THE AGREED FRAMEWORK ACCORD

As seen in the previous chapter, North Korea's nuclear programme had taken a decisive turn in 1993. On the one hand, the U.S. under the Clinton administration was forcing North Korea to open up its nuclear reactor facilities at Yongbyon. Clinton even went to the U.N. to press for penalties in early 1994. In fact the Pentagon had drawn up contingency plans for bombing the plant in case North Korea removed any of the spent fuel rods for reprocessing of weapons grade plutonium (Oberdorfer 2001: 314-315). On the other hand, North Korea, in order to overcome its military and economic insecurities, was seeking diplomatic recognition from the U.S. The fact that it was seeking to do it in a manner that ran counter to the Clinton administration's nonproliferation agenda is where the problem lay.

The year 1993-94 was also the period when North Korea was attempting to use its missile capabilities and missile exports as tools for gaining political influence. It had carried out a series of tests of the Hwasong (the North Korean version of the Scud missiles) and the Nodong (an indigenously designed medium-range missile) on May 29-30 into the Sea of Japan (Jane's Intelligence Review 1995: 185-186; Bermudez 1999). It had come to realize that its missiles could become tools for gaining influence after the Israelis had approached it in October 1992 to work out a deal. Israel had offered to provide economic assistance to North Korea in return for its suspension of missile sales to countries in the Middle East and to Iran in particular, as also to Syria ("Chronology of North Korea's Missile Trade", 2002; Wright 1999). Thus, North Korea's missile capability and trade had also started drawing international attention, which it thought it could exploit to its advantage.

Bilateral talks between the United States and North Korea, initiated by the latter, began on June 2, 1993, just ten days before North Korea's withdrawal from the

* Through out 1993 and some parts of 1994 Israel kept trying to talk North Korea out of selling No Dong missiles to Iran. It was reported that for this Israel offered an estimated $1 billion, which included buying a North Korean gold mine and supplying thousands of trucks. Under pressure from the U.S. the Israelis stopped their dealings with North Korea and handed over this initiative to the U.S.
NPT was to take effect. These talks resulted in the announcement of the first-ever ‘joint statement’ between the two countries. They agreed in principle to the following:

a. Assurances against the threat and use of force, including nuclear weapons;

b. Peace and security in a nuclear-free Korean peninsula, including impartial application of full-scope safeguards, mutual respect for each other’s sovereignty, and non-interference in each other’s internal affairs; and

c. Support for the peaceful reunification of Korea (Yun 1995: 235; Pyongyang Times, 19 June 1993: 4, 8; Appendix IV).

The two governments also agreed to continue a dialogue on “an equal and unprejudiced basis”. The most important outcome was that the North Korean government decided, “Unilaterally to suspend as long as it considers necessary the effectuation of its withdrawal” (emphasis added) from the NPT (Appendix V). North Korea kept this option open until March 2003, when it finally did consider it necessary to withdraw from the Treaty (Appendix VI). The reason was the renewed tension caused by the U.S. government branding North Korea as one of the ‘axis of evil’ states and the IAEA Board of Governors insisting on North Korea’s full compliance with its safeguards obligation following the discovery of its clandestine uranium enrichment programme. Though the joint statement had left many issues vague, including the question of nuclear inspections, it was of great symbolic value to North Korea. North Korea suddenly had “become important to the United States” (Oberdorfer 2001: 286).

The series of negotiations that took place between the two countries set the terms of the trade-off that was to form the basis of the Agreed Framework Accord that was signed more than a year later in Geneva. However, in the intervening period the situation deteriorated once more when talks were frustrated over the issue of inspections. While the U.S. official, Robert Gallucci insisted on North Korea accepting regular IAEA inspections, North Korea wanted to retain the option of determining which inspections to accept and which to deny. It claimed that since it had only suspended its withdrawal from the NPT, it enjoyed a “unique status” which distinguished it from the other NPT signatories who had to accept regular
and ad hoc inspections (*Pyongyang Times*, 20 September 1993: 3; 5 February 1994: 1, 3).

President Clinton, too, did not make things any better with his bellicose language. Standing at the DMZ on his brief visit to South Korea from Japan, close to the North Korean border in mid-July of 1993 where he had gone to meet the American troops, he reportedly said, "it is pointless for [North Koreans] to try to develop nuclear weapons because if they ever use them it would be the end of their country" (Oberdorfer 2001: 288). This was uncalled for at a time when the negotiations were well underway and the question of North Korea expressing any intention of using nuclear weapons had not risen at all.

