



ISSUE BRIEF

THE ATLANTIC COUNCIL OF THE UNITED STATES

Achieving Peace and Security in Korea and North East Asia A New US Diplomatic Strategy toward North Korea

Unless President Obama adopts a new strategy of seeking a *comprehensive settlement* in Korea, the U.S. is unlikely to eliminate North Korea's nuclear program.

Adopting a new diplomatic strategy to end the nuclear threat from North Korea is the core proposal of the Atlantic Council *Final Report* released today, with detailed recommendations for the Obama administration on policy toward the reclusive communist state.

Seeking a comprehensive settlement in Korea – including a peace agreement that replaces the 1953 Armistice – will facilitate the success of the Six Party Talks and resolve other critical security, political and economic issues on the peninsula that underlie the nuclear issue and fuel tensions in Northeast Asia.

Strategic Recommendations in Summary

- **Seek a Comprehensive Settlement:** Express a firm U.S. commitment to achieve a comprehensive settlement in Korea both to facilitate the success of the Six-Party Talks on eliminating North Korea's nuclear program and to resolve other critical security, political and economic issues on the peninsula that underlie the nuclear issue and fuel tensions in Northeast Asia.
- **Appoint a Special Envoy:** Name a Special Envoy with presidential authority to address outstanding security, political and economic issues with North Korea at the highest level, where decisions are made.
- **Conclude a Denuclearization Agreement and other Accords:** In parallel with a denuclearization agreement, a comprehensive settlement would take the form of a series of accords, including a peace agreement that replaces the 1953 Armistice, a U.S.-North Korea agreement for normalizing relations, a trilateral U.S.-South Korea-North Korea agreement on military measures, and a North-South accord based on the 1991 Basic Agreement.
- **Offer Diplomatic Recognition of North Korea:** Express a willingness to announce near-term U.S. diplomatic recognition of North Korea as soon as North Korea meets a number of stringent conditions.



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The release of these policy recommendations comes at a time when North Korea's leadership appears bent on forcing the "nuclear issue" to the top of the Obama administration's international agenda, despite U.S. preoccupation with the domestic economic crisis, an orderly withdrawal from Iraq, the war in Afghanistan, and the conflict in the Middle East.

Tensions are once again rising dangerously on the Korean peninsula. Last Friday, January 30, South Korea heightened its military readiness, one day after North Korea canceled longstanding agreements on security cooperation between the two countries.

The Atlantic Council Final Report culminates a nearly three-year study and fully reflects the conclusions of a high-level, nonpartisan working group on North Korea which released its report entitled *A Framework for Peace and Security in Korea and Northeast Asia* in April 2007.

Background

The United States has few more important policy goals than eliminating North Korea's nuclear weapons program. The risk that Pyongyang could transfer nuclear weapons and materials to rogue states or terrorist groups weighs particularly heavy on the minds of U.S. policymakers.

In April 2007, after more than nine months of deliberations, a high-level, nonpartisan working group, organized by the Atlantic Council, concluded that the United States should now seek a comprehensive settlement in Korea. Members of the working group included distinguished American scholars, former government officials, and practitioners with a wide range of experience on Korea and Northeast Asia. It was chaired by Ambassador James Goodby and General Jack Merritt.

At a December 18-19, 2008 conference in Seoul, hosted by the Atlantic Council and the East Asia

Foundation, experts from the United States, South Korea, Japan, China, and Russia discussed how adopting the new diplomatic strategy of seeking a comprehensive settlement in Korea, recommended by the April 2007 Atlantic Council report, would facilitate the success of the Six-Party Talks on eliminating North Korea's nuclear program. They reviewed, in detail, recent developments in these nuclear negotiations during 2008.

They affirmed that parallel negotiations to achieve a series of agreements on political, security and economic issues related to the nuclear deal will provide the U.S. with significantly greater diplomatic leverage for achieving its strategic policy goals of denuclearizing North Korea and establishing long-term peace and stability in Northeast Asia. Realizing a comprehensive settlement would also demonstrate the strategic value of making diplomatic common cause with an emerging China. (The members of the Atlantic Council working group are listed in Appendix I).

Enlarging the diplomatic agenda through parallel negotiations, alongside the nuclear talks, will strengthen the U.S. hand by enabling diplomats to assert additional pressures on North Korea as well as provide Pyongyang, and other negotiating partners, new incentives. By offering the prospect of a fundamental settlement of all outstanding disputes with North Korea (and by expressing a willingness to negotiate other military, political and economic issues together with the nuclear issue), the U.S. would significantly improve the political conditions for the negotiations. The history of negotiating with North Korea demonstrates that improvements in political conditions almost always precede and foster agreements on security-related issues.

