Chapter 3

U.S.-NORTH KOREA NEGOTIATIONS 1950-1993

The U.S.-North Korean negotiations presents an ideal case where the hermit kingdom seems to have survived with its nuclear programme against all pressures from international community led by the U.S. Meanwhile North Korea has also earned a reputation for utter unpredictability. Besides, it has also continued with its missile tests and successfully conveyed its having evolved its nuclear weapons programme. It has shown several times that it can act in a manner that has the potential for grave escalation of existing tensions or for steeply worsening relations – that too with the very country with which it seems to want to better relations!

Not just this, North Korea also acts in this manner at times when actually the going seems to be good for it. Just two examples should suffice to illustrate this point. Firstly, as seen earlier, in 1976, there was the axe-murder incident in which two American army officials in the Joint Security Area in Panmunjom were axed to death by North Korean soldiers. This happened just when it was marshalling support from the member nations of the Non-Alignment Movement at the 5th NAM summit Conference, that too for the removal of U.S. forces from South Korea. However, because of the incident North Korea failed to receive unanimous support from the member nations who might have otherwise supported it (Michishita 2003: 441-446).* Similarly, more recently, it launched the Taepodong missile and invited the wrath of its neighbours precisely at a time when the President of South Korea, Kim Dae-Jung, was trying out his Sunshine Policy of cooperation and engagement with North Korea. Had it not undertaken the testing of its missile in August 1998, Japan would not have imposed sanctions on it, which proved costly for North Korea.

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* The scholar details the kind of international support North Korea was marshalling.
Determinants of North Korean Diplomacy

North Korea’s behaviour takes the world by surprise and suggests to them that the North Korean leadership is irrational. However, it is possible that it is following an established Maoist principle which according to Sestanovich (2005) is “As long as you act daringly, you will be able to succeed very quickly... you need to... feel superior to everyone, as if there was no one beside you... just act recklessly and it will be alright.” Its behaviour has been attributed to its “brinkmanship” style of negotiations or its “unpredictable”, “irrational” behaviour. However, the explanation may not be that simple. In any case, these descriptions are mainly American. The fact is that the North Korean leadership seems far more focused and sophisticated in its goals and thinking, if not in its style of negotiations. It is possible that it acts in the manner it does for the following reasons, or a combination of them.

First, it may be a deliberate policy to keep the international community off-balance and aimed at achieving some short-term goals (Snyder 1999; Park, Park and Kim 2001; Samuel S. Kim 2001; Cha 2002). If you build a reputation for unpredictability and irrationality then you are not expected to observe the general norms of behaviour and can therefore, get away with doing anything. This unpredictability can then be used as a leverage to pry concessions. However, it must be added that some of these actions might have helped North Korea in achieving immediate goals but have often turned out to have negative consequences in the long-term. For instance, the sustained assaults by North Korea along the DMZ in the 1960s and 1970s, carried out with the objective of trying to forcefully unite the peninsula, provoked the U.S. and South Korea to fortify the area. This made it difficult, if not impossible, for the North Korean agents to penetrate the DMZ as easily as before. The first U.S.- ROK combined military exercise ‘Focus Retina’ also got started in 1969 as a counter measure to North’s offensive military actions (Michishita 2003: 19,60). Also the launch of Taepodong missile in 1998 only resulted in U.S. and Japan renewing their efforts on ballistic missile defence programme.
Second, the bad timing of some of these incidents suggests either poor planning or a conflict in the domestic politics of the country. In the absence of the latter, that is, if there is no conflict in the domestic politics and if the political control is in the hands of a single decision maker then the likelihood of poor planning is remote. Therefore, it can be assumed with a fair chance of possibility that the bad timing of events could be due to a conflict within the country. Certain circumstantial evidence also suggests this. For instance, Kim II-Sung apparently was unaware of the axe murder incident at Panmunjom and is said to have asked the North Korean forces who were involved, “Why the hell did you do this?” The party secretaries, not being able to name Kim Jong-Il as having been responsible blamed the people at the Ministry of People's Armed Forces (Michishita 2003: 440). Also, the fact that the North Korean guards had reported the situation directly to Kim Jong-Il, rather than Kim II-Sung, also suggests that things are perhaps not so tightly controlled as portrayed (Quinones, Park and Kim 2001: 38).

Third, Kim II-Sung had inducted many partisans who had fought the guerrilla war against Japan in the Second party Conference in October 1966 (Yu, Chulbaum 1991: 144). As a result, there was a rise of the military in the North Korean leadership, which also may have been responsible for the active military actions in the late 1960s. For one, North Korea started to fortify the DMZ in 1964 in violation of Armistice Agreement by introducing combat forces with heavy, automatic weapons and tanks. It also equipped the Korean people’s Army with submarines and fast attack missile boats. Following this, there were a number of infiltrations by North Korean agents in the DMZ (Ministry of National Defense, ROK 1991: 75-79). There was also the North Korean guerrilla raid on the South Korean presidential residence and the Pueblo naval ship seizure incident, both in January 1968, a series of military actions in the Northwest Islands, which are five islands in the west coast of the peninsula under the control of the Commander in Chief of the United Nations Command, between 1973-76, the Axe-Murder incident in 1976 etc. According to an expert on North Korea, North Korea instigated 241-armed attacks on U.S. and South Korean military personnel from

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Quinones also refers to the differences that might have existed between the more assertive and conservative elements of North Korea's government and Kim Jong-Il who, although had long been groomed to succeed his father had to wait until his father's death for the transition to begin.

