

Next Steps with North Korea and the Six-Party Talks

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Are the Six-Party Talks, ostensibly aimed at bringing about the denuclearization of the Korean Peninsula, likely to resume? If so, what's the best that can be hoped for as a possible outcome? Last year, Pyongyang was asserting that it would never return to the negotiating table. However, in recent months, a "charm offensive" appears underway. The North has been stressing to anyone who will listen how ready it is to resume the Six-Party Talks. But, while everyone believes it is prepared to return to the talks, few believe that Pyongyang is ready to give up its nuclear weapons. The death of Kim Jong-Il is not likely to change this assessment. Yet officials in all six countries continue to pay lip service to the Six-Party Talks as the best, and perhaps the only, vehicle for dealing with the longstanding nuclear crisis. But does it make sense to proceed with the Six-Party Talks if denuclearization is not in the cards?

Before attempting to answer this question, a confession of sorts is in order. It is useful to remember that, when it comes to North Korea, we observers are all guessing. Sometimes we're good at it and sometimes we're not. There are a few things we think we know for sure and a lot of things we really don't know at all about what Pyongyang is thinking or why. About the only thing that most North Korea "experts" agree on is that Kim Jong-Il's primary motive is regime survival, including a successful transition of power from himself to his son. We also assume that most if not all of

the North's senior leadership, in and out of uniform, are also committed to regime survival as a means of ensuring their own personal survival, although it's anyone's guess how many believe that the future of the nation is best left in the hands of the young (under 30) "great successor" Kim Jong-Un, even if all are pledging allegiance to him following his father's death.

The reason that everyone is guessing is not because the DPRK leadership is crazy or irrational, however. The truth is, when people say a leader is irrational, what they really mean is that they are incapable of understanding the other party's rationale. *The challenge is to try to figure out why what Kim Jong-Il has done made sense to him.* If one takes a look at the North's actions and their results over the past several years, one could easily reach the conclusion that not only was Kim Jong-Il a rational actor, but also he may be the most rational actor among the six protagonists today.

For one thing, the North's strategy and tactics appear to have worked, at least thus far. This is a failed state, the Albania of Asia, and yet it hasn't gone away. The DPRK continues to stay alive and keeps everyone on their toes. It has managed to survive for decades, first by playing the Soviet Union against China and then, after the Soviet Union's collapse, by playing hot and cold with the United States and South Korea, while drawing Russia back into the game—it was the North, after all, that insisted that Moscow participate in the Six-Party Talks in the first place. If ever there was a case of the tail wagging the dog—or in this case, several dogs—it is North Korea and the Six-Party Talks.

If regime survival (and a smooth transition of power) is the primary objective, it is not hard to understand how the North could see the possession of nuclear weapons as instrumental to ensuring this end. In the early days of the 1994 Agreed Framework, there was a debate over whether or not nuclear weapons were merely a bargaining chip to be brokered away in return for security guarantees. That debate seems to have ended. While the North might be prepared to sell some of its nuclear capabilities (especially those that it has sold once or twice before), it now clearly sees its embryonic nuclear weapons program as an indispensable security blanket or insurance policy that it is not about to cash in. I say "embryonic" because observers also are still guessing as to just how far the North's nuclear weapons program has actually progressed or what the North's real nuclear capabilities are. However, the preconditions attached

by the North to its giving up its nuclear arsenal are so outlandish and unacceptable as to signal its intentions quite clearly.

Why the Six-Party Talks?

If the objective of the Six-Party Talks is Korean Peninsula denuclearization and everyone is pretty well convinced that the North is not going to give up its nuclear weapons anytime soon, then why does everyone seem to want to go back to the negotiating table?

The most direct answer is because no one has come up with a better solution acceptable to all parties. I have argued for years that Five-Party Talks (sans North Korea) are needed, but Beijing has made it clear that it is not prepared to go in this direction, even during times when the North's behavior has been particularly egregious. (One could write an entire paper on why this approach appears logical to Beijing, as self-defeating as it appears and has thus far been, but that's another story.)

It's also true that if you "won't buy the same horse twice"—Washington's favorite phrase, even though most North Korean horses have already been bought more than once—then you really can't start again from scratch. There is an important framework already in place that has been bought and paid for—the September 2005 Joint Statement—and no one wants to try to recreate (or repurchase) this agreement.

Another compelling reason most parties are now talking about coming back to the talks is because their individual and collective objectives have changed. It used to be that the Six-Party Talks were aimed at making things better (i.e., denuclearization); now the objective, should the talks resume, will likely be confined to stopping things from getting worse. The proper atmosphere—the appearance of progress, even if none is actually achieved—is also becoming more compelling, especially as an election year approaches for many of the players.