Clearly, North Korea will be required to make major concessions in the course of negotiations on a comprehensive settlement. Pyongyang will be more likely to do so if it perceives that

U.S. Strategic Goals

Pursuing the elements of a comprehensive settlement in Korea will significantly help the U.S. achieve the following strategic policy goals:

- Denuclearizing the Korean peninsula and curtailing the threat of North Korean nuclear proliferation

Consistent with U.S. policy going back to the early 1990s, it is critical to manage, contain, reduce and, ultimately, eliminate the nuclear threat from North Korea.

- Establishing regional peace and stability while avoiding a war on the Korean Peninsula

This broader U.S. strategic goal would be facilitated by normalizing relationships among the nations concerned, negotiating significant redeployments and reductions of conventional forces on the Korean peninsula to establish stable military postures on both sides of the DMZ, and replacing the 1953 Armistice with a comprehensive settlement that engenders both North-South and multilateral cooperation on security, economic and humanitarian issues. Significant progress in resolving North Korea-related issues would strengthen the U.S. relationship with China and by so doing, help to stabilize Northeast Asia.

- Transforming the behavior of the North Korean regime

The United States has a strong interest in transforming the behavior of the government of North Korea, both by encouraging it to proceed with economic reform and by loosening controls over its people. Economic reform in North Korea will open its society to international norms of conduct and beneficial outside influences.

- Enhancing Japanese security

Japan is more at risk from a North Korean nuclear attack than the United States because Pyongyang potentially possesses the means for delivering a weapon at a short to medium range, while it still lacks long-range missile delivery systems. A settlement with North Korea which furthers peace and stability in Korea would strongly advance Japan's national interests.

- Strengthening the U.S.-Korea alliance

South Korea plays a critical role in the U.S. strategic alliance structure in the Asia Pacific. The non-military component of the U.S.-South Korea alliance has been expanding as well, based on common political values and the mutual desire to strengthen economic ties through a free trade agreement. A major policy goal of the U.S. should be consciously to promote measures that harmonize U.S. and South Korean policies and, in so doing, strengthen the alliance.

its concessions will help bring about a resolution of all major security issues, while furthering economic development and normalizing political relations with the United States.

Participants at the conference also met with senior Republic of Korea officials, including South Korean chief negotiator at the Six-Party Talks, Kim Sook, Deputy Foreign Minister Lee Yong-joon, and Senior Secretary to the President for Foreign Affairs and National Security Kim Sung-hwan.

At the end of the December 2008 conference, participants formulated the following recommendations for the Obama administration to assist it in dealing with the problems of peace and security in Korea and Northeast Asia, fully taking into account the work of the high-level, nonpartisan Atlantic Council working group. (The working group's April 2007 report, *A Framework for Peace and Security in Korea and Northeast Asia*, as well as a companion volume, *U.S.-North Korea Relations: An Analytic Compendium of U.S. Policies, Laws & Regulations*, is available at the Atlantic Council website, www.acus.org).

Recommendations to the Obama Administration

- Express a firm U.S. commitment to achieve a comprehensive settlement in Korea both to facilitate the success of the Six-Party Talks and to resolve other critical security, political and economic issues on the peninsula that underlie the nuclear issue and fuel tensions in Northeast Asia.
- Appoint a Special Envoy with presidential authority to address outstanding security, political and economic issues with North Korea at the highest level.
- Undertake broad consultations with the countries involved about beginning negotiations on peace arrangements for the Korean Peninsula to implement the September 2005 Six-Party Joint Statement that “the directly related parties will negotiate a permanent peace regime on the Korean Peninsula at an appropriate separate forum.”

In parallel with a denuclearization agreement, peace arrangements would take the form of a series of accords, including a peace agreement that replaces the 1953 Armistice, a U.S.-North Korea agreement for normalizing relations, a trilateral U.S.-South Korea-North Korea agreement on military measures, and a North-South accord based on the 1992 Basic Agreement.

Military matters within the purview of the U.S.-ROK Mutual Security Treaty, including U.S. conventional force levels in South Korea, would not be subject to direct negotiation in the peace agreement without the explicit approval of South Korea and the United States.

Concluding an agreement on a regional organization for security and cooperation in North east Asia, as envisaged in the September 2005 Agreed Statement of Principles at the Six-Party talks, would make an important contribution to peace arrangements.