Finally, they have the shrewdness to sense or assess the opponent or the situation, which in Korean parlance is called *nunch'i ch'aeda* (just *nunchi* for short). This could be translated to mean “to sense or have an inkling of either a person’s intention, motive etc or the situation.” Therefore, often their actions are not as mindless as they may seem. This cultural factor is an added advantage for their negotiating style and needs to be dealt a little more in detail.

### North Korean Negotiating Style

Negotiating styles are also equally important to the outcome of negotiations as the framework, features or contents of the negotiations. In the case of North Korea which enters into negotiations not “because it seeks an agreement, (but because) its objective is to gain concessions and benefits merely in the process of agreeing to talk” (Downs 1999: 10) the negotiating style becomes an even more significant determinant of the outcome.

Many western scholars have tried to analyse North Korea’s negotiating strategy and style (Sigal 1998; Snyder 1999; Downs 1999; Mazaar 1997; Heo 1998). But the most authoritative work on the North Korean negotiating style is by Scott Snyder. In his book *Negotiating on the Edge*, while dealing with the North Korean negotiating style and factors affecting the process of negotiations, he refers to *punuigi* (external environment), *kibun* (which he calls as ‘good feeling’ but is actually ‘a frame of mind’) and *kojib* (a stubbornness or unyielding attitude) as being important concepts (Snyder 1999: 66-69). He says that when the North Korean negotiators find that the *punuigi* or external environment is favourable, the chances are better that it would be possible to develop a good *kibun* or good feeling to deal with the counterparts. But if they determine that the *punuigi* is unfavourable, they tend to demonstrate *kojib* or an unyielding attitude. In actual fact, though, it is the *nunch'i* (the power to sense the situation) that plays an even bigger role in the negotiations. Indeed, it is possible to go a step further and say
that it is this nunch'i that helps them assess the punuigi (external environment) of the situation and the kibun (feeling) of their counterparts and influences their own kibun and helps them determine how far they can extend their kojib (unyielding attitude) without jeopardising their own interest.

The U.S. negotiators, on the other hand, lack an understanding or orientation of this aspect of the interlocutors. They have therefore been at a disadvantage even when North Korea has had more to lose (Park, Park and Kim 2001: 92). They are unable to assess or sense or have an inkling of what exactly motivates or drives their North Korean counterparts during the negotiations or how strong their kojib in any situation is. In other words they lack the power of nunch'i. It is this absence of socialization or orientation in East Asian culture, especially the North Korea variant, that made the U.S. interlocutors react at face value to the actions of their counterparts and have often led them to take hasty decisions. This was particularly so in the case of the decision to export Patriot anti-missile batteries or to start the Team Spirit military exercises when they found North Korea not complying with the Safeguards Agreement. As a result the crisis situation was escalated leading to a near-war-like situation in 1993.

This also explains why South Korea, which is familiar with the North Korean style of thinking or behaviour, shows greater maturity in dealing with North Korea’s brinkmanship. A case in point is when the U.S. was contemplating taking North Korea’s nuclear issue to the UN Security Council for sanctions in September 1993, Han Sung-Joo, the Foreign Minister of South Korea said, “...we should wait and see for one or two weeks rather than have the issue come before the Security Council...... North Korea has conceded to its counterparts in most negotiations at the 11th hour.”(Han 1993). This mismatch in understanding has often led to relations between even South Korea and the U.S. tensing up or souring over the issue of negotiations with North Korea, including during the most recent years of the Six-Party Talks at Beijing.

Another concept is ‘face-saving’. Every incident that may seem as a compromise is portrayed as something gained. Thus, though ‘negotiations’ by nature mean a compromise because there is some amount of give-and-take, they need to be
conducted in a manner, which leaves some space for manoeuvre for the other party to help it maintain its public face.

When negotiating with either a friend or an adversary, it is wise to offer the other party one open gate – a way out that allows a graceful retreat or exit. Such a gesture does not diminish the prospects for success, but may make the aftershocks far less acute (Steinberg 2002: 229).

U.S. demands like “unconditional surrender” or “complete, verifiable and irreversible” dismantling of nuclear weapons leave no route, other than retaliation, open for the adversary and therefore, have been a failure as negotiating tactic.

Again, the denial of either the possession of nuclear or missile capability even while possessing it or of indulging in forbidden actions has been the norm for the North Koreans. But, it must be added that, very often, this has been the practice amongst many nations. For instance, the Soviet Union denied having placed missiles in Cuba, Pakistan denied knowledge of A.Q. Khan’s dealings in missile and missile technology trade, the U.S. itself invaded Iraq without the approval of the U.N. etc. Therefore, though North Korea’s denial of having uranium enrichment programme or plutonium reprocessing capability cannot be condoned but it should not seem as anything preposterous. Corollary to this is that no pronouncements that are made ought to be believed unless verified. This has become relevant not only in the context of North Korean pronouncements but also in the pronouncements made by the U.S. recently regarding Iraq’s WMD or North Korea’s uranium enrichment programme (Harrison 2005).