After a stormy exchange that went back and forth over the inspection requirement, the negotiations acquired a fresh momentum. This happened because North Korea appeared truly interested in going ahead, even to the extent of being willing to ignore Clinton’s provocative remarks. U.S. Representative Gary Ackerman, the newly elected chairman of the Asia-Pacific subcommittee of the House Foreign Affairs Committee along with Kenneth Quinones the Korean-speaking State Department officer for North Korea, met Kim Il-Sung to resolve the issue.

The North Korean Foreign Ministry for the first time offered a “package deal”, which was simultaneous and comprehensive, rather than a step-by-step trade-off (Quinones 2000: 242). It agreed to the following:

a. To remain in the NPT;

b. To submit to regular IAEA inspections and

c. To discuss the issue of “special inspections” demanded by the IAEA.

In return it demanded the following from the U.S:

a. To end the U.S.-ROK Team Spirit military exercises;

b. To lift the economic sanctions on North Korea and

c. To convene the long delayed third round of negotiations to discuss broader issues.
That North Korea favoured only bilateral talks to resolve the issue even until October 1993 is evident from the statement made by their Ministry of Foreign affairs, which stated that, “the nuclear issue can be resolved only through DPRK-USA talks” (*Pyongyang Times*, 9 October 1993: 8). However, as things turned out, by February 1994 it had lost all hopes of bilateral talks and ended up saying that if the U.S. was not willing to have bilateral talks, North Korea would not want it either, and, further, that if the U.S. was going to choose other options, North Korea would also take appropriate countermeasures (emphasis added) (*Pyongyang Times*, 5 February 1994: 3).

Where had things gone wrong in the interim period? Why was the U.S. threatening to use “other options” and what were these “other options” being considered at a time when the two countries had seemed to have worked out a package deal? Also, which of them was responsible for turning around a situation that seemed conducive to an early resolution?

**The U.S. Gains**

The U.S. objective when it entered into bilateral negotiations with North Korea in June was limited to persuading it not to withdraw from the NPT (Quinones 2000: 175). That objective had been achieved in the package deal, which had been worked out. In fact, despite Clinton’s provocative remarks made at the DMZ, by July North Korea had gone a step further and had even agreed to “give up its entire indigenous nuclear program in favour of the proliferation-resistant light-water reactors (LWRs)” (Oberdorfer 2001: 291). This was more than what the U.S. had been expecting and had dramatically changed the expectations (Oberdorfer 2001: 291).

The U.S. - in its anxiety to move North Korea’s indigenous nuclear energy programme away from one that used natural uranium and gas-graphite technology because of its big potential for weapons production - had suggested the less proliferation-prone LWRs. North Korea, which had been seeking LWRs from the Soviet Union since the 1980s to meet its energy requirements (but without much
success) was not going to let this opportunity pass by. Moscow, in fact was not very happy with the U.S. for agreeing to supply the LWRs - something that Moscow had agreed to do under its 1985 agreement with Pyongyang but had suspended in compliance with its obligations under the NPT. (Bazhanov, Moltz and Mansourov 2000: 225). North Korea had also approached IAEA as well as South Korean authorities, independently, for LWRs to replace their graphite reactors (Mazaar 1995: 84; Seong-Whun Cheon 2001: 168). Therefore, the fact that North Korea had been seeking LWRs to resolve its energy problems is well substantiated. And the U.S. seemed to be consciously responding to this long-standing demand by North Korea.

The Nature of U.S. Commitment

The U.S., though aware of the high costs, had not really factored these in while initiating the talks regarding the LWRs. Within a few days of the negotiations starting, it developed second thoughts and Gallucci made a formal statement that the U.S. would “explore with the DPRK ways in which LWRs could be obtained” (Yun 1995: 236). In effect, this resulted in a delay and became a cause for an escalation of tension between the two.

The conflicting signals that the U.S. was giving during the course of the negotiations did not instill any confidence in North Korea, which was seeking an early solution to its severe energy crisis. It therefore continued looking for avenues to earn the much needed foreign exchange. It entered into secret missile trade with Iran and even Pakistan. In December 1993, Pakistan’s Prime Minister Benazir Bhutto had come seeking North Korea’s Nodong technology, which was successfully tested in Pakistan as the Ghauri missile in 1998 with a range of 1,000 miles.

