

# **Policy Forum 97-01: Breaking the Logjam: North Korea Regrets and the U.S.-DPRK Agreed Framework**



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# **NORTH KOREAN REGRETS AND THE US-DPRK AGREED FRAMEWORK**

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## **Breaking the Logjam: North Korean Regrets and the US-DPRK Agreed Framework**

by Peter Hayes

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## **Virtual Forum**

" on December 31, 1996, inviting [readers' responses](#) to the following Editorial Opinion essay. We look forward to your contribution. Contents:

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The "package" deal announced on December 30, 1996, whereby the DPRK apologized for its September 18/96 submarine incursion into ROK waters has been in the making for nearly two months. In that time, US officials have wrestled with both Koreas, but especially with the South Koreans. The outcome of this maneuvering was either an inevitable train-wreck in which the US-DPRK Agreed Framework would have been destroyed; or a breakthrough in which everyone agreed to get off the tracks and to concentrate on the big problems, not the small ones.

### **ROK Hard Line**

The ROK reacted strongly to the DPRK submarine incursion with an enormous manhunt and a hard-line stance that almost destroyed the Agreed Framework struck in October 1994 between the United States and the DPRK. At the ROK's behest, the transfer of two light water reactors and heavy fuel oil were frozen, although the Korean Peninsula Energy Development Organization (or KEDO) avoided implementing the freeze in ways that would have made it irreversible -- a flexible stance understood well by Seoul even at the height of its anti-DPRK campaign and indicative that domestic politics was what drove South Korea's hardline.

The ROK also blocked various US proposals as to how the DPRK could transmit its apology, including a Beijing channel, a Panmunjon channel, and a UN channel, as well as any progress on US and DPRK exchanges of liaison offices as called for under the Agreed Framework.

For its part, the DPRK suspended the processing of its nuclear spent fuel at Yongbyon in a joint activity with a team of American specialists and threatened to pull out of the Agreed Framework. Throughout the extended crisis, small confidence building steps between the United States and the DPRK continued, including a quiet and unprecedented visit to the DPRK by a small team of US military personnel to commence joint MIA recovery operations. Direct Pentagon access to the DPRK has begun to shift at least elements of the US military to recognize that it is possible to negotiate with its archenemy as well as to contain it with military force, with a resulting tilt in the inter-agency debates over US policy toward a more realistic stance in dealings with the DPRK. The DPRK also let

the US side know that it understood its difficulties with the ROK, and did not escalate over specific issues where US policy was held hostage by the ROK such as at KEDO.

The ROK hard-line stance was a political posture driven by the public perception in Seoul that the ROK has been sidelined from the dealings with the DPRK rather than one necessitated by the submarine incident per se. Inevitably, this stance threatened the United States' vital interest in the region: stability. When it did, the United States began a private and sometimes public arm-twisting of its South Korean ally to allow the United States to fulfill its commitments under the Agreed Framework.

### **Agreed Framework-Stabilizing Factor**

The ballast on the keel in these turbulent waters was the Agreed Framework, without which the parties would have gone direct to battle stations as in past incidents involving military transgressions by DPRK forces of the Armistice. US strategy still could have fallen through any one of the numerous trapdoors in the floor over the past months. But this time, there was a stable foundation in the Agreed Framework which all parties had worked hard to build. In essence, the Agreed Framework reduces uncertainty about the likely behavior of each party to the Korean conflict. Thus, unlike the May-June 1994 period when Korea looked at war in the face and only President Carter was able to pull everyone back from the brink, US diplomats have been negotiating painstakingly with both Koreas over the past two months instead of rattling sabres and threatening sanctions.

Continued ROK refusal to accept the US formula for moving ahead would have led to outright confrontation, with all the attendant risks. ROK acceptance of the "package" allows the ROK to claim that its hard-line stance over the submarine has been vindicated, but also admits that the South Korean President Kim Young Sam has milked the issue for all its worth. To date, he can make no claim to progress on the emotionally loaded reunification issue. He has less than a year left before he leaves office to make his mark on history by moving the Peninsula toward North-South rapprochement.