- Reaffirm the October 2000 “Joint Communiqué” in which the United States and North Korea agreed to build a new relationship free from past enmity without “hostile intent.”
- Express a willingness to announce near-term U.S. diplomatic recognition of North Korea as soon as North Korea:

Reaffirms its September 2005 commitment to abandon “all nuclear weapons and existing nuclear programs” and, at an early date, agrees to return to the Nuclear Nonproliferation Treaty as a non-nuclear weapons state and to accept full-scope IAEA safeguards.

Commences negotiations on peace arrangements for the Korean peninsula, consistent with the September 2005 Six-Party Joint Statement.

Resumes bilateral talks with Japan on the issue of Japanese citizens abducted during the Cold War in order to fully implement the 2002 “Pyongyang Declaration” normalizing Japan-North Korea relations.

Agrees in writing to a robust verification protocol that allows IAEA inspectors to remove material samples for scientific analysis as well as visit undeclared, suspected nuclear-related sites.

Promptly gives up all the spent nuclear fuel removed during the process of disabling its nuclear facilities.

Makes significant progress toward fully dismantling its nuclear facilities and giving up all its nuclear material.

Fully engages with South Korea on implementing the 1991 Basic Agreement and other existing bilateral agreements including the June 15, 2000 and October 4, 2007 Joint Declarations.

- Affirm the U.S. administration’s willingness to consider a fully-prepared high-level meeting – including a possible presidential summit – of all the participants in the Six-Party Talks, including North Korea, for the purpose of concluding a detailed agreement on reciprocal steps leading to full denuclearization and political normalization with North Korea.
- Acknowledge China’s critical role in chairing the Six-Party Talks.
- Convene an ongoing series of meetings of foreign ministers of the countries involved in negotiating a comprehensive settlement – South Korea, North Korea, China, Japan, Russia and the United States – for the purpose of overseeing these negotiations and forming the nucleus of a new multilateral organization for regional security and cooperation. An initial meeting of foreign ministers, agreed to in the Six-Party Joint Agreement of February 13, 2007, should take up these issues.
- Endorse the creation of new issue-specific working groups, reporting to the foreign ministers, as a means of enhancing regional security dialogue and building momentum toward a new multilateral organization for security and cooperation in Northeast Asia. These working groups could focus on increasing cooperation among the parties on energy security, agriculture, development financing, and transportation, among other issues. Any countries with an interest in a specific issue could join each working group. No country would have a “veto” over the creation of a workgroup that other countries would like to establish.

Encourage the formation of a new administrative mechanism within the Six-Party Talks to strengthen coordination and communication on regional issues, facilitating the work of the foreign ministers and working groups.

Developments in 2008 and Early 2009

During 2008, the Six-Party Talks proceeded in the usual fashion, making some progress, then halting for long periods as either North Korea or other parties claimed foot-dragging on the part of others in meeting agreed commitments. The year began with a failure to meet the 2007 year-end deadline to complete the second phase of negotiations that was agreed on in the Six Party Joint Second Phase Actions Agreement issued on October 3, 2007. North Korea had begun, but not completed, the disablement of nuclear facilities, and it had not provided a complete and correct declaration of all its nuclear materials, facilities and programs.

Pyongyang did not agree that the U.S. had fulfilled its commitments to begin the process of removing the designation of North Korea as a state sponsor of terrorism and advance the process of terminating the application to the North of the Trading with the Enemy Act – TWEA. A portion, but not all, of the equivalent of one million tons of heavy fuel oil had been provided to North Korea.

Following the inauguration of South Korean President Myung-bak Lee, in February 2008, relations between North and South Korea deteriorated as the new South Korean government took a tougher stance on North-South relations than the prior government of President Moo-hyun Roh. Pyongyang immediately announced it was cutting off some cooperative programs as well as some communication links with the South. On July 11, a North Korean soldier fatally shot a South Korean tourist at the Mount Kumgang resort in the North, further straining relations.

In the nuclear negotiations at the Six-Party Talks, North Korea delivered approximately 18,000 pages of documents to the United States in May 2008, detailing production records of its nuclear programs. In June, Pyongyang finally handed over a declaration of its nuclear programs, after

a six-month delay, and it blew up the cooling tower of the Yongbyon nuclear plant as a demonstration of good will.

The Bush administration responded to Pyongyang's gestures by removing North Korea from the Trading with the Enemy Act and notifying Congress of its intention to remove North Korea from the State Sponsors of Terrorism list in the next 45 days. When Washington failed to take Pyongyang off the terrorism list after the lapse of the period, saying that North Korea had not provided a suitable written agreement on the terms of verification, Pyongyang barred all international inspectors from its Yongbyon site and threatened to restart the reactor.

