

## **US Approach to North Korea – Strategic Resolve – Tactical Flexibility**

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

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### **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’ East Asia Bureau headed by Assistant Secretary Christopher Hill sought to maximize its tactical flexibility after the he 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.<sup>1</sup>

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,<sup>2</sup>

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 euphemism for a possible pre-emptive military attack on North Korea.<sup>3</sup>

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.<sup>4</sup>

## **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 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.<sup>5</sup> 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.<sup>6</sup>

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 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."<sup>7</sup>

### **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.<sup>8</sup>

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."<sup>9</sup>

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.<sup>10</sup> 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.

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.<sup>11</sup>

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).<sup>12</sup> 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.<sup>13</sup>

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.”<sup>14</sup>

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 fissile material ... We are interested in negotiation where they get out of this [nuclear] business ...”<sup>15</sup>

The US position directly contradicted the terms of the Treaty on the Non-proliferation of Nuclear Weapons. The treaty reads in part,<sup>16</sup>

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,<sup>17</sup>

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,<sup>18</sup>

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 following item:<sup>19</sup>

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."<sup>20</sup>

### **"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, claimed 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,<sup>21</sup>

... 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 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 afore-mentioned 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, D.C., 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 October 4, Hill told journalists regarding the Joint Statement,<sup>22</sup>

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 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 to 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 significantly reduced his public visibility.<sup>23</sup>

Hill’s stance as of October 6 and 11 was 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.<sup>24</sup>

In early October, Washington rejected Pyongyang's demands for an LWR and instead secretly offered to take steps toward the normalization of relations. Chief US negotiator Christopher Hill told North Korea via the "New York Channel" that he would visit Pyongyang to discuss a normalization process, but first North Korea had to "freeze" operation of its 5 Megawatt nuclear reactor at the Yongbyon Nuclear Research Center. Pyongyang refused. Instead it offered to take steps toward rejoining the Nuclear Non-proliferation Treaty (NPT) and the International Atomic Energy Agency (IAEA) if the United States would promise to give it an LWR. Washington firmly said "no."

### **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."<sup>25</sup>

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 apparently has been mixed.<sup>26</sup>

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.

No one expected the November round of the Six Party Talks to accomplish progress, but unfortunately the meeting only complicated the situation. Pyongyang's delegation quickly focused on "new" US economic sanctions that Washington imposed in early

October. President Bush in June 2005 had authorized the US Department of Treasury to act under Section 311 of the US counter-terrorism Patriot Act and determine which nations were distributing weapons of mass destruction (WMD) technology and parts. While that investigation continued, the Treasury Department in August arrested a leader of the violently anti-British Irish Republican Army (IRA) and accused him of distributing North Korean made counterfeit “super note” \$100.00 US currency. Both developments convinced the US Treasury Department to block North Korean international banking transactions in US currency.

Pyongyang promptly accused Washington of undermining the September 19 joint statement and pointed to these alleged “new” sanctions as evidence that the United States still maintained a “hostile” policy toward North Korea. Washington responded at a secret bilateral US-North Korea discussion during the November round of the Six Party Talks. It claimed that the sanctions were not connected to the Six Party Talks, and invited North Korea to send representatives to a “working level briefing” in New York to discuss the “sanctions.” The next day, however, North Korea’s chief delegate Kim Gye Kwan declared publicly that “the DPRK and U.S. had decided to hold bilateral discussions about economic sanctions in New York.”

Washington’s hardliners were outraged. The National Security Council directed State Department officials to clarify to their North Korean counterparts that “bilateral negotiations about economic sanctions” were impossible. Later, a member of the National Security Council, speaking off the record, confirmed that Ambassador Hill had actually invited Kim Gye Kwan to New York to attend the briefing, but that the National Security Council had refused to issue a visa for him.

Instead, Pyongyang was asked to send “working level” officials to a “briefing” with “US police authorities” in New York. North Korean Foreign Ministry Director General for North America Affairs Li Gun plus two or three other “working” officials were invited, but not Kim Gye Kwan. As a face saving device, the State Department arranged for academic groups in New York and at Stanford University to invite Kim Gye Kwan to “track two” seminars. Pyongyang rejected this arrangement. It quietly declared that it would not return to the Six Party Talks until the US government invited Kim Gye Kwan to meet Christopher Hill in New York for a “bilateral discussion of economic sanctions.”

