 2009, www.kcna.co.jp) that the "U.S. is miscalculating if it considers the normalization of the DPRK-U.S. relations as a reward for the DPRK's nuclear abandonment." The statement concludes, "Though the bilateral relations are

normalized in a diplomatic manner, the DPRK's status as a nuclear weapons state will remain unchanged as long as it is exposed even to the slightest U.S. nuclear threat." Obviously the price for ending North Korea's nuclear ambitions has risen significantly since 1994.

Even the General Staff of the Korean People's Army (KPA) has reiterated this stance, a most unusual development. Usually only the KPA Mission at Panmunjom (formerly the North Korean representatives to the Korean War Military Armistice Commission) issue statements. Such statements normally object to US-ROK joint military exercises and related developments. DPRK military representatives to the South-North Military Talks in recent years have issued statements regarding the talks. But the KPA's General Staff remained silent until February 2. That day a "spokesman for the General Staff" issued a statement that began ("DPRK's Principled Stand on Denuclearization of the Korean Peninsula Reiterated," February 2, 2009, www.kcna.co.jp) ,

It is the unshakable stand already clarified by the DPRK that it will never show its nuclear weapons unless the U.S. rolls back its hostile policy toward the DPRK and the latter is completely free from the former's (*sic*) nuclear threat, ..."

The spokesman added, "The DPRK will never 'dismantle its nuclear weapons' unless nukes in south Korea are dismantled to remove the nuclear threat from the U.S." Such statements greatly increase the price North Korea expects to extract from the United States and South Korea in exchange for dismantling its nuclear weapons arsenal.

The uncharacteristic public issuance of statements by the KPA General Staff has continued. On February 19, the General Staff's spokesman declared that, "...the Korean People's Army is fully ready for an all-out confrontation ..." ("KPA Ready for All-out Confrontation, February 19, 2009, www.kcna.co.jp). Again on March 9, 2009, the KPA's Supreme Command issued a report ("KPA Supreme Command Orders All Its Service Persons to be Fully Combat Ready," March 9, 2009, www.kcna.co.jp) that stated it had ordered ,

... all the service persons to be fully combat ready and follow every move of the aggressors with vigilance in view of the grave situation prevailing in the country and deal merciless retaliatory blows at them should they intrude into the sky and land and seas of the DPRK even an inch.

The includes the perplexing statement, "War maniacs should be dealt with arms, not with words."

The immediate reason for the "report's" issuance was the commencement of joint US-ROK military exercises on March 9. In previous years, only the Foreign Ministry and the KPA's Panmunjom Mission has issued such statements.

But the most worrisome utterances had yet to come. The Foreign Ministry on March 24 issued yet another statement prior to its April 5 launching of a long range ballistic missile. The statement declared, "The six-party talks are now on the verge of collapse

due to Japan's non-fulfillment of its commitment, an intention to delay the denuclearization of the peninsula in a bid to find a pretext for going nuclear." ("Spokesman for DPRK Foreign Ministry Slams Anti-DPRK Campaign over Its Projected Satellite Launch," March 24, 2009, www.kcna.co.jp). The statement then warns, "If it is impossible to put and end to the hostile relations through dialogue, then there is no other option but to bolster up the muscle to deter the hostile acts." In other words, not having been able to achieve its national goals via negotiations, North Korea has decided it will first strengthen its military capability, including nuclear "deterrent capability" so that it can negotiate from a position of strength.

Again the KPA's General Staff

Toward Successful Negotiations

Sustained progress toward peace in Northeast Asia will first require that the United States and its allies agree to eventually. Thus far, efforts to deal with North Korea have been poorly coordinated between Washington, Tokyo and Seoul. During the 1990s, South Korea shifted from supporting negotiations with North Korea (1990-93), to opposing such an effort. Seoul under President Kim Yong-sam preferred coercive measures aimed at quickening North Korea's economic collapse. This was at odds with the Clinton Administration's engagement strategy. Japan at the time followed Washington's lead. But no sooner did South Korea under President Kim Dae-jung shift to an engagement strategy than the United States under President George W. Bush adopted a strategy of coercion. Again, Japan adjusted to its ally's shift and adopted coercion as its preferred method for dealing with North Korea. During the Bush Administration, the United States vacillated between so-called "hard line" and "soft line" tactics. Initially these shifts confused Pyongyang and intensified its mistrust of United States' intentions.

Once the Six Party Talks commenced in August 2003, North Korea took advantage of the differences between Seoul and Washington, Seoul and Tokyo, and even Washington and Tokyo to manipulate one ally against the other. Consequently, Pyongyang's advocates of building a nuclear "deterrent" capability gained much more time to pursue nuclear and ballistic missile development programs. Consequently, the Six Party Talks have yet to achieve their goal of formulating a diplomatic resolution to the North Korean nuclear issue.

Several steps will be necessary:

1. US, Japan, South Korea trilateral negotiations to define new security priorities and strategy,
2. Engage China and Russia in multilateral discussions designed to formulate a mutually agreeable package of security, diplomatic and economic inducements to eventually be offered to North Korea in exchange for the end of its nuclear and ballistic missile programs.

Their first step must be to concur on a new set of security priorities. In other words, even before engaging North Korea in any negotiations, the United States should engage its allies in formulating a new security strategy.

North Korea's Dual Strategy

North Korea since 1989 has alternated between two polarities in its foreign and security policies. At times, it has seemed determined to discard its isolation and distrust of the outside world in favor of pursuing diplomatic and commercial engagement of the international community. Political talks with Tokyo in 1989 initiated a hopeful process that paralleled the intensification of dialogue with South Korea. Eventually talks with Japan stalled but considerable progress was achieved with South Korea. Washington-Pyongyang dialogue soon followed. North Korea entered the United Nations, ratified a nuclear safeguards agreement with the International Atomic Energy Agency and initiated implementation of several reconciliation programs with South Korea. All of this ended abruptly with the revelation that North Korea had misled the IAEA about the amount of plutonium it had previously produced.

In 1994, Pyongyang alternated between cooperation and confrontation with Washington. After the United States initiated preparations for war with North Korea, North Korea's aging leader Kim Il Sung agreed to return to the negotiating table. Again, Pyongyang seemed eager to end its nuclear weapons program and eventually even the development of its ballistic missile program in favor of normalizing diplomatic and commercial relations with the United States.

But once again North Korea reversed course. According to reliable United States intelligence, North Korea in 2000 initiated a clandestine nuclear program that disregarded commitments it had made to South Korea in their 1991 Joint Declaration on the Denuclearization of the Korean Peninsula while also breaking promises to the United States to "freeze" all its nuclear activities. Pyongyang has repeated similar cycles of vacillation during the Six Party Talks between 2003 and 2008.

These cycles suggest that North Korea's leadership either is unwilling or unable to resolve a continuing dispute within the North Korean government. Past conduct suggests two schools of thought have been dueling since at least 1989 over how best to promote North Korea's national security, economic development and independence. One school seems to favor a strategy that promotes national interests through negotiations. The other school seems equally adamant in its avocation that the national interests are best served by first developing a nuclear weapons "deterrent capability." If accurate, this could explain Pyongyang's vacillation during the past two decades.

As of early 2009, however, Pyongyang appears to have resolved its dilemma in favor of first building a formidable nuclear and ballistic missile arsenal to ensure its national security (in Pyongyang the preferred word is "sovereignty") prior to pursuing its national interest through negotiations and cooperation with the international community.

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