**Negotiations prior to 1985**

The first bilateral negotiation that North Korea had with the U.S., after the Armistic of the Korean War in 1953, was a decade later in May 1963. This involved the shooting down of a U.S. 8th Army OH-23 helicopter, whose pilot was returned only a year later and that too after the U.S. agreed to sign a document acknowledging that it had violated North Korean territory. This was seen by the North Koreans as a major victory and was a great morale booster for Kim Il-Sung at a time when he was still consolidating his position within the country. Then in
January 1968 North Korea captured U.S. Navy intelligence-gathering ship, the Pueblo (Centre for Military History 2001). This was truly a major incident, which involved hardcore negotiations between the two countries.

The incident took place only two days after the attack on Chong Wa Dae, the Presidential house of South Korea’s President Park Chung Hee on January 21 when thirty one North Korean commandos successfully infiltrated into the United Nations Command (UNC) portion of the DMZ on January 18. They cut across the demarcation line and traveled 32 miles to Seoul and attempted to assassinate President Park, killing many civilians in the process. Two days later, on January 23, the American intelligence vessel was seized more than sixteen nautical miles from the North Korean coast. The captain, Commander Bucher, was forced to surrender and was guided to the North Korean port of Wonsan. North Korea then made the following demands of the UNC:

1. Admit the “aggressive act” committed by the U.S. Navy “armed spy ship”,
2. Apologise for the act,
3. Severely punish those responsible for it, and
4. Give an assurance that it would not commit such provocations again (Downs 1999: 125).

Kim Il-Sung thus killed not two or three but many birds with one stone. He was able to divert attention from his treacherous attack on South Korea’s head of state, expose American spying on North Korea and thereby help it justify all the slandering of the US “imperialists” that it had been carrying out in its media, rub the U.S. nose in mud by first, capturing a crew of 82 and then extracting a written note of confession from Commander Bucher of having intruded into the coastal waters of North Korea and spying on military installations along the east coast and, more importantly, create a rift between the U.S. and South Korea.

The rift happened because South Korean Ministry of Defense was, as stated by the Commander in Chief of the UN Command, “emotionally irate” at the disparity in reaction of the U.S. to the two incidents (Bonesteel, telegram, 1968). While the U.S. had merely called for a meeting at Panmunjom after the raid on the Blue
House, it had brought F-105s into Osan, that too without prior notice to the South Korean side, indicating readiness to risk even war after the capture of Pueblo. Moreover, the fact that the North Korean infiltrators had managed to make their way through the DMZ area patrolled by the U.S. army only further undermined their confidence in the ability and seriousness of the U.S. forces in defending South Korea. Since all this happened at a time when the South Korean forces were needed in Vietnam, it could well be construed that the seizure of the ship was a North Korean expression of displeasure over what was happening in Vietnam.

The U.S. had to enter into negotiations with North Korea regarding release of the detained crew. The South Korean government was worried about being left out of these negotiations and irate over the U.S. establishing direct contact with North Korea and solving the problem regarding the crew without solving President Park’s security problem. South Korea put pressure on the U.S. by hinting at a possible withdrawal of its forces from operational control of the Commander in Chief of the United Nations Command and also those in Vietnam (American Embassy in Korea, telegram, 1968). However, the U.S. was able to calm the situation in South Korea by sending an official, Cyrus R. Vance, to pacify and assure them of the U.S. commitment as well as to urge them not to engage in rash acts and strain the U.S.-ROK alliance.

The U.S. had also approached the Soviet Union, Japan and the United Nations to intervene to solve the issue. The Soviet reaction was negative as they felt that the U.S. forces in Korea were a source of tension. So they were not willing to take any action (Foreign Relations of United States, 1968). Finally, the U.S. had to agree to a special, closed door Military Armistice Commission (MAC) meeting between the U.S. and North Korea.

It was a ‘special’ MAC meeting in that usually MAC meetings had representatives from UNC on one side and those from KPA and Chinese People’s volunteers on the other. But this one was to have representatives only from the U.S. and North Korea. This was itself a major victory for North Korea. Its hope of “enhancing prestige by remaining equal to the United States in bilateral talks” was achieved (Jenkins 1968: 584). A number of meetings were held to work out the modalities
and finally in the 22nd meeting on September 20, North Korea submitted to the UNC Senior member the exact statement to be signed, the details of which were again worked out only after 90 days on December 23. 82 members of the Pueblo crew with the remains of one crew who had been killed walked across to the southern part of the DMZ. The Pueblo was never returned and to this day is on display in the waters of Taedong River in Pyongyang as one more reminder to the North Korean citizens of the perpetration of atrocities by the American "imperialists".