Ms Bhutto, in order to reassure Kim Il-Sung who was then facing a lot of international criticism, is supposed to have said during her visit, “Pakistan is committed to nuclear nonproliferation. However, states still have their right to acquire and develop nuclear technology for peaceful purposes, geared to their economic and social developments” (Sanger, 2002). This helped to further
strengthen Kim Il-Sung's conviction regarding trading nuclear and missile technology with Pakistan.

Iran is also believed to have developed its Shehab-3 missile based on Nodong technology imported from North Korea. However, its dealings with North Korea were not as smooth sailing as that of Pakistan. There were delays over the trade because of Iranian concern over quality control, delivery schedules and costs ("Missile Capabilities", 1995). Nevertheless, North Korea and Iran continued ballistic missile cooperation even after the Agreed Framework Accord was signed between the U.S. and North Korea. This missile technology trade that could have been largely, if not wholly, checked by the U.S. by addressing the motivations behind them, only ended up further straining the relations between the U.S. and North Korea.

IAEA's dealings

IAEA's dealings with North Korea, too, had run into problems because of the Agency's standoff with Pyongyang over the 'continuity of safeguards' issue. North Korea had signed a full-scope safeguard agreement with the IAEA in January 1992. It had agreed to inspections of its nuclear facilities. During the course of inspections the IAEA found that 'significant inconsistencies' existed between Pyongyang's initial report to the IAEA and their actual findings. North Korea, in its initial report declared that it extracted 90g of plutonium whereas the IAEA suspected that it had extracted at least 148g. (Seong-Whun Cheon 2001a: 161). On February 25, 1993, the IAEA demanded a special inspection of the two undeclared sites that were intended for nuclear waste. It hoped to get information about the diversion of fissile material and North Korea's ability to produce more fissile material (Gallucci, Schneider and Dowdy 1998: 10).

North Korea refused on the ground that these were military facilities and not subject to IAEA inspections (Pyongyang Times 10 April 1993: 3). North Korea further accused the IAEA of being an "agent of the CIA" and stated that the request of special inspection infringed on its sovereignty (Pyongyang Times 10 April 1993: 3). However, the IAEA did not relent on its demands. A major reason
for the IAEA’s insistence was driven by the fear of a repeat of the inspection debacle that had happened in Iraq (Gallicci, Schneider and Dowdy 1998: 7-14).

During the two rounds of talks with the U.S. and North Korean officials, the first one in New York from the 2nd to 11th June 1993 and the second one in Geneva from 14th to 19th July of the same year, the going seemed good with the North agreeing to the temporary freeze and to keep the international inspectors and monitoring equipment in place and the U.S. considering providing North Korea with light-water reactors. However, by the time the third round of talks was to take place in October Hans Blix, the Director General of the IAEA warned that the “continuity of safeguards” in North Korea was threatened and therefore, the talks were postponed. By December, Blix had also reached the conclusion that the safeguards in the DPRK could not provide any meaningful assurance that the diversion of nuclear material was not taking place (Yun 1995: 227-228).

By now the situation that had seemed conducive to achieving something substantial had got exacerbated. Had the IAEA taken advantage of North Korea’s willingness to permit inspections of the sites they had declared initially and conducted at least those inspections first, something significant may well have been achieved. When the going had been good, the North Koreans had even agreed to let the IAEA officials take spent fuel samples from the Yongbyon reactor in the spring of 1993 (Seong-Whun Cheon 2001a: 162, n.17). This would have given the IAEA a chance for a valuable assessment of the amount of plutonium that the North possessed. “Successful conclusion of a modest reciprocal inspection regime would have opened a window for increasing bilateral relations as well as enhancing nuclear transparency” (Seong-Whun Cheon 2001a: 168). It is rightly said that, “Verification is important but should not be an entrapment of a long process of cooperation and confidence building” (Seong-Whun Cheon 2001a: 176). But unfortunately this is exactly what happened and a truly valuable opportunity had been lost.
U.S. and South Korean Policy shifts

Secretary of Defense Les Aspin’s briefing to journalists, on his way home from Seoul in early November 1993, worsened the fast deteriorating situation. He gave the impression that since North Koreans were starving they would feel compelled to launch a desperate conventional attack on the south (Cumings 1997; Oberdorfer 2001: 294). This set off a spate of passionate editorials and columns by hawks in the U.S. and South Korea, urging the U.S. to take strict measures. Some even suggested a preemptive military strike on the Yongbyon nuclear complex (Reiss 1995: 258). In fact, at the 2nd session of the 103rd Congress that convened on January 25, 1994, the Virginia Democrat Charles S. Robb urged President Clinton, on the Senate floor, to consider reintroducing tactical nuclear weapons in South Korea to pressure the North to live up to its nuclear treaty obligations (Congressional Quarterly Almanac 1994, Vol.L: 455). This amendment was apparently adopted by voice vote. There was also speculation regarding the number of bombs in North Korea’s possession.

