

Opinion

Washington to Pyongyang – Let's Make a Deal, But First ...



C. Kenneth Quinones
Former U.S. Department
of State North Korea
Affairs Officer

Introduction

President Bush began sending North Korean leader Kim Jong Il a new message in June 2005 which can be summarized as, "Let's make a deal." Prior to this, Bush's usual message during the previous four and one half years was essentially, "Give

up your nuclear arsenal or else." Now that the Bush Administration finally seems ready to negotiate with North Korea, its basic stance can be summarized as, "strategic resolve with tactical flexibility."

President Bush's recent increased emphasis on diplomacy is a paradox given his oft repeated declaration that he wants a "peaceful diplomatic solution" to end all of North Korea's nuclear programs. Achieving a diplomatic solution would seem impossible without doing what diplomats do - dialogue and negotiate. Yet the Bush Administration disallowed this until June 2005. Instead, it labeled North Korea unworthy of diplomatic dialogue and ruled out "rewarding" it for past misconduct. Instead, the Bush Administration sought to use the Six Party Talks with China, South and North Korea, Japan, and Russia to focus multilateral diplomatic and economic pressure on North Korea. The aim was to coerce Pyongyang into accepting "complete, verifiable, irreversible dismantlement" of all North Korean nuclear programs, or so-called "CVID." But the shift away from coercive tactics in the summer of 2005 empowered the State Department to employ various diplomatic tactics

"under the umbrella of the Six Party Talks." This contributed to the talks' resumption and set the stage for Bush's surprisingly swift concurrence with the Six Parties' Joint Statement of September 19, 2005.

A review of the Administration's public record, however, confirms that the scope of this shift is limited, and its duration could prove temporary. President Bush and his Administration remain resolute in their insistence upon "CVID." At the same time, the State Department's East Asia Bureau headed by Assistant Secretary Christopher Hill sought to maximize its tactical flexibility after the Joint Statement had been announced. By mid-October, however, the Administration's so-called "hardliners" appear to have reasserted their restrictions on "tactical flexibility." This suggests that the next round of talks scheduled to commence in early November are not likely to achieve further significant progress pending North Korea's initiation of compliance with CVID.

Resolute Goals

The Bush Administration's goal remains CVID despite the use of different words at different times to describe this stance. Chief US negotiator and Assistant Secretary of State (A/S) for East Asian and Pacific Affairs (EAP) Christopher Hill during his June 14, 2005 appearance before the Senate Foreign Relations Committee said,

First, the president's policy is to achieve the full denuclearization of the Korean peninsula by peaceful, multilateral diplomacy through the six-party talks. Second, to change its place in the world and to get the benefits of trade, aid, investment, North Korea must address the concerns of its neighbors and of the international community.

A/S Hill elaborated that,

The US has adhered to three basic principles to resolve the North's nuclear threat. First, we seek the dismantlement, verifiably and irreversibly, of all DPRK nuclear programs — nothing less. We cannot accept a partial solution that does not deal with the entirety of the problem, allowing North Korea to threaten others continually with a revival of its nuclear program. Second, because the North's nuclear programs threaten its neighbors and the integrity of the global nuclear non-proliferation regime, the threat can best be dealt with through multilateral diplomacy. Third, we will not reward North Korea for coming into compliance with its past obligations. (Emphasis added.)

Hill went on to demand that, “Pyongyang must make the fundamental decision, the strategic decision that its nuclear programs make it less, not more, secure (emphasis added). And it needs to eliminate them permanently, thoroughly and transparently, subject to effective verification.” The demands that North Korea make a “strategic decision” and accept CVID remain recurring US themes at the Six Party Talks.¹

A/S Hill reaffirmed the continuity of these goals at his October 6, 2005 testimony before the House of Representatives Committee on International Relations. In his prepared statement, Hill emphasized,²

The [Six Party] Joint Statement [of September 19, 2005] is intended as a set of signposts that guide us to the end point of the process: that is, from the DPRK we seek denuclearization. Denuclearization that is complete because we cannot accept in complete denuclearization. Denuclearization that is verifiable because we

cannot accept denuclearization on the basis of trust. We need to do it on the basis of being able to verify. We seek denuclearization that is irreversible because we can't have a situation where they can once again renuclearize (sic). And we seek denuclearization (sic) on the basis of dismantlement. Dismantlement that is taking apart these programs, so that they cannot be put back together (sic). (Emphasis added.)

To summarize, A/S Hill affirmed that the US goal remains “CVID” despite the varying vocabulary occasionally used to state this goal.