Besides these two major incidents, there were a number of smaller ones through the 1960s. Mostly, these were initiated by North Korea along the DMZ, on the sea and in the air. All were directed against U.S.-ROK forces (Michishita 2003: 147-153). These incidents differ crucially from the later ones and the difference is that they were not designed to attract U.S. attention. They were more because Kim Il-Sung still harboured hopes of reunifying the peninsula even if it had to be by force under the banner of Communism. Demands made of the U.S. through rhetoric like, "stop hostile provocations against DPRK and quit South Korea at once, taking all (their) murderous weapons" (Michishita 2003: 231), or slogans denigrating Capitalism like, "[Capitalist ideas] destroy national autonomy and the revolutionary spirit" (Oh and Hassig 2000: 29) or "A huge monster called imperialism tries all kinds of magic to catch countries moving towards independence with a fishing rod of temptation of...... ‘economic co-operation’ and ‘aid’ (Oh and Hassig 2000: 31) etc are indicative of this. It needs to be noted that nothing much has changed since then. In the joint editorial published by North Korea's three major newspapers as recently as on January 1, 2006, North Korea has called for the withdrawal of Americal troops from South Korea. Mention is also made of reunification (Pyongyang Times, 1 January 2006: 1).

A secondary motive could have been to test the effectiveness and reaction of South Korean forces. North Korea, during this period, still enjoyed conventional superiority over South Korea and might have wanted to be doubly sure about that. However, none of these actions, till the Pueblo, warranted any negotiations. These were only actions that provided immediate gratification of short-term goals.
Negotiations between 1985 and 1993

North Korea's cooperation with the Soviet Union in the field of peaceful use of nuclear energy had started in 1959; as an effort to overcome the deficit in the domestic energy requirement in the post Korean War period. It was only from late 1980s that it was to develop military connotations of some kind. Meanwhile, North Korea had the facilities built, had nuclear specialists trained and also received financial support for these deals from the Soviet Union as its exclusive benefactor for nuclear science and technologies. However, since the 1980s as the efforts and resources have been diverted to the development of military use of the nuclear energy, North Korea's economy continued to fall drastically short of its domestic energy needs. In 1995 its electricity production was only 20 billion kilowatt-hours, which was less than half of the country's requirement (Andrianov, Clay and Mansourov 2000: 58). Of this more than half comes from Hydro Power Plants and the remaining from Thermal Power Plants but none from the Nuclear Power Plants (Andrianov, Clay and Mansourov 2000). As part of the 1994 Agreed Framework, Korean Peninsula Energy Development Organization (KEDO) was set up to provide Light Water Reactors (LWR) to North Korea to tide over its energy deficit. However, given the current progress of the project it seems highly unlikely that the current crisis will be alleviated.

The Yongbyon Nuclear Reactor:

North Korea's nuclear reactor, which is of great concern because of its plutonium production, is at Yongbyon. It is geographically located along the banks of the Kuryong River in Yongbyon-kun in North P’yong’An Province and is sixty miles north of the capital. The reactor is a graphite-moderated, gas-cooled reactor with a electrical power range of 5-7 MW. It was initially received as an IRT-2000 research reactor from the Soviet Union in 1965. Upgradation of the reactor began in either 1979 or 1980, and was reportedly under construction by at least July 1980. It became operational in 1986. The reactor was modeled after the British Calder Hall Gas Cooled Reactor (Kaurov, Moltz and Mansourov 2000; Bazanova, Moltz and Mansourov 2000).

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*Yongbyon* is spelt and pronounced as 'Nyongbyon' in the DPRK and as 'Yongbyon' in ROK. As it is popularly known as 'Yongbyon' it is by this name that I have referred to it.
There were several advantages for North Korea to select this type of reactor design (*Ministry of Unification* 1999: 397, 413-414). It uses natural uranium for its fuel, which is abundant in North Korea and is estimated to be about 26 million tons of ore (Denisov, Moltz and Mansourov 2000: 22). Another advantage of this reactor design is the cooling system, which uses carbon dioxide, and therefore requires no heavy water. Furthermore, the reactor uses graphite, which is also available in North Korea, as a moderator (Denisov, Moltz and Mansourov 2000). Another advantage to this type of reactor is that its spent fuel is a good source of weapon-grade plutonium for a nuclear weapons program. However, one problem with this type of reactor is that it is difficult to store the spent fuel for an extended period, or to dispose it off in a geological repository because the fuel cladding is magnesium, which breaks down when exposed to water or moisture ("North Korea Profile" 2004).

In early 1982 American surveillance satellite had become curious about the nuclear activity at Yongbyon ("MSN-Encarta Nuclear Proliferation General Info 2005"). Again in 1984 some more photographs got the U.S. intelligence analysts interested. But no serious notice was taken because it was "not better hidden" (Oberdorfer 2001: 255). In fact this became the official excuse for inaction. Indeed, one expert observed, "on a clear day the outline of the nuclear complex could be seen with the naked eye from the airliners taking off and landing at Pyongyang airport" (Oberdorfer 2001: 255). But all was soon to change. By the early 1990s North Korea's nuclear programme had become a cause for serious international concern. The U.S., in particular, was especially worried. The reactor had been kept shut down for 71 days in 1989, about 30 days in 1990, and about 50 days in 1991 (*KAERI* 2005). These periods provided an opportunity for North Korea to discharge and reprocess the spent fuel. The U.S. satellite imagery detected the shutdowns on all three occasions. However, the reactor was not being

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an interesting piece of information also provided by this source is the note which says, "The facilities are geographically located along the banks of the Kuryong River in Yongbyon-kun in North P'yongan Province, but the Yongbyon Nuclear Research Center's administrative address is Ch'ungsong-dong, Chung-Kuyok in Pyongyang. However, Ch'ungsong-dong cannot be found on any maps. According to defector Kim Tae Ho, this is a false address to conceal the actual location and activities."
monitored by the IAEA because North Korea had not ratified a safeguards agreement. It did so only in April 1992. In its anxiety to shut down these proliferation-prone reactors the U.S. got into a deal to provide less-proliferation prone LWRs which were ill-suited for North Korea. (See Chapter 5)

However, as guarantor of the security and stability of the region, the U.S. could not stand by and watch North Korea upset the balance. So it adopted the following approach.