But why did Aspin say what he did? Perhaps he was influenced by the concern expressed by the South Korean defense minister about the North Korean nuclear programme at the press conference in Seoul (Oberdorfer 2001: 294). The inter-Korean relations were going through a rough patch with South Korea insisting on placing the nuclear issue at the top of the agenda in their talks and North Korea placing priority on exchanging of envoys for the inter-Korean summit meeting. In fact South Korea, which was initially quite enthusiastic about a summit meeting, had changed its stand because of the U.S. (Lee 1995: 62).

This was because, firstly, Washington, with its growing concern about nuclear proliferation after the collapse of the Soviet Union, no longer saw North Korea’s nuclear weapons’ programme as an issue between the two Koreas but instead as a proliferation problem with world-wide implications. With the limited objective of controlling Pyongyang’s nuclear ambitions, Washington placed tremendous pressure on Seoul to demand from Pyongyang stringent bilateral inspection regulations before agreeing to anything else (Reiss 1995: 240). This was precisely what President Kim Young-Sam did but portrayed it in the South Korean press as
something that the South Korean side was trying to ‘convince’ the United States government about (*The Korea Times*, 20 November 1993: 2). The objective by the South Korean side in doing this brings us to the second reason why the South Korean side was beginning to change its stance.

October 1993 was the period when officials from Pyongyang and Washington were meeting backstage in New York to work out the details of the nuclear deal. Even though the two earlier rounds had not achieved anything substantial yet they were important in keeping the doors to the dialogue open. North Korea was keen on the third round of talks taking place and as discussed in Chapter III, had therefore, even agreed to hold talks with the South Korean officials. However, South Korea on its part was not happy about being relegated to the sidelines in the dialogue between the U.S. and North Korea and wanted to be at centre stage. This explains why the South Korean government which until a month ago had been trying to prevent the U.S. from taking the issue to the UNSC was by early November 1993 trying to persuade President Clinton to take a tough stand vis-à-vis North Korea (*The Korea Times*, 6 October 1993: 2; 20 November 1993: 2; 25 November 1993: 2).

The public pronouncement about the toughness to be adopted was more to appease the populace that was criticizing the Kim Young Sam government for- i) the U.S. ignoring South Korea in its talks with North Korea; and ii) giving in to the pressure from the U.S. government and agreeing to sharing the cost of maintaining the American troops stationed in South Korea, amounting to as much as US $260million for 1994 (*The Korea Times*, 4 November 1993; 19 November 1993: 6).

In October 1993, South Korea had said that it would cancel ‘Team Spirit’, which was an annual military exercise conducted jointly by the U.S. and South Korean military in which around 200,000 service members participated. Knowing how much the Team Spirit exercise mattered to North Korea, South Korea said it would cancel it if the North agreed to just ad hoc inspections and the exchange of special envoys. But by mid-November the Clinton administration extended the demands and wanted the North to satisfy three conditions -- ad hoc inspections,
direct talks with South Korea (this because Kim Young Sam expressed his displeasure over being sidelined) and agreement in principle to resolving all nuclear related issues, including access to the two waste sites. Clinton and Kim Young Sam thus announced a new “broad and thorough approach” to North Korea at a White House press conference on November 23, without being sure what it really meant (Reiss 1995: 280), so much so that a section of the South Korean press called it an “ambiguous formula” (The Korea Times, 25 November 1993: 6). Thus the goal posts had shifted and this only resulted in further pressurising Kim Il Sung.

Furthermore, Clinton, reacting to the assessment of the IAEA, had also suddenly made a firm announcement on NBC’s ‘Meet the Press’, on the 7th of November, 1993 that “North Korea cannot be allowed to develop a nuclear bomb. We have to be very firm about it.” (Reid 1993; Reiss 1995: 260). This statement, according to the source quoted by Mitchel Reiss, (1995: 306, n.116) was a mistake because Clinton had got his briefing notes wrong. If indeed that was the case, then it was surely a very undiplomatic statement. Reacting to this, the DPRK Mission to the United Nations in its Press Release of November 10, 1993 commented that Clinton’s remarks were “seriously getting on their nerves” (Reiss 1995: 306, n.116). Thus a war of words was once again initiated.