Tactical Flexibility

The Bush Administration appears, however, to have fundamentally altered its tactics. Between the first (August 2003) and fourth rounds (August 2005) of the Six Party Talks, President Bush preferred coercion over engagement and negotiation. He sought to use the Six Party Talks to focus multilateral diplomatic and economic pressure on North Korea in the hope of compelling its acceptance of “CVID” without “rewarding” it for its past “misconduct.” Backing this effort was the Proliferation Security Initiative (PSI) which rallied multilateral support for the possible armed interdiction of any North Korean attempt to export weapons of mass destruction (WMD). PSI's secondary aim remains to intensify Pyongyang's economic woes by discouraging North Korea's export, and other nations' import of weapons which some analysts believe to be a major source of income for the North Korean regime. Additionally, President Bush and his senior official sought to belittle and to discredit the Kim Jong Il regime's legitimacy while often threatening to resort to “other options,” a

1. “Statement of Assistant Secretary for East Asia and Pacific Affairs Christopher Hill, ‘Dealing with North Korea’s Nuclear Program,’” June 14, 2005. www.state.gov; also see: Federal News Service, Inc., “Hearing of the Senate Foreign Relations Committee Subject: North Korea?? An Update on the Six-party Talks and Matters Related to the Resolution of the North Korean Nuclear Crisis.” Yuler@nationalpress.com.

2. Federal News Service, “Hearing of the House International Relations Committee, ‘The Six-Party Talks and the North Korean Nuclear Issue: Old Wine in New Bottles?’” www.fednews.com.

euphemism for a possible pre-emptive military attack on North Korea.³

China, South Korea, Japan and Russia shared Washington's goal of the Korean Peninsula's "denuclearization," but preferred diplomatic engagement and negotiation rather than President Bush's more coercive tactics to achieve their shared goal. North Korea naturally exploited this tactical divergence at the Six Party Talks. Gradually, the Bush Administration found itself virtually isolated from the other participants at the talks.⁴

Washington's Tactical Adjustment

In June 2004, the Bush Administration moderated its stance by tabling the outline of a solution. It promised North Korea a cornucopia of benefits – multilateral security assurances, economic and energy aid, and diplomatic recognition – but only after North Korea publicly pledged and verifiably began to dismantle all of its nuclear programs, civilian and military. Pyongyang eventually dismissed the US proposal as not worthy of serious consideration. By September 2004, the Six Party Talks process had stalled.

The Bush Administration, in spite of Pyongyang's negative response, continued to assert that North Korea was obligated to respond to its proposal. Then Chief U.S. negotiator A/S

EAP James Kelly, A/S Hill's predecessor, continued to promote the US proposal, as he did at the Woodrow Wilson Center in Washington, D.C. on November 9, 2004, just after the US presidential election. A/S Christopher Hill affirmed the same position before the US Senate Foreign Relations Committee on June 14, 2005. He said,

The U.S. tabled [at the June 2004 Six Party Talks] a comprehensive and substantive proposal, which the DPRK at the time called "serious," which it certainly was. All the parties agreed to meet again by end-September 2004. ... While the DPRK has made public statements about our June [2004] proposal, it has not responded formally to us.

A/S Hill continued to urge North Korea to respond to the US proposal at the July and August sessions of the Six Party Talks.

Bilateral Boxing Match

After the Six Party Talks had stalled in September 2004, Washington and Pyongyang engaged in a continuous verbal boxing match. North Korea's Supreme Commander Kim Jong Il and US President George Bush claimed frequently and loudly that they wanted a "peaceful diplomatic solution," but their

3. C. Kenneth Quinones, "Dualism in the Bush Administration's North Korea Policy," *Asian Perspective*. Vol. 27, No. 1(2003) 197-224. The Bush's Administration's approach to North Korea prior to June 2005 is amply documented in the following sources: John Bolton, State Under Secretary for Arms Control and International Security, "Beyond the Axis of Evil: Additional Threats from Weapons of Mass Destruction, Remarks to the Heritage Foundation, May 6, 2002," www.state.gov/t/us; John Bolton, State Under Secretary for Arms Control and International Security, "New Proliferation Security Initiative: An Interview with John Bolton (on November 4, 2003), Arms Control Association. www.armscontrol.org; John Bolton, State Under Secretary for Arms Control and International Security, "North Korea: A Shared Challenge to the U.S. and the ROK, Remarks to the Korean-American Association, August 29, 2002, Seoul, Korea," www.state.gov/t; John Bolton, State Under Secretary for Arms Control and International Security, "Remarks to the Second Global Conference on Nuclear, Bio/Chem Terrorism: Mitigation and Response, November 1, 2002," www.state.gov/t/us; Richard Boucher, State Department Spokesman, "Status of Political Dialogue with North Korea," (July 2, 2002), www.state.gov; Richard Boucher, State Department Spokesman, "North Korean Nuclear Program, October 16, 2002," www.state.gov/r/pa/prs; George W. Bush, President, "Statement by the President on North Korea Policy," White House Press Release (June 6, 2001), www.whitehouse.gov; George W. Bush, President, "Remarks by President Bush and Prime Minister Koizumi in Joint Press Conference, Tokyo, Japan, February 18, 2002," www.state.gov/p/eap; George W. Bush, President, "Remarks by President Bush and President Kim Dae-jung in Press Availability, Seoul, Republic of Korea, February 20, 2002," www.state.gov/p/eap; George W. Bush, President, "Memorandum to the Secretary of State, Presidential Determination No. 2002-12, April 1, 2002," www.whitehouse.gov/news/releases; George W. Bush, President, "Statement Regarding KEDO, November 15, 2002," www.whitehouse.gov/news/releases; George W. Bush, President, "Remarks by President Bush and Polish President Kwasniewski, Washington, D.C., January 14, 2003," www.state.gov/p/eap.

