

**North Korea's Nuclear Arsenal
– Has Diplomacy Failed?**

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Regionalization of Nuclear Non-proliferation

Not even North Korea's October 2006 nuclear test could make Pyongyang's persistent pursuit of a nuclear arsenal a priority for the Bush Administration. Its preoccupation with the Middle East, particularly Iraq, and the war on terrorism has relegated the potential collapse of the global nuclear nonproliferation regime to a regional issue for Northeast Asia.

The Bush Administration's "regionalization" of nuclear proliferation has seriously eroded the effectiveness of the global effort to prevent the spread of nuclear weapons. Until recently, the pillar of this international effort has been the Treaty on the Non-proliferation of Nuclear Weapons, usually referred to as "NPT." The United States, United Kingdom, Soviet Union (now Russia), France and People's Republic of China established this treaty during the Cold War. At the time, these were the only nations in the world that posed nuclear weapons. The treaty's intention was to allow nations to build nuclear power plants to produce electricity while banning the production of nuclear weapons. To ensure compliance, the NPT established the International Atomic Energy Agency or IAEA. This United Nations organization conducted inspections to ensure that members of the NPT did not secretly try to develop their own nuclear arsenals.

The Bush Administration has followed a two track strategy regarding nuclear non-proliferation. On the one hand, it has allowed Pakistan and India to pursue the development of nuclear weapons without being members of the NPT. At the same time, President Bush has insisted that members of the "axis of evil," Iran and North Korea, are unworthy of diplomatic dialogue with the United States because they have not complied with the NPT. Instead, President Bush insists that North Korea must "completely, verifiably, irreversibly dismantle" its entire nuclear program, both peaceful and design to make nuclear weapons. He also insists that North Korea must return to the NPT and rejoin the IAEA. Only then, President Bush said he will consider engaging North Korea in diplomatic negotiations.

Thus far, President Bush's "regionalization" strategy has achieved very disappointing results. His rigid stance, preference for coercive tactics like economic sanctions and other measures, have not deterred North Korea from building and testing nuclear weapons. On the contrary, North Korea uses Bush's strategy to justify its refusal to return to the Six Party Talks that China initiated in the hope of finding a peaceful

diplomatic end to North Korea's nuclear ambitions. Those talks remain stalled. If and when they might resume remains uncertain.

Some would argue in Washington, Tokyo, and elsewhere that diplomacy has failed. I disagree. If anything, I would argue, diplomacy has not been given a chance to succeed. Here I recall my experiences as an NGO (non-governmental organization) volunteer who sought to facilitate diplomatic contact between Washington and Pyongyang. My efforts in this endeavor have ceased because I now reside in Japan. But my hope persists that diplomacy will ultimately prevail and a peaceful diplomatic resolution to the North Korea nuclear issue will be found.

Back Channel Diplomacy

I served as a voluntary diplomatic "back channel" between the United States and North Korea between October 2003 and August 2006. The experience convinced me that diplomacy did not fail. Actually, members of the Bush Administration prevented diplomacy from succeeding. President Bush continues to pursue a two track approach toward North Korea. Publicly he insists that he wants a "peaceful diplomatic" end to North Korea's nuclear program. Personally, however, Bush prefers that the Kim Jong Il regime collapse. His dual stance infects US policy toward Pyongyang and divides his administration. It also gave Pyongyang's "hard line" generals the evidence they needed to convince Kim Jong Il to build nuclear weapons rather than nuclear power plants.

I worked closely with many North Korean diplomats as a member of the US negotiating team during the first US-North Korea nuclear negotiations of 1993-94. In October 2003, a Washington think tank asked me to establish contact with the North Korean mission to the United Nations in New York. After I had done this, I arranged contact between the U.S. Senate Foreign Relations Committee and North Korean diplomats in New York. The North Korean mission and the U.S. State Department then asked me to act as an unofficial "back channel" between them. I agreed to do so.

Almost every month for nearly three years I met North Korean diplomats in New York. Pyongyang authorized each meeting and I kept the U.S. State Department fully informed. Our discussions were cordial, "off the record," and always candid. Each session began with a hand shake hands and exchange of greetings. We always spoke in English. Two North Korean diplomats attended each session and I was always alone. We met in public places, usually the same restaurant. Sometimes I paid the bill, and other times they did. Nobody paid attention to us. Nothing was secret except we agreed not to publicly discuss the details. This is the first time that I am explaining about these meetings in detail.

What Does Pyongyang Want?

My notes confirm key characteristics about the North Korean attitude and positions. Never did the North Koreans threaten anyone. Their remarks were calm, consistent and rational. They claimed that President Bush's "hostile" public remarks and policy toward Kim Jong Il and Pyongyang compelled North Korea to develop a "nuclear deterrence

capability.” They pointed to Bush’s labeling of Kim Jong Il as a “tyrant,” the “axis of evil” speech, “pre-emptive counter proliferation” strategy, and “military option,” among other things, as evidence that Washington’s policy toward North Korea was hostile. But they repeatedly emphasized that “everything could be resolved through bilateral negotiations.”

