

NAPSNet Daily Report 03 September, 1998

Recommended Citation

"NAPSNet Daily Report 03 September, 1998", NAPSNet Daily Report, September 03, 1998,
<https://nautilus.org/napsnet/napsnet-daily-report/napsnet-daily-report-03-september-1998/>

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I. United States

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1. DPRK Missile Tests

The Associated Press (Joji Sakurai, "JAPAN ALERT FOR N. KOREA LAUNCH," Tokyo, 09/03/98) and Reuters (Brian Williams, "JAPAN WARNS N.KOREA READY TO FIRE SECOND MISSILE," Tokyo, 09/03/98) reported that Japanese Defense Agency spokesman Hiromitsu Kuwano said that Japanese defense forces were placed on increased alert Thursday for a possible second missile test by the DPRK. Deputy chief cabinet secretary Muneo Suzuki stated, "The government has information from various sources that there are preparations under way for a second North Korean missile launch." He said that such a launch would be "totally unacceptable" and meet with a "resolute stance" by Japan. Chief cabinet secretary Hiromu Nonaka said that the new launch could come as early as Saturday's meeting of the DPRK's Supreme People's Assembly, or next Wednesday, which marks the 50th anniversary of the founding of the DPRK. Kyodo News said that military ships were being dispatched to the Sea of Japan (East Sea) to monitor any possible missile launch.

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2. US-DPRK Talks

The United States Information Agency (Jane A. Morse, "US-NORTH KOREA TALKS WILL RESUME ON SEPTEMBER 3," Washington, 09/02/98) and Reuters ("U.S., N.KOREA PLAN TO RESUME TALKS THURSDAY," Washington, 09/02/98) reported that a State Department official, talking to reporters on background on September 2, said that US-DPRK bilateral talks will resume in New York on September 3. The official said that the DPRK has yet to provide an explanation to the US for its recent missile test. He said that the DPRK delegation failed to attend the meetings set for September 2, claiming they had not received guidance from Pyongyang. He discounted the possibility that the light-water reactor project could be halted by Japan's reaction to the missile test. He stated, "The Japanese have made a number of statements about what they're going to do in their bilateral relationship, but that's between Japan and the DPRK." He added, however, that Japan, along with all members of the Korean Peninsula Energy Development Organization, has decided to postpone plans to sign a burden-sharing agreement to finance the costs of the project. He called the suspension "indefinite but not open-ended."

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3. DPRK Nuclear Weapons Development

The Washington Post carried an opinion article by Kent Harrington, a former senior CIA officer who specialized in Asian affairs ("30 YEARS IN THE MAKING," 09/03/98, A21), which said that only the intelligence analysts examining the US satellite photographs know the facts about the DPRK's alleged underground nuclear weapons complex. The author argued, "It is fair to assume that the North did not begin planning its newly discovered nuclear site yesterday. And if that is so, then it is reasonable to believe that other aspects of the 'frozen' nuclear effort ... also have thawed. Indeed, if the intelligence is accurate, the analysts' findings raise troubling questions, not the least of which is whether at other secret sites the North's program was ever frozen at all." He stated, "Bent on achieving ultimate military power on the peninsula, North Korea has worked for 30 years to develop

nuclear weapons. Its investment of resources, its risk-taking and its persistence make clear it does not intend to trade that goal for economic aid, political recognition or security guarantees." He added, "This week's missile test is no subtle political signal: It is part of a decades-long program to create a weapon that can hit targets, including U.S. bases, outside Korea." He concluded, "North Korea honors its pledges only when faced with unambiguous and credible consequences. For that, we need a clear message for Pyongyang -- and our allies' help."