4. China's Foreign Ministry spokesman routinely states at regular press conferences his government's preferred position regarding North Korea's nuclear weapons program and the Six Party Talks. For example, see: Foreign Ministry Spokesperson Press Conference on November 12, 2004. www.fmprc.gov.cn. On South Korea's differences with the United States, see: Secretary Condoleezza Rice, "Remarks with South Korean Foreign Minister Ban Ki-moon," March 20, 2005. www.state.gov. After Meeting Barbara Demick, "South Korea Rejected U.S. Plan on North," *Los Angeles Times*. April 16, 2005. www.latimes.com; President George W. Bush, House, "President Welcomes South Korean President to the White House," June 10, 2005. www.whitehouse.gov; Reuben Staines, "US Backs Seoul's NK Aid Plan," *The Korea Times*, July 1, 2005. <http://times.hankooki.com>; Barbara Demick, "Split Develops Over North Korea's Right to Civilian Nuclear Power," *Los Angeles Times*. August 24, 2005.

respective stances and exchanges of verbal blows only fueled an escalation of tension. Pyongyang continued to accuse Washington of pursuing a “hostile policy” while it produced more weapons’ grade plutonium. President Bush often responded that he had “other options,” including a military option.

Yet all the while, the Bush Administration seemed to be pursuing a duel approach to North Korea. On the one hand, it sought to focus multilateral diplomatic and economic pressure on North Korea. It frequently pressed Beijing to intensify pressure on North Korea, even going so far as urging it to halt all economic aid.⁵ Washington urged Seoul to restrict its economic cooperation with Pyongyang. Preparations to implement PSI were quickened and Japan called upon to play the lead role in its implementation. By December 2004, the situation became confusing. The US State Department’s Director of Policy Planning in a December 3 statement said “co-existence (with North Korea) remains possible ...” Also, the outgoing US chief negotiator to the Six Party Talks, James Kelly, publicly stated in mid-December that the U.S. seeks the DPRK’s “transformation,” not its overthrow. Kelly also told a South Korean newspaper that the U.S. would be willing to replace the Korean War Armistice with a “multi party peace treaty,” a proposal Pyongyang had reiterated in May 2004.

Shortly afterwards, however, the so-called “New York channel” between US diplomats in Washington and their North Korean counterparts in New York was shut down regarding any substantive diplomatic dialogue about the nuclear issue. DPRK diplomats were barred from traveling to the U.S. capital. Beginning in January 2005, DPRK diplomats were denied visas to visit the United States and not allowed to travel outside New York to points within the United States. These steps climaxed

with Dr. Rice’s January 18, 2005 labeling of North Korea an “outpost of tyranny,” a comment that infuriated Pyongyang’s leadership.

Kim’s Stunning News

Kim Jong Il then stunned the Bush Administration on February 10, 2005, when his Foreign Ministry confirmed that the DPRK had built nuclear weapons. Pyongyang’s announcement pointed to the Bush Administration’s long record of belittling the DPRK’s leader, reiterated the allegation that the United States’ hostility toward it threatened its survival and declared that the DPRK possessed a “nuclear deterrence capability.” Pyongyang subsequently asserted its “sovereign right” to discontinue its six year old moratorium and resume the testing and development of ballistic missiles.

Clearly, President Bush’s “pre-emptive” nuclear non-proliferation strategy, moralistic criticism of Kim Jong Il and refusal to engage North Korea in diplomatic dialogue and negotiations had failed to deter nuclear proliferation on the Korean Peninsula. At the same time, it obviously did not promote progress toward a peaceful diplomatic solution. Nevertheless, the president initially persisted in his coercive tactics. He continued to demand CVID despite his close allies South Korea and Japan’s advice to the contrary. He also persisted in labeling the DPRK unworthy of negotiations and concessions.