Les Aspin, after his visit to the Korean peninsula, had made an assessment and stated that North Korea had probably assembled a nuclear bomb. This was corroborated by the Special National Assembly Estimate, which was based on a CIA estimate (Oberdorfer 2001: 307). All this happened at a time when there was much disagreement within the Clinton administration between the estimates drawn up by the CIA, on the one hand, and the State Department and the U.S. national laboratory analysts on the other (Oberdorfer 2001: 307). Yet the U.S. administration preferred to go ahead with a ‘worst-case-scenario’and believe that North Korea had enough plutonium for about four or five weapons, as though the number of bombs it possessed was going to make any difference to the state of things.
U.S. Abrogation of the Agreement

As a part of their tactic of putting pressure on North Korea to agree to nuclear inspections, the defense ministers of the U.S. and ROK suddenly announced in Washington in early October 1992 that they were going to resume the Team Spirit military exercise in 1993. This was completely a bolt from the blue. In the words of Donald Gregg, The U.S. ambassador to Seoul, it was “one of the biggest mistakes” of the United States’ Korea policy (Oberdorfer 2001: 273).

Team Spirit had been initiated in 1976 mainly to deter North Korean provocations and to fortify U.S.-ROK security co-operation. It was an annual military exercise conducted jointly by the U.S. and South Korean military in which around 200,000 service members participated. North Korea had always reacted strongly to this. The exercise had been scaled down in 1991 after U.S. defense budget cuts and it was cancelled in 1992 as an incentive to promote North Korean co-operation in nuclear inspection. This had proved such an incentive that it encouraged North Korea to sign an Agreement on Reconciliation, Non-Aggression, Exchanges and Co-operation, a North-South Declaration on a Non-nuclear Korean Peninsula, as well as the full scope Safeguards Agreement.

To North Korea the cancellation of the ‘Team Spirit’ also meant availability of more of its scarce fuel and human resource for its economy. But because of the announcement of resumption of these military exercises just across its border, North Korea had no other option but to divert a large amount of its fuel resource and manpower which was already in short supply towards building up its own security. In the words of Kim Il-Sung the Team Spirit is “making us waste our fuel and manpower which, to begin with, is in short supply even to mobilize for the harvesting in spring” (Quinones 2000: 239-240). This was going to exacerbate the situation of the already decrepit North Korean economy. This view is corroborated by Koh Yu-Hwan, a North Korean specialist in South Korea when he says, “If the United States guarantees security to North Korea, there is a possibility that Pyongyang will give up its nuclear ambition and promote reform.” (Koh 2005: 18).
Therefore, to North Korea, this announcement of resumption of the exercise was a betrayal of an implied agreement. They had been under the impression that the announcement of cancellation of Team Spirit in 1992 was a permanent cancellation in exchange for the two agreements it had signed. Thus, from North Korea’s point of view this was an abrogation of an agreement by the U.S. - the setting of a precedent that was to have serious repercussions later on.

**North Korea’s Reactions**

The immediate effect of these pronouncements was that Commander-in-Chief Kim Jong-II, announcing a virtual state of war in 1993, sent a letter to the People’s Army which said,

The imperialist United States conducted a nuclear war exercise called Team Spirit to make preemptive attacks on the northern part of the Republic on the excuse of suspicion about our nuclear development and incited some clashes in the Secretariat of the IAEA and some Member Countries to force a special inspection on military facilities of the Republic, causing extreme tension in our country (Joseon Jungang Nyeon-gam 1994, cited in Keun-Sik Kim, 2005: 47).

As mentioned, North Korea then withdrew from South-North high level talks, as well as announced its withdrawal from the NPT.

North Korea, was also trying to take advantage of its unique status of being partly in and partly out of the international nuclear inspection regime. It was not keen on permitting the IAEA experts to sample the irradiated fuel rods that it had unloaded from the 5MW reactor at Yongbyon because, amongst other reasons one was that, this would leave no ambiguity regarding the nuclear material in its possession and thereby also its nuclear weapons capability. But, at the same time it did not want to blow the situation out of control. The extent of the "tentative understanding" it had reached with the U.S. was that North Korea was willing to permit the IAEA inspectors to monitor the unloading of the fuel rods at Yongbyon (USGAO 1994, cited in Downs 1999: 235).