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4. 1994 Agreed Framework

The Associated Press (Jim Abrams, "SENATE TOUGHENS NKOREA STANCE," Washington, 09/02/98) reported that the Senate voted 80-11 Wednesday to prevent the Clinton administration from continuing with the 1994 Agreed Framework unless the president can certify that the DPRK state is not pursuing a nuclear weapons capability and is not providing ballistic missiles to countries on the State Department terrorist list. Senator John McCain, R-Ariz., stated, "I still believe that unless the North Koreans understand they have to pay a significant price, then they will continue in this most destabilizing activity." Senator Kay Bailey Hutchison, R-Texas, argued, "This week we saw what trying to coerce and reward a totalitarian dictatorship will achieve." However, Senator Patrick Leahy, D-Vt., questioned the wisdom of the amendment, saying, "I don't want to give the North Korean government an excuse to make the situation we now have a lot worse."

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5. DPRK Missile Sales

Dow Jones Newswires ("JAPAN TO URGE CURB ON N. KOREA MISSILE SALES AT FORUM-KYODO," Tokyo, 09/03/98) reported that the Kyodo news service on Thursday cited Japanese Foreign Ministry officials as saying that the Missile Technology Control Regime (MTCR) will discuss ways to put an effective curb on the export of missiles by the DPRK through a third country at its annual meeting in Budapest in October. Japan, which currently presides over the MCTR, has sent letters to the 31 other member countries explaining why such measures are necessary and calling for cooperation. Meanwhile, Japanese Foreign Minister Masahiko Komura told the House of Representatives plenary session Thursday that Japan will reconsider providing foreign aid to any developing country found trading in missiles from the DPRK.

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6. US-Japanese Defense Cooperation

Dow Jones Newswires ("JAPAN, U.S. AGREE ON NEED TO KEEP N KOREA ENGAGED - KYODO," Tokyo, 09/03/98) reported that Kyodo News said that Japanese Deputy Chief Cabinet Secretary Muneo Suzuki met with Kurt Campbell, US deputy assistant secretary of defense for East Asian and Pacific affairs, on Thursday to discuss Monday's DPRK missile test. The two agreed on the need to maintain dialogue with the DPRK despite the test. Campbell said after the meeting, "We talked about steps the U.S. and Japan can take together to send a reassuring message both to the people of Japan and the region." He added that he stressed "how important it's for the U.S. and Japan to press ahead with TMD (theater missile defense)." Campbell also said he and Suzuki agreed it is important for the Japanese government to take steps to ensure that bilateral defense cooperation guidelines legislation will move ahead quickly.

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7. ROK-Japan Defense Cooperation

The Associated Press ("N. KOREA'S MISSILE FIRING BOOSTS JAPAN-S. KOREA COOPERATION," Seoul, 09/03/98) reported that the ROK Defense Ministry said Thursday that Japan and the ROK have agreed in principle to hold a joint navy exercise. The ministry said in a news release that the agreement was reached when the defense ministers of the two countries met in Tokyo earlier this week to discuss various security issues, including the DPRK's recent missile test. The two countries also agreed to increase military cooperation and exchanges. The release added, "Japan and South Korea agreed to continue to exchange information about North Korea's missile development and jointly cope with the issue." It also said, "The two nations also agreed to hold working-level talks between the defense authorities as soon as possible and diversify bilateral military communication channels." ROK Defense Minister Chun Yong-taek said Thursday that the agreed-on exercise would be for "peaceful purposes." Ministry officials said the joint navy exercise would be staged with focus on "search and rescue" in international waters.

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8. US Bomber Deployment

The Associated Press ("PENTAGON TO SEND BOMBERS TO GUAM," Washington, 09/03/98) reported that the US Air Force's Air Combat Command said in a statement Wednesday that three B-52 bombers and three B-2 Stealth bombers would arrive in Guam by Sunday, accompanied by 250 airmen, tanker aircraft, and support equipment. The statement said that the aircraft "will carry conventional munitions and participate in training operations in the Pacific region." Defense Department officials denied there was any reason for the warplanes to be moved other than for the purposes of training. An anonymous official stated, "It's a short-notice, air-power exercise." Officials said the movement of the B-52s and B-2s would display US air power and its ability to deploy quickly from the US mainland.