In mid-March, 2005, the new US Secretary of State Condoleezza Rice, during her visit to East Asia March 17– 21, 2005, reiterated the Administration’s goal of “CVID” and urged China to squeeze Pyongyang harder.⁶

Yet she subtly suggested a shift in the Administration’s tactics by publicly conceding that the DPRK is an “independent sovereign state.” She also refrained from belittling North

5. *Washington Post*, May 7, 2005.

6. DPRK Foreign Ministry, “DPRK Stand to Suspend Its Participation in Six Party Talks for Indefinite Period,” Korea Central News Agency (KCNA) February 10, 2005. www.kcna.co.jp. See the State Department’s official transcripts of Secretary Condoleezza Rice’s remarks, “On the Record Briefing March 17, 2005;” “Remarks to the Press with Japanese Foreign Minister Machimura, March 19, 2005;” “Remarks at Sophia University, March 19, 2005;” “Remarks with South Korean Foreign Minister Ban Ki-moon,” March 20, 2005; and “Remarks with Chinese President Hu Jintao,” March 22, 2005.

Korea's leader. Some observers believe this change of tone was a consequence of concerted efforts by the governments in Beijing, Seoul and Tokyo to temper the Bush Administration's assertive and derogatory stance vis a vis Pyongyang. But a month later, during an April 28, 2005, press conference, President Bush again berated his North Korean counterpart as a "tyrant who starves his people."⁷

Transition from Coercion

By May, 2005, President Bush appears to have begun backing away from his preference for coercive tactics. He positioned himself mid-point between so-called "hardliners" Vice President Chaney and Defense Secretary Rumsfeld, who favored coercive tactics, and Secretary of State Rice who leaned toward intensifying diplomacy. Two developments may have influenced Bush's adjustment. First in early May, China rebuffed Bush Administration efforts to convince Beijing to halt, at least temporarily, its substantial economic assistance to North Korea.⁸

Immediately after this report, the State Department extended several "olive branches" to Pyongyang. Pyongyang promptly responded on May 8 by suggesting a bilateral "New York channel" meeting convene in New York. Two senior State Department officials met with their North Korean counterparts on May 13 and promised that if North Korea returned to the Six Party Talks, the Bush Administration would:

- reopen the so-called "New York channel" for sustained substantive dialogue,
- resume direct bilateral diplomatic dialogue with Pyongyang under the umbrella of the Six Party Talks,
- and agree to discuss the specifics of security assurances.

Pyongyang's response was hesitant but constructive. It suggested a return to the talks was very possible, but first demanded that Secretary Rice apologize for her earlier labeling of North Korea as an "outpost of tyranny."⁹

Washington's hardliners promptly attempted to reclaim the initiative at the end of May. On May 24, Defense Secretary Rumsfeld "suspended" the US Army's decade long effort to locate and to recover the remains of US soldiers who had died in North Korea during the Korean War. Pyongyang had long considered this effort an informal US "security assurance" that the US would not attack North Korea, at least while US soldiers were working in North Korea. At the same time, the Defense Department confirmed as "routine" the dispatch of 15 additional F-117 Stealth fighter-bombers to South Korea.

Then on May 30, Vice President Chaney on CNN's "Larry King Live" program labeled Kim Jong Il "one of the world's most irresponsible leaders" who "runs a police state." At the same time, high ranking, unidentified Department of Defense official suggested that the United States had lost patience with the Six Party and was preparing to shift the North Korean nuclear issue to the United Nations.

President Bush moved to calm the atmosphere. On June 1 he referred to North Korea's leader as "Mr. Kim" instead his usual labeling of Kim a "dangerous guy" and a "tyrant." He authorized Secretary Rice to dismiss the claim as inaccurate that the US was preparing to shift the nuclear issue to the United Nations. Rumsfeld did likewise on June 6.¹⁰ Then on June 10, President Bush met his South Korean counterpart for a one day summit in Washington. They confirmed their mutual preference for the Six Party Talks and a peaceful diplomatic resolution over "other options" to resolve the North Korean nuclear issue.

7. Federal News Service, "Transcript of News Conference with President George W. Bush," April: 28, 2005.

8. Glenn Kessler, "China Rejected U.S. Suggestion to Cut off Oil to Pressure North Korea," *Washington Post* (May 7, 2005) A11.

9. Reuters, "US Held Direct Meeting with N. Korea — White House, May 19, 2005. <http://today.reuters.com> . Also see: U.S., North Korean Officials Talk in New York. *New York Times*, June 6, 2005.

10. "Rumsfeld Plays Down Quick Decision on N. Korea," *The New York Times*, June 6, 2005.

