

# Negotiating with North Korea: Bridging the Differences Among the Key Parties<sup>1</sup>

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## Introduction and Summary

The recent agreement at the Six Party Talks on denuclearization of the Korean Peninsula is widely acknowledged as a stopgap, first step. Following over five years of failure to address the problem seriously, the Bush Administration made a tentative step forward by agreeing to the Joint Statement of Principles in September 2005. But it was only in late 2006, and only after Pyongyang tested its first nuclear device, that the Administration bit the bullet on exploring what it would actually take to test the proposition that North Korea might be willing to abandon its entire nuclear program. In the past, it was the North that was always too late to reach necessary decisions—for example, waiting until the very end of the Clinton Administration to try to come to terms on a missile agreement. An agreement at that time might have advanced U.S.-DPRK relations and solidified the 1994 Agreed Framework, with its promise of stabilizing the security situation in Korea around the core of a denuclearized Peninsula.

But President Bush explicitly rejected the advice of his secretary of state, Colin Powell, to pick up where Clinton left off. And he has been unwilling since then to overcome his own distaste for the Pyongyang regime and his determination not to follow whatever path Bill Clinton had followed, in order to beat back the ideologues in his Administration and strive for an agreement that could serve the American national interest. Now, for whatever reason—many ascribe it to the search for a positive legacy—Mr. Bush has changed his mind. And however tempting it is to dwell on the irresponsible policy of the past, we need to welcome the change and to focus on how to build on the President's epiphany to fashion a workable approach to implementing the principles agreed in 2005.

Conventional wisdom is that the North will never give up its entire nuclear program, that it will always hold in reserve some weapons capacity as the ultimate deterrent, the trump card against what Pyongyang sees as the predictable perfidy of the United States and others who would just as soon see the Kim regime toppled as reformed. That may be right; it certainly will be a harder slog now that the North has tested a weapon. Although it has reaffirmed its pledge to eventually abandon its entire program, including fissile material and weapons, the North has succeeded in the Six Party Talks in setting those aspects of its program aside for now, proceeding only to trade what it terms the “temporary” closing of its facilities (the existing 5MW research reactor and reprocessing

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facilities and the shutdown of construction activities of other facilities) in exchange for various political, security and economic benefits.

The fissile material and weapons must eventually be included, or else the instability the North's program has created in the region and in the global nonproliferation regime will persist, even if temporarily bounded. Some of the non-American negotiating partners fear that Washington will eventually settle for half a loaf, making clear it would forcefully respond to any transfer or use of nuclear weapons or materials, but otherwise satisfied to hem Pyongyang in rather than insisting on the entire dismantlement of the program as currently demanded. Japan and, interestingly, China seem most concerned about that (though China emphasizes we must approach the problem with patience rather than doing so with unproductive haste). South Korea and Russia also take "principled" positions against such halfway measures, but both seem prepared to live with a nuclear-armed North Korea for the indefinite future. (In Seoul's case this could change with the change in government a year from now.)

If the Six Party talks are to have even a modest chance of success in ultimately denuclearizing the Peninsula, it will be necessary to meet what each party to the negotiation sees as its vital needs. Although not unique to China and South Korea, it is especially important to them to maintain peace and stability even as we pursue denuclearization.

Japan and the United States also want to maintain peace and stability, but prevention of proliferation is especially high on their priority list, and, for Japan, to this goal must be added the satisfactory handling of the politically sensitive issue of Japanese citizens abducted by North Korea in the past.

As before, it is predictable that various states will continue to have little patience for demands of others that seem to threaten achievements of their own priority goals. Thus, while it has recently expressed support for ultimate resolution of the abduction issue, China has demonstrated considerable unhappiness with Japan's insistence on bringing that topic to the Six Party plenary table or addressing it head-on in intergovernmental documents rather than handling it bilaterally and employing more rounded euphemisms. The ROK's overall desire to diminish Japan's role in the future of the Peninsula has gone beyond this to the raising of various proposals that would simply cut Japan out of the process of future planning.

How to balance the benefits of the Six Party process with the essentiality of a bilateral dialogue between Washington and Pyongyang is not simply an issue for the United States to consider. Much as the other negotiating partners see bilateral U.S.-DPRK talks as a key to success, there is a certain chafing at the outcome when such talks actually do take place. For different reasons, both Tokyo and Seoul were discomfited by the mid-January Berlin talks between American and North Korean negotiators that paved the way for the agreement in Beijing.