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9. Food Aid for DPRK

Reuters ("N.KOREA ASKS FOR AID DAYS AFTER FIRING MISSILE," Tokyo, 09/03/98) that the Tokyo-based Radiopress said on Thursday that the DPRK's Korean Central News Agency quoted the head of the DPRK Agricultural Production Department as appealing to the international community for food and medical aid. The official said in an interview that severe weather this summer caused damage to about 208,927 hectares (516,259 acres) of arable land and 10,000 buildings.

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10. ROK Labor Unrest

The Associated Press ("POLICE CRUSH S. KOREA STRIKE," Seoul, 09/02/98) reported that riot police stormed plants of Mando Machinery Corp., the ROK's largest auto parts maker, Thursday to break up an 18-day-old strike. Mando's 4,300 unionized workers went on strike August 17 to protest the company's plan to dismiss 1,090 employees. Police said they detained about 500 workers, but that all but the 24 union leaders being sought by authorities would be released.

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11. Japanese Defense Procurement Scandal

Reuters ("PROSECUTORS RAID JAPAN DEFENCE MINISTRY," Tokyo, 09/02/98) reported that a spokesman for the Tokyo Prosecutors' Office said that prosecutors on Thursday raided Japan's defense ministry and arrested the deputy head of the agency's procurement office. The spokesman said that the official was arrested on suspicion of repeatedly pressing Toyo Communications Equipment Co. to employ two former agency officials in exchange for cutting a refund being sought from the company for overcharging the ministry to 874 million yen (US\$6.37 million) from 2.4 billion yen (US\$17.5 million).

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12. US Ratification of CTBT

The Washington Post (Thomas W. Lippman, "SUPPORT FOR TEST BAN TREATY MAY BE LACKING," 09/03/98, A06) reported that the US Senate voted 49 to 44 on Tuesday night to approve a US\$29 million contribution next year to the international commission established in Vienna to monitor compliance with the Comprehensive Test Ban Treaty (CTBT). Although the measure passed, treaty opponents said that the opposition of 44 senators to the funding indicates the treaty would not get the 67 votes required for ratification. Senate Majority Leader Trent Lott (R-Miss.) said before the vote, "Anything less than 67 votes in support of this amendment will send a strong signal that the Senate is prepared to reject this treaty."

II. Republic of Korea

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1. DPRK Missile Test

According to a report from NBC, the US Air Force has dispatched six fighter-bombers to Guam in reaction to the DPRK's missile test over Japan. The NBC report said that the deployment consisted of strategic bombers, including three B2 Stealth Bombers, and added that the measure was a warning to the DPRK government after its missile test. The US Air Force also announced that three B2 bombers and three B52 bombers and an additional refueling aircraft are en-route to Anderson Air Force Base in Guam. Meanwhile, the Japanese government and Defense Agency said Japan has heightened its alertness after it received information that the DPRK plans to fire a second missile on the occasion of the Peoples Supreme Council meeting, scheduled to begin on September 5. The US Congress and the Japanese National Assembly both voted unanimously to impose strict sanctions on the DPRK and passed resolutions blaming the DPRK for an act of aggression. (Chosun Ilbo, "US SENDS BOMBERS AS WARNING TO NORTH KOREA," 09/03/98)

The ROK Minister of Unification, Kang In-duk, said Thursday that DPRK officials, at an ongoing meeting between high ranking officials of the US and the DPRK in the US, have demanded that the US pay US\$1 billion if it expects the DPRK to abandon its missile development program. Kang made this remark at a closed National Assembly committee meeting. Minister Kang added, in another meeting, that the DPRK has asked a US congressman that the US government pay US\$500 million in compensation for an end to DPRK missile sales. This figure represents 33 percent of the DPRK's total yearly exports. (Chosun Ilbo, "NK DEMANDS US\$1 BILLION TO END MISSILE PROGRAM: KANG," 09/03/98)