### **North Korea's "Regret"**

As to the apology itself -- phrased carefully as a "regret" modeled on the 1976 "regret" issued by Kim Il Sung after the notorious poplar tree incident in which two Americans were killed at Panmunjon by North Korean guards -- it was issued finally over the KCNA and Radio Pyongyang in a radio broadcast aimed directly at the South (and not issued in the North), without regard for South Korean objections to the venue. This move presented the ROK with a *fait accompli* which it had no alternative but to accept.

Now that the logjam has broken, the question is whether the ROK will allow the water to flow. At minimum, we can expect the parties to fulfill their obligations under the Agreed Framework. The heavy fuel oil will start to move again, KEDO will negotiate the outstanding protocols and tackle the practical issues involved with breaking ground at Sinpo to construct light water reactors; and the spent fuel at Yongbyon will be canned again as called for in the North Korean nuclear freeze.

The US-DPRK joint MIA recovery effort will be reactivated, although field work during the winter months will be constrained by cold and activity will be limited to archival research and construction sites. Doing all these things is simply treading water, however. In short, they are necessary but not sufficient conditions for making further significant headway.

## **Food Aid**

The immediate issue on which further progress depends is food aid to the DPRK. By all accounts, the food situation in the DPRK during the next six months will be desperate. The DPRK is short by about two million tonnes of grain of what is needed to keep its population alive. Without immediate and rapid food aid, many tens -- possibly hundreds -- of thousands of North Korean families will starve.

Admittedly, those most afflicted will be the young, the old, the sick and those families living in the poorest and peripheral areas -- the mountains, non-rice growing areas, coastal and fishing communities. These are the areas to which the least politically reliable fractions of the DPRK population have been banished over the decades. These people are at the end of the food distribution pipelines and will be hardest to reach in aid programs. Few tears will be shed at their demise in Pyongyang.

Given the iron controls on movement in the DPRK, the starvation will be hidden largely out of sight, and will not result in surges of starving refugees. Nonetheless, the absolute severity of situation will affect all institutions, including the military, and cannot be denied when most people's stomachs are telling the truth.

The scale of the food deficit is such that no ordinary international aid program like that run by the World Food Programme can respond in time. The United States may loosen economic sanctions to make it feasible for US firms to export food to the DPRK, but the North lacks the foreign exchange to pay for large-scale food imports. It might barter a permitted export such as magnesite or payments from US civil aviation for overflight rights to pay for food from a US food firm such as Cargill. But the amounts involved still would be small. It remains illegal for PL480 surplus food to be delivered to Pyongyang, and the new US Congress will not lift this sanction -- at least not in time to affect the situation in North Korea.

Only China and the ROK might resolve the DPRK's food dilemma. China continues to sustain the DPRK with energy and other resources critical to the operation of its economy. But it will likely resist having to provide feed the DPRK as well when its own economy is so stretched.

That leaves the ROK as the only party able to head off this catastrophe. For Kim Young Sam, the choice is stark. Will he go down in history as the South Korean president who allowed thousands of North Koreans to starve to death to make a political point? Or will he make his name as the president who jump-started North-South rapprochement with a magnanimous policy built on humanitarian considerations aimed at benefiting the whole nation?

## **Will the ROK Lead?**

The policy issues are twofold for the ROK. First, will the ROK lead an international food aid consortium and underwrite financially at a level needed to buy grain quickly for the DPRK?

Second, will it try to use the DPRK's vulnerability to impose political conditions that the DPRK to start to address the structural conditions which underlie its food deficit? The argument for taking this stance is superficially attractive. Although natural floods have exacerbated the immediate food shortages, the DPRK agricultural sector suffers from deeper problems which are rooted in misallocation of resources, inappropriate institutional systems, lack of incentives and markets, scarcity of scientific, technical and resource inputs from the non-agricultural sectors, environmental degradation -- in short, from systemic causes that cannot be ameliorated by short-term food aid, however large.