When A/S Hill appeared on June 14, 2005, before the Senate Foreign Relations Committee, he concluded, "And while of course there's a range of options to deal with the North's nuclear threat, simply ignoring them is not one of them. Our policy is to pursue a diplomatic solution, but we need to see results from the diplomacy." Fortunately for all concerned, the Six Party Talks resumed in July, 2005, further nudging President Bush toward greater tactical flexibility.

Goals or Tactics: the LWR Issue

After the talks had resumed, Washington's diplomats asserted tactical flexibility with increasing confidence and vigor into late September. Translated into action, this enabled the US delegation to the Six Party Talks to meet frequently to freely exchange views with their North Korean counterparts. Apparently the only restrictions were that this diplomatic dialogue had to fall under the "umbrella of the Six Party Talks" and for the purpose of promoting progress toward the Bush Administration goals. By late September, however, the limits of this tactical flexibility became evident. The strategic decision that A/S Hill demanded of North Korea at his June 2005 Senate hearing ruled out any possibility that the United States would condone North Korea's pursuit of any peaceful nuclear program. This became increasingly clear during the Six Party Talk recess between the July and September sessions.

In early August, just before the Six Party Talks recessed, Pyongyang began to press for recognition of its "inalienable right to possess a peaceful nuclear program." Pyongyang insisted the Six Party participants pay to construct for it a light water nuclear reactor (LWR) as part of the compensation package for giving up its

nuclear weapons and related programs.¹¹

As soon as A/S Hill had returned to Washington, he asserted that, "Toward the end [of the previous round, North Korea] looked for specific mention of a light-water nuclear reactor, something that none of the other delegations could go along with." He continued, "One gets the impression people back in Pyongyang have still not dragged themselves over the line to give up (their nuclear weapons)."¹² Yet in numerous public briefings, A/S Hill seemed to suggest that the US might be flexible on this issue, at least until President Bush publicly ruled out any such possibility.¹³

But on August 12, South Korean Unification Minister Chung Dong Young disagreed, "This is the part where we disagree with the United States," Chung reportedly said, "We believe that if North Korea returns to the Nuclear Non-proliferation Treaty and subjects itself to safeguards agreements and inspections by the International Atomic Energy Agency, North Korea should have the rights as an NPT member country."¹⁴

In spite of Seoul's preferences, the Bush Administration firmly ruled out any possibility that North Korea should be able to develop a peaceful nuclear program or build an LWR. While briefing the press on September 9, 2005 at the State Department, A/S Hill asserted repeatedly that, "What North Korea needs to do is get out of the nuclear business... You know, North Korea — DPRK has had trouble keeping peaceful programs peaceful." He then affirmed the US goal of a "nuclear-free Korean Peninsula" and recalled the US June 2004 offer of economic incentives and the normalization of relations in exchange for North Korea's acceptance of CVID. He concluded, "But what I do know is at the end of this (Six Party Talks process), we are not going to allow a situation where the DPRK retains

11. *Los Angeles Times*, August 8, 2005.

12. Mark Mangier, "Preparing for Round 5 with North Korea," *Los Angeles Times*, August 8, 2005.

13. A/S EAP Christopher Hill, "Foreign Press Center Briefing with Christopher R. Hill: The Six-party Talks," Augusts 10, 2005. www.fednews.com. Christopher Hill presentation at the Asia Society Washington Center, "North Korea Update: The Most Recent Round of Six-Party Talks in Beijing," August 17, 2005. www.fednews.com.

14. Choe Sang-hun, "Seoul, Defying U.S., Backs North on Use of Nuclear Power," *International Herald Tribune*, August 12, 2005.

fissile material... We interested in negotiation where they get out of this [nuclear] business ..."¹⁵ The US position directly contradicted the terms of the Treaty on the Non-proliferation of Nuclear Weapons. The treaty reads in part,¹⁶

Particular importance should be attached to ensuring the exercise of the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II as well as III of the Treaty.

US policy during the Cold War had led the US to help author the treaty and to promote it as the cornerstone of its global policy, and of international law pertaining to nuclear non-proliferation. Additionally, sustaining North Korea's compliance with this treaty had been the foremost objective of Washington's negotiations with Pyongyang that led to the Agreed Framework of 1994. Yet until the eve of the Six Party Talks issuance of their Joint Statement, US diplomats continued to adamantly oppose North Korea's wish to maintain a peaceful nuclear program. A/S Hill daily asserted that the United States opposed the idea. Secretary Rice in a September 15, 2005 interview went so far as to suggest that the United States might revert to more coercive tactics in dealing with North Korea if this proved necessary,¹⁷

You know, the North Koreans have a way of moving the goal posts all the time. And they've apparently come back determined that they have to have a light-water reactor. Well, we're, you know, we're not going there. ... But they have great nostalgia for the Agreed Framework from 1994 and they keep trying to introduce elements of the Agreed Framework into the current negotiations and

Chris [Hill] keeps telling them that the Agreed Framework is dead... So we'll see, ..., whether or not they're prepared to make a strategic choice about their nuclear weapons programs and I think that will show -- ... -- whether we can get a deal. We're not sitting still ... we're working on anti-proliferation measures that help to protect us. The Proliferation Security Initiative is one way through intelligence sharing and interdiction to try and deal with anything that they might do in trying to transfer technology. The President signed an Executive Order, if you remember that freezes assets and some entities that we believe that are engaging in proliferation trade. So we're not wholly dependent on negotiations to get this done. (Emphasis added.)