The DPRK seems to be preparing to test-fire another ballistic missile, an ROK defense official in Seoul said Wednesday. "We don't think it's possible to launch so soon since the DPRK has to load the missile with liquid fuel," the official said. He was commenting on a Japanese newspaper report that

the DPRK was preparing for a second launch of the Taepodong 1 missile Saturday, the day when DPRK leader Kim Jong-il is expected to assume the presidency of the country. The official said that the launch preparations had been spotted by KH-12 US military satellites and U-2 reconnaissance planes. After Monday's test launch, unusual movements by DPRK naval ships and submarines were spotted. ROK forces have beefed up defense, especially along the east coast, in response, the ROK official said. The ROK will consult with the US and Japan on joint countermeasure plans against the DPRK missile threat and increase exchange of related information, he added. The ROK Defense Ministry official said that the missile could be fully operational within three years. The DPRK then would try to sell the missile, as it had done with about 300 Scud-type missiles that it exported to Middle East countries, he said. (Korea Herald, "SEOUL SEES SECOND TEST NOT IN IMMEDIATE FUTURE," 09/03/98)

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2. ROK-Japan Relations

ROK Minister of Foreign Affairs and Trade Hong Soon-young met with his Japanese counterpart Masahiko Komura Thursday and agreed that the two countries would take joint steps in reaction to the recent DPRK missile launch. The ROK and Japan will call for severe sanctions against the DPRK in retaliation for the incident. They also agreed to cooperate with the US, based upon the consensus that the DPRK missile test over Japanese territory presents a serious threat to the Northeast Asian region. The ministers also finalized the contents of a joint statement for a 21st century partnership between the ROK and Japan, which will be issued when the heads of the two countries meet for summit talks in Japan next month. The talks are aimed at finding an end to the antipathy between the two countries that has endured since the colonial period, and are expected to include a governmental apology from Japan. (Chosun Ilbo, "ROK-Japan FOREIGN MINISTERS COMPLETE TALKS," 09/03/98)

III. People's Republic of China

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1. DPRK Missile Test: PRC Response

China Daily ("CHINA OPPOSES WEAPONS SALES," 09/02/98, A1) reported that PRC Foreign Ministry spokesman Zhu Bangzao said at a news brief on September 1 that the PRC was not informed in advance about the missile test carried out by the DPRK on August 31. The parties concerned have already had channels to hold consultations and the PRC hopes they can appropriately resolve this question through consultations so as to safeguard peace and stability on the Korean Peninsula, the spokesman said.

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2. DPRK Famine

Jie Fang Daily ("WFP: N. KOREA SUFFERS SERIOUS FLOODS," 09/03/98, A3) reported that a spokesman for the World Food Program (WFP) said on September 1 that the eastern part of the DPRK recently suffered serious damage because of floods.

According to People's Daily ("DPRK CALLS ON INTERNATIONAL AID," Pyongyang, 09/03/98, A7), the Korean Central News Agency (KCNA) said on September 2 that there will be a poor harvest in the DPRK this year because of the natural calamities. The DPRK needs continuous aid from the

international community, the KCNA said.

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3. PRC-DPRK Relations

People's Daily ("TANG JIAXUAN MEETS WITH KIM YOUNG-NAM," Durban, South Africa, 09/03/98, A6) reported that PRC Foreign Minister Tang Jiaxuan, who is attending the 12th Non-aligned Movement Summit here, met with DPRK Vice Premier and Foreign Minister Kim Young-nam on September 2. Tang conveyed PRC President Jiang's greetings to DPRK leader Kim Jong-il. He said that the PRC cordially wishes that under the leadership of General-Secretary Kim Jong-il and the DPRK's Labor Party, the DPRK people will reach continuous achievements in the construction of socialism, the realization of the nation's self-determination and the peaceful unification of the country. The PRC attaches great importance to its traditional friendship with the DPRK and hopes that the friendly and cooperative relationship will continue to develop.

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4. DPRK-Japan Relations

People's Daily ("DPRK: LAUNCHING MISSILE IS SOVEREIGNTY," Pyongyang, 09/03/98, A6) reported that a spokesman for the DPRK's Asia-Pacific Peace Committee emphasized in a statement on September 2 that launching a missile is an affair belonging to the DPRK's sovereignty. Japan's unreasonable attacks on the DPRK over this issue stems from its hostile policy toward the DPRK, the spokesman said. The DPRK strongly condemned those attacks.