I pressed them hard about Washington’s concerns. Did North Korea have a “highly enriched uranium program?” Yes, they admitted, but claimed that it was small and only for “research.” I asked whether Pyongyang would return to the Treaty on the Non-proliferation of Nuclear Weapons (NPT), rejoin the International Atomic Energy Agency (IAEA) and allow inspections of its nuclear facilities. They answered that anything was possible if the United States would engage in bilateral negotiations.

Negotiations, they added, must involve face to face discussions and the exchange of concessions just like the 1993-94 negotiations. North Korea would accommodate all of Washington’s concerns, but only if the United States halted its hostile policy. Pyongyang’s ultimate goal, they claimed, was to achieve a “new Agreed Framework.” Taking simultaneous steps, each side would move toward their respective goals. North Korea would phase out its nuclear program and allow international inspections while Washington took steps toward full normalization of bilateral diplomatic and commercial relations.

They confirmed that Pyongyang was pursuing the development of a nuclear capability. The program could lead either to the building of nuclear power plants, just like South Korea, to end North Korea’s severe energy shortage and to promote its economic development. Otherwise, the nuclear program could become a “nuclear deterrence capability” to discourage the United States from attacking North Korea. But they warned repeatedly that time was running out for achieving a diplomatic solution. Bilateral US-North Korea talks were needed to strengthen the Foreign Ministry’s influence on Kim Jong Il. Without such talks, Pyongyang’s military generals would completely dominate Kim Jong Il’s thinking. The longer President Bush continued his negative rhetoric and refused to engage in bilateral negotiations, the greater Kim Jong Il’s conviction that Bush was buying time until the Iraq situation calmed down and the United States could destroy Kim’s regime using either military force or economic sanctions.

My North Korean colleagues emphasized that their leader must avoid any appearance of bowing to American pressure. He needed to demonstrate to his senior advisers, especially the generals, that he was just as resolute as his father in dealing with the “imperialists,” i.e. the Americans and Japanese. A negotiated settlement was possible, but it would require that Kim Jong Il receive concessions similar to those provided under the Agreed Framework of 1994. They pointed out that President Bush demanded that first Kim Jong Il give up everything – his entire nuclear program – without any concessions, even a promise of negotiations. In Pyongyang, it was politically impossible for Kim Jong Il to do this.

I am convinced that the North Korean diplomats accurately expressed their government's official positions. What I learned during my "back channel" meetings in 2004 and 2005 was repeated by North Korean diplomats in official bilateral US-North Korea meetings held on the margins of the Six Party Talks in 2005. In other words, two years had been lost. Key officials at the State Department had believed my meetings provided valuable insight into North Korea's position, but higher ranking officials in the Pentagon and National Security Council dismissed the meetings as being of little significance. The attitude in Washington toward my meetings changed in February 2005 after North Korea's Foreign Ministry announced that Pyongyang had developed a "nuclear deterrence capability."

Indecisiveness in Washington

This excited debate in Washington. "Hard liners" like Vice President Cheney, Defense Secretary Rumsfeld and State Department Under Secretary for International Security Affairs Robert Joseph wanted to attack North Korea to destroy its nuclear facilities. They argued that the longer North Korea was allowed to develop its nuclear arsenal, the sooner Pyongyang would be able to arm its ballistic missiles with nuclear warheads. Cooler heads in the State Department, particularly Condoleezza Rice, called for an intensification of diplomacy. At the end of February, 2005, Bush gave Rice six months to achieve a diplomatic solution. If she failed, other options would be pursued.

Officials in Washington asked me to deliver a stern warning to North Korea – either return to the Six Party Talks or face UN sanctions and even possible US military action. The North Koreans responded quickly that they would return to the Six Party Talks, but only if Bush stopped criticizing Kim Jong Il, Rice apologized for having called North Korea an "out post of tyranny," and bilateral diplomatic dialogue resumed using the New York Channel" between the US State Department and the North Korean UN Mission.

It took one month to forge an agreement. Washington said no to the demand for an apology but agreed to the other demands. In early April, 2005, my wife met me at the airport and asked how my meeting with the North Koreans had gone. I told her I had good news. She warned that I should first view President Bush's press conference. That afternoon, while the North Koreans were promising to return to the Six Party Talks, President Bush again called Kim Jong Il a "tyrant." The next day the North Koreans called to say that the deal was cancelled.

Seven more weeks of shuttling back and forth between Washington and New York finally produced another agreement at the end of May 2005. But shortly after I had informed the State Department, Secretary of Defense Rumsfeld took steps that crushed the agreement. He told journalists that the US government would soon raise the North Korea nuclear issue at the United Nations Security Council, sent F-117 Stealth fighter bombers to South Korea and ordered the US Army to halt its search for Korean War dead remains in North Korea. Pyongyang's generals correctly interpreted Rumsfeld's actions as having hostile intent. Again North Korea's return to the Six Party Talks was blocked by the words and deeds of the Bush Administration.