But the IAEA was not going to be satisfied with that. It had also managed to convince the U.S. to insist on North Korea complying with the ‘special inspection’
requirement. Thus the situation was slowly hotting up with each side not willing to relent on any of the demands. At a point the U.S. was even preparing a military war plan called Operations Plan 50-27. Under this plan "a massive U.S. and ROK counterattack to take Pyongyang and topple the North Korean regime" was being considered (Oberdorfer 2001: 312).

By mid-April, 1994 the first shipment of Patriot antimissiles had arrived in Pusan. A battalion of U.S. Apache helicopters, heavy tanks, Bradley fighting vehicles, advanced radar tracking system etc had also arrived in South Korea (Oberdorfer 2001: 312-313). The situation had reached a dangerous level with North Korea, too, stationing about 65 percent of its forces within sixty miles of the DMZ. As Kongdan Oh and Ralph C. Hassig (1994) point out, this course of action that the U.S. was contemplating (even assuming it had been possible to undertake it without the support of the UN) was militarily impractical because the chances of successfully eliminating all of North Korea's nuclear weapons' capability was extremely low. But at the same time, the likelihood of this triggering an armed response against South Korea was very high. Fortunately, when Clinton realised the enormity of the situation after hearing the estimate of the military consequences of war in Korea from the U.S. military leaders as well as from Gen. Gary Luck of UN Command, he veered back to diplomatic efforts (Oberdorfer 2001: 315).

But soon thereafter, with the publicising by the IAEA of the defueling of the reactor that North Korea was undertaking, Clinton went back to coercive methods. This time the U.S. was contemplating international sanctions through the U.N. (Congressional Records, 1993: S4433). Again, this was a hasty response and not based on any well thought out plan. For one, such sanctions were not going to be possible because of opposition from countries like China. Though it was only China that openly opposed the sanctions, both Japan and Russia were also not in favour of it even though they had acceded (reluctantly) to participate in the sanctions (Michishita 2003: 490-492). Secondly, any sanctions would not have been truly effective on North Korea whose economy was not integrated into the world economy. However, one certain effect of all this vascillation was that North Korea interpreted it as 'other options' being considered by the U.S. for which
‘countermeasures’ had to be taken. So it reacted strongly and declared that if sanctions were imposed on it, it would consider it “an act of war” and its reaction would “engulf Seoul in a sea of fire” (Jin Huang 1996: 400).

Thus a situation that could have been sorted out amicably was allowed to escalate to a near-crisis situation because of impulsive reactions. In fact, it is possible to go a step further and state that because of the policy inconsistency on the part of the U.S. it found itself in a more disadvantageous position and North Korea was able to get a greater leverage in the nuclear negotiations that followed.

Fortunately, things did not come to a head and good sense prevailed on the part of both countries. Unable to take coercive measures, the U.S. was left with no option but to make a generous offer and North Korea once again pulled back from aggressive rhetoric and entered into an agreement with the IAEA to inspections of its declared facilities.

At the end of what seemed as “eight months of absolute absurdity” the United States and North Korea agreed on four preconditions for a third round of talks on March 21, only to go into yet another stalemate (Reiss 1995: 281). The North-South talks went badly and Pyongyang was quick to obstruct the agreed upon IAEA inspections. This resulted in Washington cancelling the third round of talks. Then Moscow proposed an international conference on Korea to defuse the situation. But Washington rejected it.

By May, North Korea had gone back to brinkmanship and started to unload its nuclear fuel without IAEA supervision. But at the same time it had allowed the IAEA to complete its March inspection. Following this the U.S. immediately offered to go to a third round of talks but was rebuffed. The Clinton administration was reaching the end of its tether and tried to forge a UN sanctions strategy and was now ready for an international conference on Korea.

It was under these circumstances of nuclear and missile oriented tensions that Jimmy Carter visited Pyongyang on June 15, 1994 as a private citizen on his own initiative, in order to defuse the situation. Following this and also because of
pressure on Pyongyang from Beijing, the tension was eased and the much-delayed third round of talks resumed in Geneva. However, the talks got interrupted because of Kim Il-Sung’s death in Pyongyang in June 1994.

But with the smooth transfer of power to his son Kim Jong-Il, talks were resumed in early August. A major achievement of these talks was that North Korea agreed not to reprocess spent fuel and to halt nuclear construction in return for U.S. assurances that it would receive LWR technology. This was, as mentioned before, certainly more than what the U.S. had hoped to achieve. Yet because, as admitted by the Clinton officials privately, “they agreed to the plan in 1994 only because they thought the North Korean government would collapse before the project was completed,” the details were worked out without much thought (Kessler 2005).