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5. PRC-US Relations

China Daily ("CHINA OPPOSES WEAPONS SALES," 09/02/98, A1) reported that the PRC firmly opposes the latest US plan to sell advanced weapons to Taiwan. The US reportedly announced on August 27 that it plans to sell arms worth US\$350 million to Taiwan. PRC Foreign Ministry spokesman Zhu Bangzao said on September 1, "We ask the US Government to observe its commitment in the communique with concrete acts and stop its action of infringing China's sovereignty and destroying China's peaceful reunification."

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6. PRC-Taiwan Relations

China Daily ("ARATS: REPORTER DETAINED, RELEASED," 09/03/98, A2) reported that security police in the Xinjiang Uighur Autonomous Region interrogated Taiwanese reporter Li Fuzhong on the morning of September 1 and released him three hours later. The Association for Relations Across Taiwan Straits (ARATS) outlined details of the arrest in a letter to the Straits Exchange Foundation (SEF), following the latter's request for help in finding Li. Li, undertaking activities outside his profession, violated the national security law's implementation rules while conducting interviews in Urumqi, ARATS wrote. Officials ended the interrogation at 2 am on September 1 and released Li after he confessed and showed remorse. Li was allowed to continue his interviews.

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7. US-Russian Summit

China Daily ("US, RUSSIA SIGN NUCLEAR ACCORDS," Moscow, 09/03/98, A1) reported that US President Bill Clinton and Russian President Boris Yeltsin signed agreements on arms control on September 2. The pacts focused on exchanging information on anti-missile alert systems and reducing their stocks of military plutonium by 50 tons apiece. Under the first of the two pacts, each country will inform the other's early warning stations of the launch of long-range ballistic missiles, both tactical and strategic, around the world. The two countries will endeavor to set up a multilateral advance warning system for missile launches using information gathered from both countries' radar and satellites. An early warning center staffed by both Russian and US personnel is envisaged. The second pact detailed methods of disposing of excess stocks of plutonium, which is used as fuel in nuclear weapons.

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8. Outer Space Militarization: Commentary

People's Liberation Army Daily ("RETURN A CLEAN LAND TO OUTER SPACE," 08/30/98, A2) carried an article written by Li Donghang, saying that, although the Cold War has been over for about 8 years, outer space is still not peaceful. The article said that there is only one reason for some country to continue the development of outer-space weapons. That is to pursue absolute military dominance in the world, and then realize the dream, which it did not achieve during the Cold War, of establishing global hegemony.

IV. Analysis

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1. DPRK Missile Test: Violation of Japanese Airspace

[Ed. note: The following commentary is by [Dr. Peter Hayes](#), Co-Director of the Nautilus Institute.]

As the debate over the DPRK missile test heats up, it is important to ask whether the DPRK test of a two stage missile which "overflew" Japan was illegal.

The two stage missile fired from the DPRK shed its first stage into the Sea of Japan/East Sea of Korea. According to press reports and the calculations of David Wright at Union of Concerned Scientists, the second stage and its nose cone then flew on up into near until it reached the apogee of gravity's rainbow about 300 km above Japan, plunged back to earth and into the high seas west of Japan about 300 km.

Thus, over Japan the missile itself was in "space", not the atmosphere or what is popularly thought of as national airspace.

However, there is no established definition or demarcation of outer space. Since the early 1970s, various states have proposed different legal norms as to where sovereign air space ends and space begins, with no resolution.

Currently, therefore, it is up to each country to define its own airspace. State practice in missile testing and rocket launching is generally to not fire non "space objects" (space objects being defined as objects in orbit or entering or leaving orbit) over national territories. However, there is no codified legal regime to this effect, and the United States, Russia, and China have all, on occasion, conducted missile tests in ways which contravened the spirit if not the letter of this state practice.

Thus, there is arguably an emerging international norm that there is no "right of innocent passage" in space above a national territory for a missile. But even in this weak legal regime, states reserve the right to transgress this norm when required by supreme interests (as, for example, when the United States recently fired cruise missiles over Pakistan to hit targets in Afghanistan, or as would occur during a nuclear missile exchange).