**Multilateral Approach**

The U.S. realized that the best strategy would be to apply multilateral pressure on North Korea through its neighbouring countries- China, Russia and Japan. However, China and Russia were not convinced about North Korea's nuclear program being weapons related one, since there was no conclusive evidence of either North's capabilities or intentions (Downs 1999: 218). Therefore the U.S. had to work through the IAEA.

A certain amount of differences in approach was also cropping up between South Korea and the U.S. In early 1991 when South and North Korea were working out an agreement on reconciliation between the two, the U.S. was putting pressure on South Korea to work out a deal giving priority to denuclearization as a prerequisite to reconciliation. In line with this goal, the then Undersecretary of Defense for Policy Paul Wolfowitz had put heavy pressure on South Korean President Roh Tae Woo to accept a joint ban with the North on nuclear reprocessing. For his part, President Roh wanted to take the lead in negotiations with the North, and was opposed to any U.S. direct contacts with Pyongyang. The U.S. on the other hand did not want to be left out of dealings with the North as is clear from the cable sent by Secretary of State James Baker to Secretary of Defense Richard Cheney on November 18, 1991, which provides Baker's views on the positions being taken in Seoul, Beijing and Tokyo on dealing with the problem of the DPRK nuclear program (FOIA-Declassified 1998]. Roh had also been very unhappy with the free-lance diplomacy of Japan's LDP's political dealmaker Shin Kanemaru, who had visited North Korea in September 1991 and discussed with Kim Il Sung normalization of ties between their two countries. Roh
wanted to be the go-between for any deal with the North. As the result of Seoul's pressure, Tokyo's position was brought into line with that of South Korea and the U.S.

If Seoul was concerned about Japan's direct involvement and wanted to keep it out of the diplomatic mix, Baker and the U.S. seemed to feel that Beijing had a more positive role to play, if done discretely. This estimation of Beijing's leverage on Pyongyang is echoed even today in the current U.S. administration views on how to handle the recent North Korean nuclear crisis-in-waiting. Even as recently as February 2005, Secretary of State Condoleezza Rice and the Defense Secretary Donald Rumsfeld had both expressed the view that China's role was crucial to defuse the nuclear standoff with North Korea (Jong-Heon Lee 2005).

**Withdrawal from the NPT**

What triggered the crisis was the sudden North Korean announcement on March 12, 1993, that "in the supreme interest of the State" it was withdrawing from the NPT (Oknim Chung, 2000). It had signed the NPT a scant eight years before -- on December 12, 1985 -- after it had come under increasing pressure from the world community and especially the Soviet Union (Yun 1995: 18; Downs 1999: 215). With this announcement of withdrawal from the NPT began a new phase in North Korea's external relations. It marks the beginning of active nuclear bargaining (read blackmail) by it in which the U.S., until recently, became the second party. From 1993 till 2001, negotiations on nuclear issues between North Korea and the U.S. were conducted bilaterally. It is only since 2003 that the Six-Nation Talks, involving the other countries in the region were to evolve a multilateral framework for negotiations.

North Korea's withdrawal from the NPT was provoked by the following two reasons. One was the IAEA's demand for special inspections of the abovementioned suspected nuclear waste sites at Yongbyon prefecture in North Pyongan province. The other was the commencement of the 1993 U.S.-South Korea combined military exercise called 'Team Spirit'. The exercise was to consist of 1,20,000 troops including 50,000 from the U.S. IAEA's inspections of North
Korea's nuclear sites in 1992 had uncovered enough reasons for it to question its compliance with the Safeguards Agreement which North Korea had signed in January 1992 and ratified in April of the same year. Satellite photos of Yongbyon had revealed the stages of construction of a nuclear reactor there. It seemed like a uranium-fueled graphite moderated reactor capable of producing plutonium used in nuclear weapons. Though North Korea claimed that the reactor was for production of electricity, no transmission wires were connected to it until just before the IAEA inspection in 1992 (Downs 1999: 215). Satellite photos also revealed craters that are formed by explosive technique associated with nuclear weapons.

Based on all these evidence, the IAEA demanded "special inspection" of some of North Korea's nuclear waste sites. North Korea became belligerent and described the demand as "preposterous" (Pyongyang Times, 10 April 1993: 3). It said these were "military sites which have no relevance to nuclear activities and, accordingly, these are not subject to inspection under the Safeguards Agreement" (Pyongyang Times, 10 April 1993: 3). It also saw the IAEA demand for special inspection of the two suspect sites as a strong-arm tactic to disarm North Korea and strangle its socialist system (Oberdorfer 2001: 280). It had always viewed the IAEA as an American instrument through which America hoped to impose its will and continues to do so. (Appendix VI).