While we focus on how to induce the North to follow through on its initial commitments, we also need to think about how to manage the much more difficult and complex problem of how to optimize chances of achieving total denuclearization. It may prove impossible in the end, but, if so, it shouldn't be because the "other five" failed to coordinate properly or to take sufficiently seriously each other's needs.

### Discussion

I was asked recently to think about how to bridge differences among the five "other" (i.e., non-DPRK) participants in the Six Party Talks. Given the obvious difficulties, I was tempted to suggest as effective as anything else might be to stand in a circle holding hands and, in the manner of the 1960s civil rights movement in the United States, prayerfully sing the spiritual *Kumbaya*.

I was also tempted to the opposite, realist extreme, to throw up one's hands and say that we can never harmonize our objectives, but at best can only muddle through as we have been doing.

Some of the wisest heads on these matters have counseled that we should not—we cannot—give up, but that we need to be patient. Although they realize that they are butting heads with the "realists" who argue we need to face up to the "fact" that North Korea is not ever going to give up its nuclear weapons—even if it is willing to freeze its current plutonium production program (in exchange, of course, for rewards)—these people argue that there will always remain a serious danger of unpleasant surprises if we have not taken care to ensure the total destruction of the North's nuclear weapons capacity and brought the DPRK into more normal interaction with the rest of the world. Many of the realists go on to argue that the only ultimate guarantee is a change of regime and political system in Pyongyang, a position the "patient negotiators" would obviously reject.

What can we do to coordinate the positions of the DPRK's negotiating partners?

Premises. I approach this issue with five premises about what it will take to have us all, in the American idiom, sing from the same sheet of music.

First, it was always going to be difficult to get North Korea to give up *all* of its nuclear weapons capacity, and now that Pyongyang has demonstrated that it has at least some kind of explodable nuclear device, it will be even harder. The North obviously feels it has improved its bargaining position considerably, and they have some reason to think that, given the shift in at least American attitudes since October. It is quite possible that the North misreads the reasons behind the U.S. shift and overrates its leverage, but there should be no question that the perception exists and that it will affect the DPRK's negotiating approach. But persistence and creativity will be necessary.

Second, we don't know whether, however hard we try, the North ever would have or ever will give up all of its nuclear weapons capacity. In the past we didn't know, at least very

importantly, because the United States did not take a serious approach to negotiating, so it never seriously tested the proposition. Now we don't know because we are only beginning to move down a path of potentially serious negotiations, and it will take time to get to the point when the proposition will be seriously tested. And in the meantime, key aspects of the North's nuclear weapons program may continue to go forward, including missile development (whether tested or not) and whatever they might be doing with uranium enrichment.

Any obvious North Korean steps in these directions would not simply be "accepted" by the other five, but one cannot be confident about what the reaction would be, for example to further missile testing, except that it would likely be differentiated and lead to tensions among the five.

Third, patience has always been a requirement for success in negotiating with North Korea, whether bilaterally or multilaterally. But there is reason to be concerned that, if we allow North Korea to transform patience into indefinite stalling, intervening events could pose further complications, perhaps even ones from which it would be hard to recover. That is, to some extent, perhaps a fairly significant extent, we are in the position of the proverbial bicycle rider: if we do not continue to move forward, we will fall off.

Fourth, in this connection, intervening political events *will* surely take place in the United States and South Korea in the form of presidential elections, and there could be a leadership change in Japan, as well. (Russia is also scheduled for a leadership change, but the political and policy changes accompanying it will likely not be nearly as great as they could be in the U.S. and ROK.)

China, too, will face important decisions on leadership at the forthcoming 17<sup>th</sup> Party Congress, and we would be foolish to assume that all will run smoothly. Having said that, the personnel changes in China will probably be less wrenching than elsewhere, and in any event there is not a high likelihood that the current PRC approach to North Korea or the Six Party Talks will change significantly.

The one area where this may prove to be untrue is with respect to China's policy toward Japan, including within the Six Party context. China is generally adept at compartmenting different aspects of its foreign policy. But, even though there is unlikely to be any shift in China's basic approach to the North Korea negotiations, given the tentative nature of the very welcome improvement in Sino-Japanese ties over the past four months, it is worth keeping an eye on the course of that relationship and any possible impact on the Six Party talks.

Fifth, while, contrary to some, I consider North Korea to generally be a quite predictable actor, one of the predictable things about it is its willingness to take bold steps that provoke others. The missile tests last July were one example; the nuclear test of October, of course, another. As already noted, there is great potential along the way for fissures to develop among the five non-DPRK parties to the talks about how to react to such actions, and one can assume that that encouraging that is likely to be one DPRK objective.