Thus, the DPRK is arguably in contravention of an emerging norm, but there is no controlling legal authority or legal framework within which to make such a ruling.

Why might the DPRK have fired the missile at this time? In part, the DPRK's arsenal of missiles is a wasting asset. To determine the true reliability of the missile stock would entail full-scale operational testing, thereby liquidating much of the exportable or deployable stock. The DPRK has communicated its desire to "trade in" these missile foreign exchange earning potentials for another source of income, in return for its compliance with the Missile Technology Control Regime. In short, it wants the United States to fulfill its contingent commitments under the October 1994 Agreed Framework to lift economic sanctions against the DPRK.

In political reality, firing a missile over the heads of the Japanese people--even though it was effectively in space at the time--may play to domestic opinion in Pyongyang and Seoul; and may have nudged North Korea onto policymakers' front burner again for a short time in Washington DC and Tokyo. But the test has reinforced the DPRK's poor reputation as a state which challenges the international community rather than seeking to join and cooperate with that community.

Source References: See W. Durch, *National Interests and the Military Use of Space*, Ballinger, Cambridge, Massachusetts, 194, pp. 182-183 for a description of these proposals to demarcate space from national air space and state responses to them. As an example of overflight in missile tests, see R. Berke, "Unarmed Soviet Test Missile Is Reported to Land in China," *New York Times*, September 17, 1996. For American test practices, see O. Wilkes, M. Van Frank, and P. Hayes, *Chasing Gravity's Rainbow: Kwajalein and US Ballistic Missile Testing*, Strategic and Defense Studies Centre, Australian National University, Canberra, 1991. An excellent resource on the DPRK missile program may be found at the [Federation of American Scientists](#)

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2. DPRK Missile Test: DPRK Motives

[Ed. note: The following commentary is by Jae-Jung Suh of the Department of Political Science, University of Pennsylvania.]

The DPRK has consistently played tit-for-tat with the US, as well-documented in Lee Sigal's excellent book "Disarming Strangers." The recent missile test firing is a clear example. Prior to this test, Pyongyang must have observed the following events with a deep concern: on July 27, the US dispatched USS Carl Vinson and nuclear submarines near North Korean waters; on July 29, Russia and Japan conducted joint rescue exercise off Vladivostok; on August 2, 2 US navy ships visited Qingdao for 4 days; and on August 6, US marines landed in Ussury Bay in a joint exercise. It is quite reasonable to presume Pyongyang felt that it was being cornered. Then came the final straw. South Korea and the US staged the Ulchi Focus Lens joint exercise from August 17 to 29th.

Pyongyang sent a series of stern warnings about the exercise whose central theme can be captured by its favorite line: "We will meet words with words, and fire with fire." The North Koreans sent the missile just two days after the exercise was over, meeting the American fire with its own fire. Despite media complaints about North Korea's opaqueness, there is nothing mysterious about the

intention and timing of the test firing. Pyongyang lived up to its warnings.

While the development of missiles cannot be condoned, the US government must take partial responsibility for the Taepodong test. It has not fully lived up to the terms the Geneva Agreement, while acknowledging that Pyongyang has lived up to its side of the agreement. Washington has not made any significant progress in lifting the economic sanctions. Nor has it taken serious steps to normalize relations with Pyongyang, as agreed in the Agreed Framework. Instead, it sold high tech weapons to South Korea and staged a dangerous war game against North Korea, sending a clear signal that it intends to play with fire. And it got what it asked for.

Seen in this context, the missile test only brings to relief the importance, rather urgency, of implementing the Agreed Framework. The Senate instead passed a resolution making its implementation even more difficult. That kind of reaction is not only shortsighted but also dangerous. Washington should resolutely move ahead to implement what it had agreed to with Pyongyang. This is not appeasement; it is coming back to one's senses.

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We invite you to reply to today's report, and we welcome commentary or papers for distribution to the network.

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