The U.S. had debated the issue from September 1992 till March 1993. State department officials like Defense Secretary Dick Cheney, Under Secretary of State Arnold Kartman, Assistant Secretary of Defense James R. Lilley and others had displayed inclination towards a tough stand. They felt that North Korea might have already extracted enough plutonium to make a few bombs (Downs 1999: 218). Some Asia experts familiar with North Korea like Robert Scalpino, Leon Sigal, Selig Harrison etc argued that there was not enough evidence to conclude that North Korea had extracted plutonium and therefore should be handled differently.

However, eventually it was decided to adopt coercive diplomacy using sanctions or military deployments. Though dialogue could have been an option, it was not
considered. The camps for either sanctions or military deployments were very strong (Congressional Records 1993; Solarz 1993; DiRita 1993; Adelman 1993). Both sides were clear that North Korea had to be coerced into terminating its nuclear programme and adhering to the rules of the NPT regime. The U.S. feared nuclear weapons in the hands of ‘a rogue regime’. It also feared the fallout of allowing North Korea to shrug off its international obligations, especially on other countries like Iran, which had clandestine nuclear ambitions. North Korea responded predictably. It declared that if the U.S. imposed sanctions it would tantamount to ‘an act of war’.

Simultaneously, the joint U.S.-South Korea military exercise called Team Spirit was greatly annoying to North Korea. On March 8, 1993 one day before the beginning of the military exercise, Kim Jong-II issued ‘Order No. 0034’ of the Supreme Commander of the Korean People’s Army (KPA). He ordered the people and the entire army to switch to a state of readiness for war on March 9 (Pyongyang Times, 13 March 1993: 1). The Order saw Team Spirit as a “nuclear war test aimed at a surprise, preemptive strike at the northern half of the country.” It charged that Team Spirit violated the spirit of the NPT as well as the North-South denuclearisation accord. Four days later, on March 12, North Korea announced its decision to withdraw from the NPT.

Thus the focus had shifted from demand for inspections to North Korea’s withdrawal from the NPT. If this was truly a ploy adopted by North Korea in order to shift attention, as claimed by a western scholar, then it certainly was successful (Downs 1999: 227).

The declaration placed the U.S. in a dilemma because it did not involve the deployment of military force nor did it require an immediate military response. Nevertheless, it was viewed as a crisis because it meant a blow to the U.S. efforts to maintain global non-proliferation regime. The declaration was seen as an act of defiance and one that showed that North Korea was determined on the production of nuclear weapons. But what the U.S. failed to see at the time was that by now the issue was no longer one of proliferation but that it had become a test of wills between the two countries.
The State Department, especially Secretary of State Warren Christopher, the Secretary of Defense Les Aspin, National Security Advisor Anthony Lake and some other moderates felt that engaging with North Korea was necessary to defuse the emerging new crisis for the nuclear proliferation regime. But there were others like the Director of Central Intelligence James Woolsey, former Defense Secretary Caspar Weinberger, Secretary of State Lawrence Eagleburger etc who thought North Korea should be punished rather than be rewarded by engaging in negotiations. This latter group turned out to be in the majority. However, thanks to pressure from China and South Korea, the U.S. was forced to negotiate. It was just as well that the U.S. could not act unilaterally because the situation had developed into what North Korea described as "a touch-and-go situation".

In South Korea the newly formed Kim Young-Sam government was gravely concerned about the consequences of even a surgical attack against the nuclear reactor in Yongbyon. The U.S. Defense Secretary, Les Aspin, on his first official visit to South Korea was convinced by the South Korean Defense Minister Kwon Yong-Hae that negotiations were the best way to head off a crisis (Oknim Chung 2000: 130). China, too, was urging a diplomatic solution. When the IAEA Board of Governors referred the matter to the United Nations' Security Council, China made it clear that it was opposed to the use of sanctions as a means of solving the issue (Li Peng 1993).

Meanwhile, the June 12 deadline -- when North Korea's withdrawal would become effective -- was drawing near. The U.S. was still unable to make a clear decision about what approach to take. Valuable months had been spent in debating the issue and working out a "road map" without any substantive achievement (Oknim Chung 1995: 186-188). Throughout this period U.S. seemed more in favour of coercion over dialogue, something that was not lost on North Korea.

Two rounds of talks took place between the U.S. and North Korea in June and July 1993. These did not achieve anything concrete but they at least kept the channel of communication open. The IAEA then threatened to shut down this
channel by insisting on access to the two disputed sites before agreeing to a third round of talks. What the IAEA authorities failed to see was that North Korea had left an opening for itself to return to the NPT. It stated that the North would return to the NPT only when “the United States stopped its nuclear threats against us and the IAEA Secretariat returned to its principle of independence and impartiality” (Appendix V). North Korean officials also gave enough indication of their desire not to abandon the treaty and seek the wrath of the world community just when it had managed to get the attention of the U.S.