However, by September a fourth round of talks were held between the two nations and further details were worked out including the safe storage of the fuel rods and the setting up of liaison offices. The talks culminated in the signing of the Agreed Framework Accord between the two parties. It is that we now turn to.

The Agreement

The ‘Agreed Statement’ issued by the U.S. and North Korea at the end of the third round of talks on August 12 became the basis for the final agreement that was signed on October 21, 1994 as the Agreed Framework Accord (Appendix III). One needs to note, however, “the pact that was entered into was neither a treaty subject to Senate approval, nor a contract. It was a Memorandum of Understanding between two countries noted by the United Nations Security Council” (“The Agreed Framework”, 2005).

Several issues had to be resolved, both between the countries as well as internally within the countries before the agreement was signed. First, there was the question of who was to provide the technology and the money for the construction of the LWRs. Though South Korea offered to do so, North Korea had objected. Secondly, there was the issue of providing monetary compensation that North Korea was demanding for giving up its 50 MW and 200 MW graphite-moderated
reactors which were then under construction. Thirdly, there was the question of storing the spent fuel rods from the 5 MW reactor. Last was the question of the timeframe for the special inspections in North Korea.

The period leading up to the final settlement was not devoid of threats and harsh rhetoric. The comment by Admiral Ronald Zlatoper, Commander of U.S. Pacific Fleet that though the U.S. was seeking diplomatic settlement it was also contemplating strong military force to influence diplomacy was ill-timed. Defense Secretary William Perry had also warned North Korea of “coercive diplomacy”. In fact, in keeping with the statement, the U.S. navy had even dispatched an aircraft carrier USS Kitty Hawk, three cruisers, a frigate and two logistics ships to the Sea of Japan (Michishita 2003: 496). North Korea was thus provoked into saying that it would answer “dialogue with dialogue and force with force” and if the U.S. continued with its military threats then North Korea would resume its “normal, peaceful nuclear development” (Rodong Sinmun, 25 September 1994: 4). But fortunately, this remained just rhetoric and the outstanding issues found some kind of a settlement by October 17 and culminated in the signing of the ‘Agreed Framework’ (AF) by the two countries on October 21 in Geneva.

It decided to take the following actions for the resolution of the nuclear issue:

1. Both sides would cooperate to replace the DPRK’s graphite moderated reactors and related facilities with light water reactor (LWR) power plants.
2. The two sides would move towards full normalization of political and economic relations.
3. Both sides would work together for peace and security on a nuclear-free Korean peninsula.
4. Both sides would work together to strengthen the international nuclear non-proliferation regime.

Barring the first clause, for which a target date of 2003 was fixed, no specific timetable or specific measures were mentioned for the remaining. It hoped to achieve all of this in a gradual 'step-by-step' method (Cotton 1995: 322).
Korean Peninsula Energy Development Organization:
The United States had pledged to make arrangements for a LWR project with a total generating capacity of approximately 2,000 MW(e) by 2003. According to the provision in the AF, the Korean Peninsula Energy Development Organization (KEDO) was established to build two 1,000 MW LWRs in Kumho on the east coast of North Korea.

KEDO is an international consortium consisting of four Executive Committee members (South Korea, Japan, the United States, and the European Union), as well as other members like Finland, Canada, New Zealand, Australia, and Indonesia. It was the first multilateral institution created for obtaining an outcome which the members thought was best for taking care of their interests.

The organization of KEDO was not devoid of conflict between the prime members – the U.S., Japan and South Korea. The issues that needed to be resolved were, among other things, creating and organising KEDO, choosing a reactor type to be provided to North Korea, reaching a supply agreement, selecting a prime contractor and sharing the cost of construction of the LWR project (Paik, Ryoo et al. 1999).

Despite several problems, including funding, KEDO was able to hold a ground-breaking ceremony in August 1997 and the turnkey contract went into effect in February 2000. (However, even now the entire project is lagging heavily behind schedule and the new target date is estimated to be 2008 instead of 2003. North Korea which had been waiting for the alternate source of production of energy has demanded compensation for the delay but there has been no positive response from KEDO).