Let me be clear: I am not arguing for abandonment of the Six-Party process. Stopping things from getting worse is a useful, perhaps even critical objective; if you want to make things better, it's important to first stop things from getting worse. But the parties need to be realistic about what they are trying to accomplish if and when

talks resume and must understand that the “same bed, different dreams” phenomenon will be greatly magnified. They must also be able to distinguish between the appearance of progress and actual progress and understand that the former, however satisfying or reassuring (or politically convenient) it may be, is not a substitute for real progress toward either denuclearization or the greater goal of peace and stability on the Korean Peninsula and in Northeast Asia more generally.

The participants also need to constantly remind themselves that the Six-Party Talks are not an end in themselves but just a means toward a hopefully mutually desired objective. Returning to the talks, in and of itself, should not be seen as a breakthrough, even though it is likely to be broadcast as such by all sides. True, there is an assumption that when the North Koreans are talking, they are not shooting at people. I’m not sure how accurate that assumption actually is, but it’s clear that ever since the North’s spate of bad behavior last year—the sinking of the *Cheonan* and the artillery attack on Yeonpyeong Island—people, especially in the South, have been waiting for the next shoe to drop. While no one takes the North’s periodic threats to turn Seoul into a “sea of fire” seriously, contingency planners in the ROK and the United States are hard at work trying to anticipate North Korea’s next moves in order to develop the proper response.

There is also rampant speculation that the new leadership will have to establish its *bona fides* by doing something aggressive. I don’t buy this logic. In fact, while I understand why the ROK and US military have increased their alert status in response to Kim Jong-il’s death, my guess is that this would be the best time for the respective militaries to enjoy Christmas leave. The odds that the new leadership would do something provocative during the mourning period or during the transition period that follows seem particularly low.

If the North’s periodic bouts of aggressiveness, especially when it feels it is being ignored, are at least in part aimed at getting the others back to the negotiating table to reap new rewards—and remember, again, that we’re all guessing here, but this is a pretty good guess—then it stands to reason that coming back at least reduces that incentive. However, shootouts have occurred in blue crab fishing grounds regardless of the status of talks, and the North has certainly demonstrated it can talk and pursue clandestine (and not so secret) nuclear weapons and ballistic missile programs

simultaneously. Even declared halts in nuclear or missile tests—a favorite U.S./ROK pre-condition—don’t mean a halt in behind-the-scenes R&D, any more than freezing facilities at Yongbyon means that work is not going on elsewhere.

Analyzing North Korean Behavior: Best Guesses

My guess is that Pyongyang had a game plan essentially in place taking them through not only the April 15 100th anniversary of founder Kim Il-sung’s birth but the US and ROK presidential elections in November and December respectively, and that the new leadership, after a respectable pause for mourning, will proceed along that charted course. Kim Jong-il did not choose his successors because he thought they would change direction but because he expected them to stay the course. It would be extremely bold for any new leader or leadership team to veer too far from the chosen path, at least initially. While it is not clear what the game plan is, I would expect that the North is going to continue its smile offensive and good behavior at least until April 15, 2012 (Kim Il-Sung’s 100th birthday) and possibly beyond then, regardless of whether or not talks are resumed. In part this is based on analysis of past cycles: many have observed that the North acts provocatively up to a point, then backs off before crossing the brink in order to try to reap the benefits, then cooperates until too much is expected or demanded in return for those benefits, in which case it pulls the rug out—as it did in December 2008 at the last round of the Six-Party Talks, when pressed to institute a previously agreed upon (and paid for) verification regime—and starts the cycle all over again. North Korea clearly appears to be in the back-off stage, driven this time as well by the need to demonstrate to its own people, if not the rest of the world, that the DPRK has become a “strong and prosperous nation” in time for the birthday celebrations for Kim Jong-Il’s father, the founder of the nation who also instituted the current Kim dynasty. This requires outside help, which is less likely to be forthcoming if Pyongyang continues to be antagonistic.

In addition, the North Koreans, while accomplished at playing brinkmanship games, are also very good at keeping one eye on the brink to make sure they do not cross it. Pyongyang understands that the shelling of Yeonpyeong Island, which resulted in the death of innocent civilians, went too far. It backfired on North Korea politically. Instead of humiliating the Lee government and increasing the

progressive-conservative divide, it brought both sides together in condemning the North's behavior. More importantly, it resulted in some effective brinkmanship by Seoul in return. This time, Seoul's response to North Korean threats of renewed attacks if exercises continued was to not only conduct another high-profile exercise but to announce in advance that its patrol aircraft were fully loaded with bombs and would respond to any North Korean provocation. The temporary posting of U.S. military personnel on the island also served notice to Pyongyang that America would get directly involved if another attack took place.

The North, not surprisingly, backed off once it received the strong “enough is enough” message and understood that next time there would be consequences. This is not to say that the North won't try to find new ways to annoy, humiliate, and/or intimidate the Lee government and otherwise attract international attention once the April 15 birthday celebrations are over—the North apparently does not mind being despised but seems to hate being ignored—but it is not likely to be in the island area.