In fact, when North Korea had become aware that the third round of talks with the U.S. was contingent also on the inter-Korean dialogue besides just fulfilling the IAEA demands, it made efforts towards that end too. It submitted a Draft of Agreement with South Korea on October 26, 1993 at Panmunjom, agreeing to an exchange of presidential envoys between the two countries but at the same time demanding the halting of the Team Spirit military exercise, as a face saving device (Doug-Joong Kim 1994: 461).

The North Korean minister for atomic energy also communicated to Hans Blix that North Korea was always ready to respond to any requests regarding implementation of the safeguards agreement (Reiss 1995: 252). But the IAEA was carrying the baggage from the debacle of the Iraq inspections and was not willing to trust North Korea. Hans Blix refused to budge from his stand and called these “token safeguards measures” (Reiss 1995: 256). He demanded full nuclear transparency.

The period following this only ended up escalating the tension. After having given hopes of terminating the bi-national military exercise the two countries, South Korea as well as the U.S. was quick to deny reports regarding this in the press. South Korean Foreign Minister Han Sung Joo said, “There is no decision on it (cancellation of Team Spirit), there is no discussion at the moment between the Republic of Korea and the United States” (The Korea Times, 5 November 1993: 1; Japan Economic Newswire, 27 October 1993). The U.S. government justified this stand on the grounds that the Team Spirit was “unrelated to the North Korean nuclear program” (The Korea Times, 25 November 1993: 2). To add to the
pressures on North Korea the U.S. government was sounding out the Japanese government to suspend remittances to North Korea by the pro-Pyongyang residents in Japan, which amounted to as much as US$ 600 million every year (*The Korea Times*, 10 November 1993: 1).

It was fortuitous that North Korea did not succumb to these pressures. But in fact, it came up with another completely unexpected move. It asked for a dialogue. In December of 1993 Ho Jong, the deputy chief of the North Korean mission to the UN requested for and had an unofficial working level contact with Thomas Hubbard, the U.S. Deputy assistant Secretary of State for Asia and Pacific Affairs in New York (Doug-Joong Kim 1994: 468).

However these rounds of talks failed to achieve anything and once again when North Korea found the situation deteriorating it salvaged it. A diplomat at North Korea’s UN mission in New York telephoned Kenneth Quinones, the DPRK country officer in the State Department in May 1994 and suggested a meeting. The U.S. rightly read this initiative as a sign of wanting to avoid a confrontation over the nuclear issue (Quinones 2000: 144). Ex-U.S. President Jimmy Carter paid an unofficial visit to North Korea and a diplomatic breakthrough was achieved. It needs to be noted that Ex-President Carter went on his own initiative and even though Clinton hesitatingly approved his going, he went “without any clear instructions or official endorsement” (Sigal 1997: 152). (For details about the progress of talks in the interim period see Chapter IV). With that the crisis was averted and negotiations began. These were to culminate in The Agreed Framework Accord in 1994.

**U.S./South Korean Constraints:**

Until 1993, U.S.-North Korea negotiations were not about nuclear issues. But they do offer some interesting insights. One of these is the U.S. view that North Korea’s leadership is “irrational”, “wild” or “violent and unpredictable” (Roy 1994; Snyder 1999: 5). This view has had its consequences for the way the U.S. has dealt with North Korea. It has never used military force even when it would have fully justified in doing so. For instance, when North Korea captured USS *Pueblo* when it strayed into North Korean waters in the late 1960s and subjected
the crew to a year-long ordeal, or when it indulged in axe-murdering two U.S. officers at the demilitarized zone in 1976, the U.S. could have used military force. But it refrained. Before 1990, it was the implicit protection that North Korea enjoyed from China and Russia. Since then it has been the suspicion that it possesses a crude nuclear weapon.

North Korea, for its part, has taken advantage of the fact that it is a small nation and in some ways, one of its kind, and does not face the constraints of the U.S. Not being integrated into the international world, external variables play a very small role in North Korea. It thus has the advantage of being able to “concentrate on a narrow range of vital interests” and “disregard or heavily discount the effects of its actions on the stability of international politics” (Keohane 1971: 163). Secondly, it also has the advantages of an authoritarian regime, which frees it from any pressures of being answerable to opposition forces within the country.††

It also provides it with a centralized decision making process, thereby eliminating any form of delays, whereas, in democracies like the U.S., foreign policies become matter for public debate. Thirdly, its Juche policy provides it leverage to stay independent of influences or pressures even from its once allied powers the USSR or China and shoot anywhere and at anyone without having to look over its shoulders, unlike South Korea. And finally, North Korea has the advantage of its small number of policy makers remaining in their post for long periods of time, thereby giving them an advantage of not only a strong knowledge base but also of continuity of dealings.

The six-point Joint Declaration for a Non-Nuclear Korean Peninsula that North and South Korea initiated at Tongilgak at Panmunjom on December 26 and adopted on December 31, 1991 was also possible from the South Korean side only because both President Roh Tae Woo as well as President George Bush Sr. felt the need for it. Despite North Korea having bombed a South Korean civilian airliner over the Gulf of Thailand in 1987 and killing everyone on board, President Roh

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†† Even when there could have been some internal resistance to Kim Jong-II taking over from his father Kim Il-Sung, the ‘Great Leader’, after his death in 1994, there was hardly any. Kim Jong –II ensured that there would be no possible challenge to his authority by exhibiting filial piety, which is a major concept in confucianism, by observing a three-year long mourning period and thereby placing himself on the right side.
went ahead with the reconciliation effort that was initiated by his predecessor President Chun. This was so because, unlike his predecessors, Roh was a democratically elected President who had to be sensitive to public opinion. He wanted to exceed his predecessor’s accomplishments of engagement and reconciliation with North Korea. More importantly, he had the support of President Bush in this. As for President Bush Sr., he seemed to have evolved a global agenda for inducing North Korea to abandon its nuclear programme and found a favourable North-South relationship conducive for this.