Alongside the LWRs, the AF also made provision for providing alternative energy to offset the energy forgone due to the freeze on North Korea’s graphite-moderated reactors until the completion of the first reactor. Eventually, 500,000 tons of heavy oil was to be provided to North Korea annually for heating and electricity production. In 1995, the United States provided 50,000 tons and increased it to 500,000 tons of heavy oil annually from the following year, albeit
with delays in 1997 and 1998. But following North Korea’s Uranium enrichment programme coming to light in October 2002, the KEDO Executive Board decided to suspend the shipment of the heavy fuel oil until North Korea showed a willingness to dismantle the programme (*KEDO News* 2002). Since November 2003 KEDO has suspended its work on the LWRs on the ground that North Korea failed to meet the conditions necessary for continuing the project.

In return for the LWRs North Korea had to freeze its graphite-moderated reactors and other related reprocessing facilities and had to agree to eventually dismantle them. It also agreed to allow the IAEA to monitor this freeze and safely store the spent fuel from the Yongbyon 5MW reactor for eventual disposal. It also committed to remaining a party to the NPT and implement its safeguards agreement with IAEA. It agreed to the special inspections on completion of a significant portion of the LWR but before the delivery of key nuclear components.

Based on the agreement regarding the supply of the LWRs with KEDO North Korea is obliged to repay KEDO for each LWR plant in “equal, semi-annual instalment, free of interest, over a 20-year term after completion of each LWR plant.” (*Appendix VII*). In effect, North Korea was to repay the estimated $5 billion cost of the project on a non-interest basis over 20 years after the construction of the reactors was completed. However, there is no way of judging North Korea’s commitment regarding repayment when the LWR plants themselves have not been completed. The second clause of the AF provided for normalization of political and economic relations between the U.S. and the DPRK, something that North Korea has been aiming for decades.

Under that the specific agreements reached were:

1. Both sides would reduce barriers to trade and investment, including restrictions on telecommunications services and financial transactions;
2. Each side would open a liaison office in the other's capital following resolution of consular and other technical issues through expert level discussions; and
3. As progress was made on issues of concern to each side, the U.S. and the DPRK would upgrade bilateral relations to the Ambassadorial level.

Nothing substantial was achieved under the first point, other than easing of some economic sanctions by the U.S. in January 1995, permitting direct telecommunications services, providing licenses to American firms to provide humanitarian goods to North Korea and the like. As far as setting up of liaison offices is concerned, though technical arrangements for the purpose were completed the year following the signing of the AF, the actual implementation has not taken place yet.

Regarding the third and fourth clause, though some progress was made initially but the current status is that the U.S. continues to designate North Korea as a state that sponsors terrorism and 'an outpost of tyranny'. Though the U.S. assures the DPRK against the threat or use of nuclear weapons it has been refusing to sign any such agreement. In fact, intermittently, reports like “U.S. Nuclear Plan Sees New Targets and New Weapons” only ends up worrying North Korea (Gordon 2002). North Korea, too, continues with its nuclear weapons' programme and also with its missile trade. However, only the fourth round of the six-nation talk seems to have made a breakthrough in this regard. It needs to be seen what details are worked out in the subsequent rounds.

Assessing Outcomes:
Summing up the achievements of the AF (till before its collapse), they would be nothing more than the following – that an international consortium, the KEDO has been formed to finance the construction of a light-water reactor in North Korea, even though it has failed to fulfil the purpose, the mutual investment and trading restrictions between North and South Korea have been somewhat relaxed and the relations between the North and South has improved after the meeting of the two heads of state and with the "Sunshine" policy of the South Korean President, Kim Dae Jung. But, even after so many years since signing the Accord the following are still eluding.
1. Reduction of tension in the area. In fact, if anything there is a clear precipitation of a major security crisis in the region.

2. Denuclearization of the peninsula. In fact, newer sites are being discovered in North Korea where it is pursuing its WMD programme. Also, its ongoing nuclear technology trade with other countries is being reported frequently.

3. Normalization of relations between North Korea and the United States. This too has not happened. In fact, with the current administration the relationship has deteriorated. For about a decade the AF formed the major aspect of relations between the two but no longer so. Despite the long interaction the relations are still full of distrust.

Therefore, since the AF had failed to accomplish the goals that it had set out to achieve it can be seen to have been a failure even before it collapsed; and to the extent that the situation has in fact deteriorated after its signing leads one to believe that it was never destined to succeed. Issues in the AF and its implementation have actually set in motion a series of new tensions and disagreements not only between the U.S. and North Korea but also between the U.S. and South Korea. The AF can be seen to be largely responsible for the present security crisis situation in the region. A look at the issues in the AF and their implementation will therefore help us understand where the problem lies.