The contrary argument is that to lay down political conditions that the DPRK commence an economic transition and structural adjustment without first achieving basic political understandings between the North and the South is bound to fail. Thus, the primary objective in the short run should be for the ROK to take the lead in delivering humanitarian food aid and to ensure that international agencies monitor the distribution of the food to the most endangered populations.

Assuming such prominent role -- and combined with an incremental shift by the United States to lift sanctions on US agricultural trade with the DPRK -- would put the ROK in a strong position to lead on a range of cooperative engagements that could be implemented under the Agreed Framework and would set the scene for four-power talks. Without a major food aid initiative from Seoul, it is difficult to conceive of the joint briefings concerning the four-power talks even convening, let alone making progress.

## **The Four-Power Talks**

The big breakthrough contained in the "package" was the DPRK's agreement to participate in "joint" briefings concerning the US-ROK joint proposal for four power talks to settle the Korean conflict. This proposal came as a rejoinder to the DPRK pullout from the Military Armistice Commission, a move designed to force the United States to respond to DPRK demands that the Armistice be replaced by some form of peace treaty consistent with the full implementation of the Agreed Framework. The most important aspect of the DPRK's agreement is that it accepts that the ROK will be at the table -- a de facto recognition of the legitimacy of the ROK as a party to the settlement of the Armistice. In effect, the DPRK is portending a reversal of its position that the ROK is not a party to the Armistice -- having opposed it in 1953 -- and therefore is not qualified to participate in the settlement of the Armistice.

Where and when the briefing will take place is the subject of intensive discussions in each capital city. Meanwhile, a precursor to an actual four-power meeting may be the implementation of the US-DPRK exchange of liaison offices in accord with the mutual commitment made under the Agreed Framework. The DPRK has stalled for nearly two years from implementing this plank of the Agreed Framework, largely it is thought because conservatives in the North Korean People's Army blocked a subsidiary aspect of the liaison exchange -- US diplomatic transit from Seoul to Pyongyang via Panmunjon. They did so because they object to the fast pace of US-DPRK diplomatic negotiations under the Agreed Framework.

Reportedly, the Panmunjon transit and other technical issues such as locations and rent have been resolved for some time and the United States has been ready to move ahead on this important component of the Agreed Framework. At times, the ROK had vetoed its implementation, leading some American officials to wonder privately whether US policy was determined in Seoul or Washington. Currently, the ball is the DPRK's court on the liaison offices.

With door ajar now, it may be possible now to walk through it and set up the diplomatic infrastructure needed for full implementation of the Agreed Framework. Certainly, having near-normal diplomatic representation for the United States in Pyongyang would facilitate movement on the four-power talks, and would correct the current asymmetry whereby the DPRK enjoys easy access to Washington from its UN Mission in New York, but the United States does not have access to the powers-that-be in Pyongyang.

## **The Big If -- South Korea**

The obstacles to moving ahead remain manifold. The best that can be said is that the external framework for a soft landing in the DPRK has not collapsed. There are no signs of leadership yet

from Seoul. Washington is still more reactive than proactive in its Korea strategy. The appointment of Bill Richardson to head the US Mission to the UN may help move US policy faster.

The big if, as always, is South Korean domestic politics. Will Kim Young Sam, beset on all sides by strikes and protests, see his way clear to shake loose from domestic politics and engage the DPRK on the scale required to meet the challenge from the DPRK?

If so, then he would have to re-staff the Blue House to move out the conservative advisors and bureaucrats who have strangled his past efforts at a progressive nordpolitik. A cabinet reshuffle, therefore, may be the first sign of movement in this direction.

### **Please let us know what you think:**

1. What accounts for this breakthrough? Is the logjam in fact broken?

[PBS NewsHour with Jim Lehrer, 12/31/96: "Narrowing the Divide"](#) -- Charles Krause's discussion with Kongdan Oh, Korean policy research analyst and Tony Namkung, Director of the Atlantic Council of the United States [Return to top of this page](#) NAPSNet Policy Forum Online  
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