Many North Korea specialists, including some who have a better track record at guessing than I do, tend to lump the Cheonan attack and the shelling of Yeonpyeong Island together as deliberate tension-inducing steps aimed in part at forcing the others back to the negotiating table. They also see both actions as an attempt by Kim Jong-Un to establish his bona fides, just as earlier atrocities in the 1980s were attributed to Kim Jong-Il's coming of age. I tend to slightly disagree (remember we're all guessing). I see it more as an act of revenge to get even for an earlier maritime confrontation in which the North got bloodied, but in a way that carried with it plausible denial. The North probably underestimated the ROK's forensic capabilities but no doubt assumed the Lee government would blame the North and this would increase domestic tensions between progressives and conservatives in the South. In part, it succeeded; some 30% of South Koreans are not fully persuaded that the North was behind the incident, but the shelling of Yeonpyeong Island undermined some of these “benefits”.

I do believe that the tepid response to the Cheonan, in large part caused by Chinese protection of North Korea at the UN Security Council (UNSC), helped set the stage for further provocation. In this respect, Yeonpyeong was a result of Pyongyang feeling

emboldened by Chinese protection. I am not accusing China of deliberately instigating the action; to the contrary, China places a high premium on stability and certainly does not want to see the North behave in a way that justifies increased U.S. military activity in and around the peninsula (such as an aircraft carrier visit off the Yellow Sea coast). But China has blood on its hands because it sent a clear message to Pyongyang that it would protect the North internationally, regardless of how it behaved. Beijing likewise has refused to condemn the North's uranium enrichment program (despite the North not only admitting after years of denial that such a program exists but actually flaunting it in front of a group of visiting Americans). This is causing many in the United States and the ROK (this author included) to question if China can still be an effective mediator and interlocutor in the Six-Party Talks. In short, China appears to be more a part of the problem where it used to be seen as critical to the solution.

North Korean Aspirations: No Need to Guess

Meanwhile, the North has been pretty transparent in stating what it wants out of the Six-Party Talks. While professing no preconditions to start talking, its preconditions for denuclearization have long been clear and are increasingly transparent. First and foremost North Korea wants a peace treaty with the United States. Of course, it has had opportunities in the past to move in this direction—remember the Four-Party Talks? But the U.S. position, rightfully, has been that a peace treaty for the peninsula must be signed by the ROK and the DPRK. Pyongyang, which refers to its southern neighbor as south Korea (note the lowercase s) and never as the ROK, refuses to grant that level of legitimacy to Seoul, and therein lies the rub.

The North also demands an end to U.S.-ROK military exercises and the withdrawal of the U.S. security umbrella, which Pyongyang thinks of almost exclusively in nuclear terms, not just from the Korean Peninsula but from Japan as well. Such actions, along with the peace treaty, are essential preconditions to persuade Pyongyang that the United States has ended its “hostile policy” toward the North. Only then will it feel secure enough to denuclearize.

When pressed, Pyongyang has acknowledged that the denuclearization process and the normalization of relations and peace process can begin simultaneously, but it

remains very clear and adamant that it cannot and will not take the final step of giving up its weapons until after the peace treaty is signed. Such an action by Washington would, of course, be seen by Pyongyang and the rest of the world as legitimizing North Korea's status as a nuclear weapons state. No U.S. president would ever take such a step and no U.S. Congress would ever support it. The precedent it would set for Iran and others adds additional rationale for rejecting such an approach. Imagine the reaction in the ROK, where two thirds of the population already believe the South should have an independent nuclear weapons capability. What other dominos would fall after that?

The North believes that time is on its side, and in some respects this may be right. As long as there is no dialogue, the North's nuclear weapons programs can proceed unchecked. Of course, as noted earlier, the North has demonstrated its ability to talk and cheat at the same time in the past. It was importing centrifuges from Pakistan at the same time it was conducting cordial negotiations under the Agreed Framework with the Clinton administration. As long as its border with China (and perhaps with Russia) remains relatively porous, it still seems to be able to get the equipment it needs to continue its programs, UNSC sanctions notwithstanding. Again, the Chinese deserve a share of the blame here; Beijing has blocked the release of a UNSC Experts Report that documents Pyongyang's violations of the sanctions regime.

The Way Forward

If, and it's a big if, Pyongyang agrees to all the pre-steps, then the Six-Party Talks should resume. But all parties should go into the dialogue with eyes wide open about the limited objective and even more limited prospects for real progress or success. In truth, the best that can be hoped for if the Six-Party Talks resume is perhaps a little more stability, a little less provocation, and hopefully a slower pace as the North continues to circumvent UNSC sanctions and pursues its nuclear ambitions, actions that are likely to continue regardless of whether or not the Six-Party Talks resume.

* The views expressed herein do not necessarily reflect the views of the Asan Institute for Policy Studies



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