The next day, September 16, Ambassador Hill continued to echo Washington's reluctance to concede to Pyongyang's insistence on an LWR. At the morning portion of his daily press briefing, Hill recalled,¹⁸

We (the USA) have a proposal on the table. We think it's a very fair proposal. We think it's a proposal that addresses their (the DPRK) needs, needs as defined by various experts and by themselves. ... I can assure you, nobody is interested in funding a \$2 or \$3 billion dollar light water reactor. And, moreover, there's another problem caused by the fact that the DPRK, for the first time in history with any country, pulled themselves (sic) out of the Non-Proliferation treaty. So the DPRK put themselves in this position and has put themselves in a position where people cannot provide them with a reactor, or such nuclear parts.

But only three days later, on September 19, 2005, A/S Hill welcomed the Six Party's Joint Statement, even though it contained the

15. See: Official State Department transcript, "Special Press Briefing by A/S EAP Christopher Hill, Subject: Resumption of Six Party Talks," September 9, 2005.

16. See the Treaty on the Non-proliferation of Nuclear Weapons, Article IV, Preamble Paragraphs 6 and 7, article 14.

17. Secretary Condoleezza Rice, "Interview with the New York Post Editorial Board," September 15, 2005, page 9. www.state.gov.

18. A/S Christopher Hill, "Resumption of the 4th Round of the Six-Party Talks: Evening Transit China World Hotel," September 16, 2005. www.state.gov.

following item:¹⁹

The DPRK stated that it has the right to peaceful uses of nuclear energy. The other parties agreed to discuss at an appropriate time the subject of the provision of a light-water reactor to the DPRK.

On the afternoon of September 19, an enthusiastic A/S Hill commented about the just concluded Joint Statement to a crowd of bleary eyed reporters,

I think the winning points are that we get an agreement on a denuclearized Korean Peninsula. I think what we said in the agreement is what we said in the agreement (sic) which is that at an appropriate time we are prepared to have a discussion with the other parties about the issue of providing a light-water reactor ... the appropriate time comes when the DPRK gets rid of its nuclear weapons, gets rid of its nuclear programs, comes back into the NPT and comes back into full IAEA safeguards.

Hill's comment seems to replace the Bush Administration's once adamant opposition to North Korea's possession of a nuclear program of any kind with a much more conditional stance. IN other words, Hill seemed to be saying that the United States could eventually sanction North Korea's pursuit of a peaceful nuclear program, but only after it had returned to the NPT and resumed compliance with IAEA nuclear safeguards. Not surprisingly, according to reliable diplomatic sources, State Undersecretary for International Security Affairs Robert Joseph, among others, adamantly opposed any such shift and insisted upon a return to "CVID."²⁰

"Kicking the Can ..."

Eventually historians will be able to decipher the reasons behind the Bush Administration's surprisingly quick acceptance of the September 19, 2005 Joint Statement. Of particular interest is why the Administration so abruptly shifted its stance regarding North Korea's demand for a light-water reactor, and in the process apparently stopped pressing Pyongyang for a response to Washington's June 2004 proposal.

The short answer maybe that Washington merely "kicked the can down the road," which is bureaucratic jargon for deferring resolution of a pressing issue because of other, higher priority concerns. At the time that the diplomats in Beijing were haggling over the joint statement's wording, President Bush and his Administration faced a growing chorus of pointed criticism over its faulty response to Hurricane Katrina, the worst natural disaster in US history.

Subsequent developments tend to support this hypothesis. A/S Hill was on the defensive regarding the September 19 Joint Statement even before he had returned to Washington. North Korea's Foreign Ministry spokesman on September 20, in an authoritative statement, calmed that the Joint Statement was a victory for Pyongyang which,

reflects our (DPRK) consistent position on the resolution of the DPRK-US nuclear issue; it clearly stipulates obligations for the United States and South Korea, which are responsible for the denuclearization of the entire Korean Peninsula.

Pyongyang declared that,²¹

... the most serious point of contention between us and the United States is word-for-word pledges for the denuclearization of the Korean Peninsula has hitherto been the issue of our

19. "September 19, 2005 Joint Statement," *China Daily*, September 20, 2005, page 1.