The time was right for North Korea also to enter into a dialogue with South Korea for a variety of reasons. South Korea had gained international recognition for its economic prosperity as well as for successfully hosting the 1988 Olympic Games. But North Korea -- which had started the 1980s with an impressive record of gold, zinc and coal exports to the Communist nations, a surplus of rice production, modernization of its armed forces, great strides in research and development of ballistic missiles and nuclear weapons -- found itself on the verge of international condemnation and bankruptcy by the end of the decade.

So the early 1990s saw a number of achievements in the North-South relations. The efforts towards these had been initiated by prime ministerial level talks between the two countries in 1990. Two important documents got signed in 1991 – the Agreement on Reconciliation, Non aggression, and Exchanges and Cooperation between North and South Korea, called the Basic Agreement and the abovementioned Joint Declaration on the Denuclearization of the Korean Peninsula (Doug- Joong Kim 1994: 514-517). But all this bonhomie was to end almost before it had even begun to be noticed.

North Korea’s Limitations:
In early 1990s North Korea had, given strong indications of wanting to expand contacts as well as economic and political co-operation with the U.S., Japan and South Korea. For instance, North Korea opened a special free economic and trade zone in Rajin-Sonbong, undertook various legal and institutional arrangements to promote foreign capital and technology investment, started high-level meeting with the U.S., started normalization talks with Japan, besides signing treaties with South Korea declaring Korean Peninsula nuclear-free and an agreement on
Reconciliation, Non-aggression, Exchange and Co-operation it abandoned its long-held ‘one-Korea’ policy and sought membership in the U.N. with South Korea and had even concluded a safeguards agreement with IAEA.

But the sudden death of the North Korean President Kim Il-Sung in 1994, along with the discovery of its nuclear weapons programme in 1992-93 prevented any progress along these lines. After his father’s death Kim Jong-Il’s efforts were only towards consolidating his own power within the military and the Party. He did not wish to jeopardise his regime by undertaking reforms. It is likely that had the U.S. been sensitive to and receptive of these insecurities and handled the discovery of North Korea’s nuclear programme differently, the crisis of 1993 could have been averted, and the nuclear problem resolved more amicably.

However the U.S., in its rising mood of post-Cold War triumphalism, decided to take the matter to the UN to get approval of economic sanctions against North Korea. Simultaneously, as a warning to North Korea, it not only exported Patriot anti-missile batteries to South Korea, it also announced the ‘Team Spirit’ military exercise. The latter decision was taken when North Korea was, in fact, showing some flexibility. It had permitted frequent visits by IAEA officials -- they had conducted six inspection visits until February 1993 -- to the seven nuclear sites that it had declared open to inspections. Moreover, the ‘Team Spirit’ decision was taken despite the recommendations to the contrary made by Robert Scalapino, a U.S. expert on the Koreas and his study group at the end of their visit to the Korean Peninsula in October 1992. They had recommended that ‘Team Spirit’ should be suspended because North Korea saw them as a threat to its security (USIA Notes 2004). But the U.S. decided otherwise. However, it turned to a policy of engaging the North only after it realized that its long-held containment policy towards it was not yielding results.

North Korea was convinced that the positive steps taken by it were not having any effect. It had failed to normalize relations with either Japan or the U.S. The flow of foreign investments and loans that it had anticipated also failed to materialize. In addition, the U.S., Japan and South Korea had linked normalization of relations and financial assistance to the North to its (North’s) getting a clean chit from the
IAEA. Also, even if these issues did get settled, North Korea realized that there were many other issues like its export of ballistic missiles, its chemical weapons programme and the human rights issue that could become a bone of contention with the U.S. at any point of time. It, therefore, adopted a line of action that would help it move away from being on the defensive. It went on the offensive as only it can. It threatened to withdraw from the NPT. It thus managed to divert U.S. attention from the inconsistencies in its nuclear programme and insistence on special inspections to finding ways of keeping North Korea in the treaty. Undeniably, it thus managed to get very substantial leverage for itself.

Throughout the period preceding the signing of the Agreed Framework agreement North Korea bargained for diplomatic recognition by the U.S. in exchange for negotiating the nuclear issue, while the U.S. bargained for IAEA's blanket access to nuclear facilities in exchange for personnel and technical support for North Korea's 5MW reactor. Neither side was willing to budge. A situation which could have developed into a war was averted in time by the positive initiative of North Korea. The process of negotiations for the Agreed Framework Accord was well on its way.

On October 6, 1992, Assistant secretary of State William Clark, Jr., testified before Congress that the U.S. wanted the DPRK to stop exporting missiles and developing chemical and biological weapons, in addition to resolving the nuclear dispute.