But even more basically, the North is seeking to do two other things at once: a) hone its nuclear capabilities, including its delivery systems, and b) prod all the others, but particularly the United States, into doing more to meet North Korean terms.

### Bridging the Differences

Given these circumstances, each country needs to recognize that it cannot achieve its priority goals with North Korea unless the priority goals of the others are also met. South Korea and China, for example, need to absorb the fact that, if the U.S. feels threatened by the North's program, there will be no guarantee of long-term stability on the Peninsula. Arguing "war is unacceptable" is not a substitute for policies designed to obviate that tragic possibility.

Obviously, experts in both the PRC and ROK understand that. The Chinese government also seems to have taken that reality into account in the past, but it seems that only recently, since the DPRK's nuclear test in October, has the political leadership in Seoul done so. Still, it remains an open question whether and how, even with this understanding, either government would follow through if things got difficult.

China, South Korea and Russia must also accept that, without satisfactory resolution of the abduction issue, there will not be a resolution of the nuclear issue, because Japan will not cooperate, and Japan holds a key. That said, Japan needs to shape its position on the abductions to not only serve the nuclear negotiation but to maximize the prospects of actual movement on abductions rather than maximizing only the articulation of talking points.

This is an exceedingly difficult issue in Japan, as the abduction issue has assumed a political importance to Prime Minister Abe that the Yasukuni Shrine issue had for his predecessor, Prime Minister Koizumi. Nonetheless, it is encouraging that recent statements have suggested that what Japan is looking for is a *process* to resolve the issue, not actual, full resolution before relations with the North (including the critical aid component Japan will provide) can move forward.

For its part, the United States needs to follow through on the initial steps toward a serious position, one that takes account both of the needs of the "other four" negotiating partners but also of what will work to bring North Korea along. The initial steps are quite encouraging, and most important are the clear signs that President Bush is behind the latest developments. But some of the most difficult decisions lie ahead.

No one should doubt that the long knives are already out for the "partial" agreement reached so far. Former UN ambassador John Bolton's open criticism is merely a window into views held by his former allies still in the Administration. That is why, of course, Administration officials are emphasizing that these are "first steps"—not simply a freeze—and that they will be implemented in weeks measured in single digits (i.e., within two months).

China needs to keep doing what it has been doing since September 2005. That is, it cannot simply act as a convener or mediator, but it needs to take an active role in shaping documents and terms that can be subscribed to by all and move the process ahead. If the United States and North Korea run up against difficult issues of sequencing, for example, China will need to take responsibility to help find solutions that require no one to “go first.” That will, of course, not relieve others of the responsibility to speak in terms consistent with this approach rather than claiming “victory,” undermining what is being achieved.

Since September 2005, China has, in fact, done a very good job of that, and it is constructive that the U.S. government is now giving Beijing due recognition rather than complaining that China should “do more.” At the same time, the U.S. cannot ask China or anyone else to do what it must do itself. So, as noted, American follow-through will be crucial.

Finally, Russia needs to ensure that its focus is on holding North Korea to its promises. Moscow’s role at the Six Party Talks, themselves, is more limited than that of the others. But its potential role in keeping North Korea on course is fairly substantial, and it needs to do whatever is necessary to successfully play that role.

### Conclusion

It is self-evident that one American purpose is to demonstrate it is doing all that is reasonable to do, so that, should things go badly, North Korea is blamed, not the United States. Indeed, U.S. negotiator Chris Hill has said so in just about those terms. But with the President now backing the current course, and different from the past, it would seem that a good deal of this verbiage is for domestic American consumption rather than a reflection of an insincere effort to justify a harder line later on. Right now, in February 2007, one can be far more positive about what the United States is actually trying to achieve than at any time since March 2001, when Mr. Bush instructed his secretary of state to eat his words about picking up the Clinton negotiating track, and his identification, a year later, of the DPRK as part of an axis of evil.

The challenges ahead are truly daunting, and there will probably be more bad days than good ones, as frustrations accumulate over differing interpretations and perhaps even significantly different goals. But the rewards of staying the course could be substantial, and the costs of failure would surely be very high. It will be hard enough keeping North Korea on the straight and narrow; one must hope that the other parties have the wit and wisdom to work cooperatively together, accommodating to each other’s priority needs, rather than engaging in mutual, self-defeating carping.

Political will to push ahead will be critical, as will be the creativity and imagination to do so effectively. As Prime Minister Thatcher was known to say, this is no time to go wobbly.