20. A/S EAP Hill, "Press Briefing September 19, 2005, 2:37 P.M.," www.state.gov.

21. "DPRK Foreign Ministry Statement on the Joint Statement," Korea Central News Agency (KCNA), September 19, 2005 (Pyongyang time).

right to peaceful nuclear activities, to be specific, the issue of providing a light-water reactor (LWR) to us. ... Denying in principle our right to peaceful nuclear activities, which pertains to a sovereign state's sovereign right, the incumbent US Administration insisted that it could not provide an LWR under any circumstances on the ground that we dropped out of the NPT and that we were not a member of the IAEA. To cope with such an unjust position of the United States, we made it clear that the basis of resolving the DPRK-US nuclear issue lay in liquidating the historically created mistrust between the two countries and that the physical foundation for mutual confidence building was none other than the provision of an LWR. We strongly demanded that the United States remove the root cause that made us withdraw from the NPT by providing an LWR. (Emphasis added.)

All the concerned parties in the talks except the United States seconded the discussion of issues on respecting our right to peaceful nuclear activities and providing us with an LWR. Weighted down by general trend at the time, the US delegation had no choice but to give up on its obstinacy reluctantly after liaising with Washington numerous times. ... As is clarified in this joint statement, we will return to the NPT, conclude a safeguards agreement with the IAEA, and implement it as soon as the United States provides us with an LWR .

Pyongyang obviously was maneuvering to seize the initiative prior to the Six Party Talks' resumption. It claimed the "high road" by referring to the NPT's provisions regarding peaceful nuclear power and the Six Party Talks' participants' agreement to:

take coordinated steps to implement the aforementioned consensus in a phased manner in

line with the principle of 'commitment for commitment, action for action.

In short, Pyongyang had moved to prevent Washington from "kicking the can down the road."

Once back home, A/S Hill moved promptly to defend the Joint Statement. In rapid succession, Hill appeared on the popular and highly respected PBS Television program, "News Hour with Jim Lehrer." On October 4, he briefed journalists at the Foreign Press Center in Washington, DC. Appeared before the US Congress' House Committee on International Relations, participated in a closed briefing at the Center for Security and International Studies, a Washington think tank managed by moderate Republicans, and hosted a reception open only to journalists from Japan and South Korea.

On the one hand, he told journalists on October 4,²²

As we always made clear, the set of principles is but a means to show us the way to the next phase, which is to try to fashion a set of measures to implement these principles. And to be sure, if you thought the principles were difficult, the implementation measures, I think, will be even more difficult.

He concurred with North Korea that the United States had commitments to fulfill and pointed to the normalization of bilateral relations, which he labeled "a complex series of issues." At his June 14 appearance before the Senate Foreign Relations Committee, however, Hill had emphasized that the normalization process could not commence until after resolution of the nuclear issue and progress toward resolution of other issues such as North Korea's ending its ballistic missile programs and improving its human rights record. Nevertheless, a few days later, Hill

22. A/S Christopher Hill, "Foreign Press Center Briefing on the Six Party Talks," Federal News Service, October 4, 2005, <http://fast.fnsg.com>.

told Japanese and Korean journalists at a private reception that he hoped to soon visit Pyongyang to initiate the process of bilateral normalization. Subsequently, however, Washington's stance stiffened. Hill assured the House International Relations Committee on October 6 that the United States remained committed achieving "CVID." In this regard, he asserted to journalists two days earlier on October 4 that "there were some signs from Pyongyang that their understanding (of the Joint Statement) wasn't the same as the rest of our understanding."

A/S Hill continued his more resolute stance when he addressed the Asia Society in New York on October 11. He recalled that, "The first principle, absolutely essential to most of us, was that North Korea needed to get out of this business of producing nuclear weapons." He reiterated, "We made it very clear (at the Six Party Talks) we would not have a discussion about providing peaceful use of nuclear energy to North Korea until it had done a few things such as gotten rid of its weapons and programs, and returned to the NPT and IAEA." These remarks seemed to make North Korea's acquisition of an LWR conditional pending its compliance with IAEA safeguards. But Hill then seemed to rule out this possibility by emphasizing that elimination of its "nuclear programs" would win Pyongyang 2000 megawatts of electricity, to be supplied by South Korea, plus "cross-recognition including recognition from Japan and the US subject to bilateral issues ...".