Finally at the end of June 2005, US and North Korean diplomats met in New York and settled on an agreement that insured North Korea's return to the Six Party Talks. The deal was exactly the same as had been forged in April and again in May. The difference was that in June diplomats from both sides met face to face and President Bush quickly confirmed the agreement.

The Six Party Joint Statement

Finally on September 19, 2005, the Six Parties issued their joint statement in Beijing. But powerful members of the Bush Administration opposed the statement, claiming it too closely resembled the 1994 US-North Korea agreement. To win President Bush's approval, US diplomats in Beijing asked Japan's Foreign Minister to convince Secretary of State Rice to approve the statement. He did so when he met Rice at the United Nations the next day. But shortly after Rice won President Bush's approval, chief US negotiator Christopher Hill was ordered on September 20 to read a US statement that greatly restricted Washington's support for the Six Parties' Joint Statement. At the same time, the U.S. Treasury Department intensified financial sanctions on North Korea.

On a Slippery Slope

At my February 2006 meeting, North Korean diplomats again reiterated their government's willingness to return to the Six Party Talks, but first the United States had to accept a "mutually face saving compromise" regarding financial sanctions. Pyongyang would drop its demand that North Korean Vice President Kim Kye Gwan be invited to the United States for discussions of the sanctions. This originally was Chief US negotiator Christopher Hill's offer but the Bush Administration blocked issuance of a visa to Kim Kye Gwan. Instead, Pyongyang asked the United States to transfer the frozen \$24 million North Korean account from North Korea's bank account in Macau to a new account in New York. This way Washington could monitor how North Korea spent the frozen money. When the two sides met in New York in March 2006 to discuss this matter, the United States promptly rejected the North Korean offer.

Then Japan hosted a visit to Tokyo by Kim Kye Gwan. It was hoped that Chief Negotiator Hill could meet with Kim in Tokyo, but again the Bush Administration blocked such a meeting unless North Korea first agreed to return to the Six Party Talks. Both sides, in short, insisted that the other side first meet a precondition before further meetings were possible. Such demands effectively blocked any diplomatic progress.

I have no doubt that deep mistrust and arrogance on both sides contributed to the dangerous situation we now face. President Bush's indecisiveness, his arrogant and moralistic public rhetoric, and the deep suspicions and arrogance of his senior advisers played into the hands of Pyongyang's "hard line" generals who advocated North Korea's development of nuclear weapons. At the same time, North Korea's generals were intent upon convincing their leader that he could not trust his "pro-American" diplomats because they had failed to engage in bilateral negotiations with Washington.

But a peaceful diplomatic resolution to the North Korean nuclear crisis is still possible. First, however, we must focus on the future, not the past. Pyongyang claims it is still ready to return to the Six Party Talks, but only if the United States agrees to its March 2006 proposal regarding financial sanctions. China, Russia and South Korea prefer the talks resumption rather than the effort to collapse the North Korean regime. Achieving a negotiated resolution today will be much more difficult because now North Korea has a nuclear weapon. Their nuclear bomb may be of poor quality and unreliable, but if it works, it could kill many innocent people. It would also end peace in Northeast Asia, cause extensive damage to the nations of Northeast Asia and severely disrupt the world economy.

Options: Diplomacy or War?

We face a choice: either continue to refuse to negotiate or begin negotiations. Let us be honest. Never in history have economic sanctions achieved a peaceful diplomatic solution. When the United States in October 1941 imposed an oil embargo on Japan, Tokyo chose war rather than to bow to Washington. The North Koreans are no different. Already their government has declared that the UN sanctions are an “act of war.”

Waiting for economic sanctions to collapse the North Korean regime gives its generals more time to develop a refined nuclear weapon and to produce nuclear armed ballistic missiles. In other words, our refusal to negotiate helps his generals. Once they have a nuclear missile capability, there is no reason for them to negotiate. This dramatically increases the threat to Japan.

Diplomacy has not failed. President Bush’s refusal to consistently pursue a diplomatic resolution with North Korea has prevented diplomacy from achieving a peaceful resolution. Under the Bush Administration, Japan has become more vulnerable to the increasingly potent North Korean threat. U.S. military forces have shifted from East Asia to the Middle East to fight the “war on terrorism.” Bush’s refusal to negotiate with Kim Jong Il has given North Korea more time to refine its nuclear and ballistic missile arsenals. Funding and technical problems have impeded Japan’s ability to develop an anti-ballistic missile defense system to counter the North Korean threat.

Soon President Bush will retire as the U.S. president. He may leave as part of his legacy the unresolved North Korean nuclear threat. Northeast Asia’s nations would be wise to stop following his leadership now. Instead they should forge their own consensus on how to deal with North Korea. The least costly path for them would seem to be to negotiate with Pyongyang. Sacrificing some pride to avoid war is a small price to pay for peace.