But before bruised egos in Pyongyang could heal and tempers cool in Washington, the US ambassador to South Korea labeled North Korea a “criminal regime.” Washington scrambled to marginalize the comments’ impact in Pyongyang, but the damage had been done. Pyongyang’s “hardliners” seized on the comments as evidence that the United States still pursues a “two face hostile policy” toward North Korea.

Next Seoul moved to save the Six Party Talks from another prolonged stalemate. It invited the Six Party Talks’ participating nations to send their chief delegates to Cheju Island for an “informal” meeting on December 19, immediately after South and North Korea had held ministerial talks on the island. Washington considered sending its delegate, but only if North Korea also did so. Pyongyang rejected the invitation and the idea of an informal meeting collapsed.

Seoul then dispatched its Unification Minister to Washington to discuss another informal meeting in January. The Bush Administration, preoccupied with Iraq and domestic issues, reacted coolly to the visit. Even before the minister had arrived in Washington, the Bush Administration had flatly rejected the idea of another “informal round” of the Six Party Talks. Secretary of State Rice spent only 15 minutes with the South Korean visitor. At the National Security Council, chief adviser Stephen Hadley, a staunch “hardliner,” urged Seoul to get tougher with Pyongyang and to tighten its economic pressure on North Korea.

## 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 too fast for the Bush administration. 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. Already, frustration has replaced celebration of the September 19 Joint Statement forged by the six parties at their September 2005 gathering in Beijing. Prospects that the talks might resume in the near future are bleak. First stalled in September 2004, this time the impasse is much more complex and could even prevent the talk’s resumption. Pyongyang and Washington remain fundamentally at odds over how to achieve a negotiated settlement. Pyongyang wants substantial economic benefits, including a nuclear light water reactor (LWR), before it will give up its nuclear weapons programs. Washington insists that Pyongyang must first give up all its nuclear weapons

programs, both weapons related and peaceful, before any economic benefits can be discussed.

The Bush Administration's reversion to coercive tactics could restart a spiral of escalating tensions. Already, as of late December, 2005, the Six Party Talks appear on the edge of collapse. The frustrated expectations that followed the September 19 joint statement clearly have returned control of tactics to hardliners in Pyongyang and Washington. It is even possible that the ranks of "hardliners" have grown in both capitals. Pyongyang's refusal to comply with the Bush Administration's stance has already intensified Washington's frustration with North Korea and the Six Party Talks lack of progress. The greater Washington's impatience with Pyongyang, the more prone it will be to intensify economic and diplomatic pressure on it. At the same time, Seoul's reluctance to restrain its "economic cooperation" with North Korea will also increase the strain on US-ROK relations.

Pyongyang appears confident that it can endure another period of tension with the United States. It can rely on Beijing and Seoul to supply its most critical economic needs, including food and investment for its economic revitalization. Meanwhile, Pyongyang no longer seems intimidated by the Bush Administration's "other option," possible military action. US military forces remain preoccupied with the war on terrorism, particularly in Iraq. More importantly, Pyongyang claims that it has a "nuclear deterrent capability" to counter Washington's military might, something Pyongyang apparently lacked during the first stalemate in the Six Party Talks.

Additionally, Pyongyang has options other than the Six Party Talks. Its continuing bilateral dialogue with Tokyo affords it the option of improving ties with Japan. Seoul's "economic cooperation" strategy includes a productive and continuing dialogue with its former nemesis South Korea. At the same time, Pyongyang's ties with Beijing and Moscow remain much improved relative to just five or six years ago. Pyongyang, in other words, is not at risk of being isolated diplomatically or economically even if it remains aloof from the Six Party Talks process pending greater flexibility on Washington's part.

In the near term, none of this augers well for substantial progress at the next round of Six Party Talks, if and when it might convene. For the present time, the outcome of the current impasse remains uncertain except for the fact that tensions are destined to increase in Northeast Asia well into the New Year. The Six Party Talks have not failed, yet, but they are in serious trouble. In the longer term, attaining a peaceful diplomatic resolution remains very much an elusive hope more than a concrete possibility.

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**End Notes:**

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<sup>2</sup> 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?’”

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<sup>4</sup> 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



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<sup>11</sup> *Los Angeles Times*. August 8, 2005.

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- <sup>17</sup> Secretary Condoleezza Rice, “Interview with the New York Post Editorial Board,” September 15, 2005, page 9. [www.state.gov](http://www.state.gov).
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