Hill concluded his public remarks that evening by confirming that there had been much discussion about his possible trip to North Korea, but he then assured everyone that, "No I don't have any plans yet." He then warned Pyongyang's leadership that, "If they walk away from this (the Six Party Talks), they would truly

walk into a wilderness of isolation." Ever since, A/S Hill has avoided further public comment.²³ Hill's stance as of October 6 and 11 is clearly at odds with that of North Korea's September 20 statement. Also, it has made China, South Korea and Russia uncomfortable. China on October 2, followed by South Korea and Russia, indicated their essential concurrence that if North Korea returns to the NPT and the IAEA, it has the right to build and maintain a peaceful nuclear program which could include LWR technology.²⁴

Tightening the Screws Again

By late October, the Bush Administration began to resume reliance on more coercive tactics. The US Department of Treasury announced on October 21 that its freezing of selected North Korean assets "turns a spotlight on eight firms involved in the WMD proliferation out of North Korea."²⁵

Two days later, the bush Administration acknowledged on October 22 that an Irish Republican Army veteran had been arrested in September in Belfast for having acquired bogus US currency believed to have been produced in North Korea. Then on October 24, the New York Times reported that the Bush Administration was expanding its "defensive measures" against North Korea's proliferation of WMD. It reportedly had previously urged China and Central Asian nations to deny passage of an Iranian cargo plane through their air space on its return flight from North Korea to Iran. The US intelligence community, based on satellite imagery, believed the aircraft may have obtained WMD related materials while in North Korea. The United States also reportedly asked the same nations to accept installation of radiation detectors at their land crossings and airports. The response

23. Fuji Television transcript of, "Chris Hill Speech at the Asia Society," October 11, 2005. www.fujitv.co.jp.

24. George Jahn, "China differs on N. Korea Nuke Issues," *USA Today*, October 2, 2005; Martin Nesirky, "New Start Needed for N. Korea Reactors, South Says," *Reuters*, October 2, 2005. <http://today.reuters.co.uk>.

25. U.S. Department of the Treasury Press Statement, "Treasury Targets North Korean Entities for Supporting WMD Proliferation," October 21, 2005. www.ustreas.gov/press/releases.

apparently has been mixed.²⁶

State Department Undersecretary for Arms Control and International Security Robert Joseph was quoted the *New York Times* report as having said, "We are taking a number of new steps – defensive measures – that are intended to provide protection against all aspects of the North Korean proliferation threat." He continued, "These measures are necessary for our defense and the defense of our friends and allies," and, "are independent of the diplomatic efforts that we are pursuing" with North Korea. He concluded, "We believe that they will reinforce the prospects for the success of those talks (i.e. the Six Party Talks)." While Mr. Joseph traveled himself to several Central Asian nations to seek their cooperation, National Security Adviser Stephen Hadley visited Moscow with a similar agenda the week of October 23.

Conclusion

Clearly "strategic resolve, tactical flexibility" rules out flexibility regarding goals, but facilitates impressive flexibility regarding tactics. President Bush and his chief policy advisers continue to rely on this basic principle in dealing with North Korea. In this regard, they remain resolutely focused on their ultimate goal — North Korea's denuclearization. As for tactics, A/S Hill's apparent ability to intensify diplomatic dialogue with North Korea since June most likely has not been a consequence of his efforts and those of his subordinates. Rather, it is most like a result of the President and his senior advisers' willingness to allow greater tactical flexibility based on changing circumstances. In other words, the State Department was permitted tactical flexibility while striving to restart the Six Party Talks and

achieve progress toward a diplomatic solution via diplomatic dialogue.

The September 19, 2005 Joint Statement, however, may have been too much to fast. While they did not challenge his sanctioning of the statement, hardliners such as Robert Joseph and Stephen Hadley moved promptly after September 19 to reassert restraint on the A/S Hill and his tactics. Hill's public remarks, especially before the House Committee on International Relations, appear designed to reassure both conservative members of Congress and the Bush Administration that the State Department is pursuing nothing other than CVID. At the same time, however, Joseph and Hadley have moved to make certain that Pyongyang understands that the Administration retains is "other options" such as PSI if the diplomatic process falters.

This dual approach, however, possess potentially serious problems. It is certain to complicate the negotiating process within the Six Party Talks. After all, no nation wishes to deal with another if their negotiating partner appears to be pursuing a dual track strategy. The Bush Administration's reversion to coercive tactics could restart a spiral of escalating escalation. In the near term, none of this augers well for substantial progress at the next round of Six Party Talks which are expected to commence in the second week of November. Over the longer term, the entire process most likely will be further complicated and prolonged. Attaining a peaceful diplomatic resolution, in short, remains very much an elusive hope more than a concrete possibility. ■

26. U.S. Department of Treasury Press Release, "Treasury Targets North Korean Entities for Supporting WMD Proliferation," www.ustreas.gov/press/releases. October 21, 2005; John K. Cooley, "The Rogue Money Printers of Pyongyang," *International Herald Tribune*, October 23, 2005; David Sanger, "U.S. Widens Campaign on North Korea," *The New York Times*. October 24, 2005.