In October 2008, U.S. negotiator Christopher Hill traveled to Pyongyang, and North Korea then orally agreed to some verification measures. The Bush administration proceeded to take it off the State Sponsors of Terrorism list. (This caused some tension between the U.S. and Japan because of the lack of progress between Japan and North Korea on the issue of abductions of Japanese citizens by the North.) The latest session of the Six-Party Talks in December adjourned when the North would not agree to a written verification protocol based on the October oral understandings between North Korea and the United States.

One of the topics of discussion in December was the delivery of the final 450,000 tons of heavy fuel oil or equivalent aid to North Korea in exchange for disabling its nuclear facilities. When the talks ended without agreement on a verification protocol, the U.S. announced that delivery of this aid had been suspended (although this was disputed by the Chinese and Russians), and Pyongyang in turn threatened to slow disablement of its nuclear program. The year thus ended with the Six-Party process on hold, waiting for the Obama administration to take office in Washington.

In mid-January 2009, North Korea toughened its position in the nuclear talks by making several harsh public declarations, seemingly to focus the Obama administration's attention on the nuclear negotiations. Pyongyang announced that it would: i) maintain "its status as a nuclear weapons state" as long as the nuclear threat to it from the U.S. continued; ii) not "dismantle" its nuclear program until the U.S. changed its "hostile attitude"; and iii) adopt an "all-out confrontational posture" with the new government of South Korea led by President MB Lee. Moreover, American scholar Sig Harrison reported in mid-January he was told by North Korean officials that Pyongyang has "weaponized" enough plutonium for four to six nuclear bombs.

On Friday, January 30, North Korea unilaterally declared its intention to cancel its 1991 agreement with South Korea on reconciliation and non-aggression, which laid out specific measures for easing tensions on the peninsula. Pyongyang also said it would not abide by a border agreement between the two countries in the western sea, where naval clashes occurred in 1999 and 2002. South Korea responded by bolstering its military readiness.

Conclusion

To achieve its strategic goals in Korea and Northeast Asia, the U.S. should seek a comprehensive and durable settlement on the Korean peninsula. Pursuing a set of parallel negotiations on political, economic and security issues, alongside the denuclearization talks, will specifically facilitate reaching a nuclear agreement as well as other strategic U.S. policy goals.

An enlarged negotiating agenda that addresses all underlying security concerns will provide the United States with significantly greater diplomatic leverage. By enabling the U.S. to assert a variety of additional pressures on North Korea as well as provide new incentives, it would strengthen the U.S. hand in achieving a denuclearization accord. The aim of this broader negotiation would be not just a nuclear-free North Korea, but also long-term peace and stability on the Korean peninsula and in the region as a whole, strongly furthering U.S. interests.

With so many other pressing issues currently on the Obama administration's agenda – including a domestic economic crisis, orderly withdrawal from Iraq, the war in Afghanistan, and the Middle East conflict – the U.S. administration understandably might prefer not to focus major attention on North Korea. Recent developments, however, make it all too clear that North Korea intends to force the "nuclear issue" to the top of the administration's agenda by dangerously heightening tensions on the Korean peninsula. At this critical time, adopting the new diplomatic strategy of seeking a comprehensive settlement in Korea is very much in the best interests of the United States.

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We are particularly appreciative of the work of all those who have participated in this project since its inception in 2006, including the members of the Council's original American working group, our partners at the East Asia Foundation; the Institute for Korean Unification Studies at Yonsei University; the Kim Dae Jung Presidential Library; and the experts from the United States, South Korea, Russia, China and Japan who took part in our Seoul conference.

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Finally, we would like to express our gratitude for the leadership of Atlantic Council senior fellow Donald Gross, who has directed this project from the beginning, and of Professor Chung-in Moon of Yonsei University, whose skill and dedication was instrumental in arranging the two Seoul conferences. Patrick deGategno, associate director for Asia Programs at the Atlantic Council, played a critical role in supporting the December 2008 conference and preparing this Final Report for publication.

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Appendix I

A FRAMEWORK FOR PEACE AND SECURITY IN KOREA AND NORTHEAST ASIA

Report of the Atlantic Council Working Group on North Korea

April 2007

Members of the Working Group

The members of the working group believe that the recommendations stated in this report promote overall U.S. interests. While there may be some parts of the report with which some participants are not in full agreement, each participant believes that the report, as a whole, provides a sound basis for future actions by the government of the United States. The views of the working group members do not represent the official position of any institution.

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Appendix II

KOREA CONFERENCE

“Developing a Framework for Peace and Security in Korea and Northeast Asia”

December 18 - 19, 2008

The Kim Dae Jung Presidential Library, Yonsei University,
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