

**US APPROACH TO NORTH KOREA'S NUCLEAR
PROGRAMME: FROM MISTRUST TO CONFIDENCE
BUILDING**

*Dissertation submitted to Jawaharlal Nehru University in partial
fulfilment of the requirements for the award of the degree of*
MASTER OF PHILOSOPHY

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CERTIFICATE

This is to certify that the dissertation entitled **“US APPROACH TO NORTH KOREA’S NUCLEAR PROGRAMME: FROM MISTRUST TO CONFIDENCE BUILDING”** submitted by **Lalthanpuii Pachuau** in partial fulfillment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY**, is her own work and has not been submitted for the award of any degree of this or any other university.

We recommend that this dissertation be placed before the examiners for evaluation.

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PREFACE

The US became the first country ever to use a nuclear device when it dropped a bomb on Japan. Following the end of the Second World War, the United States came to possess a nuclear weapons monopoly, with no other country having the devices. It did not want any other country to go nuclear. But the American wish was not fulfilled and by 1965, four other nations came to possess nuclear weapons. Notwithstanding the US leadership in establishing multilateral regimes to prevent further proliferation, some countries could not just be prevented from seeking nuclear capability. The quest to achieve nuclear non-proliferation came to be a serious issue for the United States. Among a few others, North Korea's clandestine nuclear programme has been considered by the US as a prime threat to the Non Proliferation regime. It has also been considered as a central factor in US Asian strategy. Pyongyang's nuclear intentions are regarded as threatening to the stability of Northeast Asia. US efforts to engage with the North Korean regime in order to persuade it to denuclearize have been marred by Pyongyang's policies.

With the end of the Cold War, there have been important changes in the American strategic calculation. Non-proliferation, especially on the context of some "rogue states" has been one of the major concerns of US foreign policy makers.

This work is an enquiry into the dynamics of US policy towards North Korea's clandestine nuclear programme and other Weapons on Mass Destruction (WMD). The foremost concern of US policy towards North Korea has been to freeze its nuclear programme. Although, a large scaled armed conflict has not taken place in the Peninsula ever since the end of the Korean War in 1953, there has existed a high state of military preparedness within the peninsula. Ever since the end of the Cold War, efforts towards

disarmament and arms control have been the critical issues in the Peninsula. Till now, North Korea does not accept the Armistice Agreement that was signed at the end of the Korean War and insists that a separate treaty should be signed between the US and North Korea which the US has not agreed upon.

The Korean Peninsula is arguably one of the most dangerous flashpoints in the world, one where war could erupt within barely 24 hour's warning time, putting at risk the lives of tens of thousands of Americans and millions of Koreans. North Korea's clandestine nuclear weapons programme has come to occupy a major place in US foreign policy. Although, it began much earlier, American concerns about Pyongyang's nuclear programme began to increase in the 1980s. Under pressure from the world community, North Korea had joined the Non Proliferation Treaty (NPT) in 1985. However, it stalled in meeting its NPT obligation of signing the National Safeguards Agreement (NSA) under which the International Atomic Energy Agency (IAEA) was to inspect its nuclear facilities. Instead, North Korea made its signing conditional on a US commitment not to use nuclear weapons against it, and on withdrawal of any US nuclear weapons stationed in the peninsula.

In studying US policy towards North Korea's nuclear programme, an attempt has also been made in trying to understand as to why North Korea decided to embark on a nuclear programme. The end of the Cold War which led to the loss of many of their allies such as the Soviet Union, the worsening economic conditions and South Korea's accelerated growth were the major factors which contributed to North Korea's nuclear programme. Moreover, as the end of the Cold War saw the collapse of socialist countries in Eastern Europe, North Korea feared that their regime would follow the same path.

Pyongyang saw the nuclear programme as a means to ensure the survival of the military regime and work as a bargaining chip in negotiations in the international scene.

In chapter one, an attempt has been made to analyze the US policy of non-proliferation as a whole. The historical background of such a policy has also been given. In analyzing the US policy of non-proliferation, it can be deduced that the US has been quite inconsistent and have often tended to give priority to its own national security rather than countering the threat of proliferation.

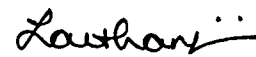
Chapter two analyses North Korea's nuclear weapons and ballistic missiles programme and the efforts of the American policy makers to deal with such a threat. An analysis has also been made of the reaction of other powers within the region to the DPRK's nuclear weapons programme and how the US policy has been affected by the policy of these other powers

In Chapter three, an attempt has been made to evaluate the current scenario after the signing of the "Agreed Framework", as the two parties continue to accuse the other of not following the terms of the agreement. The latest developments under the Clinton and the current Bush Administration have also been analyzed.

This is a modest attempt to analyze and understand a complex set of issues related to US non-proliferation policy, especially vis-à-vis North Korea.

The study has sought to examine and make use of available primary and secondary source materials on this subject. I have also benefited from valuable comments made of the draft by my supervisor.

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CHAPTER I

US APPROACH TOWARDS NON-PROLIFERATION

Current US nuclear policy states that "the United States must continue to maintain a robust triad of strategic forces sufficient to deter any hostile foreign leadership with access to nuclear forces and to convince it that seeking a nuclear advantage would be futile".¹ The need to prevent the spread of nuclear weapons became evident from the first days of the nuclear era. Ever since the devastating consequences of the use of the bomb against Japan on August 1945 and the subsequent end of the war, the US has been attempting to follow a course of non-proliferation in nuclear strategy. During the first decades of the nuclear era, several nations joined the US as acknowledged nuclear weapon states: the Soviet Union (1949), the United Kingdom (1952), France (1960) and China (1964). Amongst these nations, the US has emerged as the leader of the non-proliferation regime and has sought to influence the nuclear policies of other nations in the international community. With the end of the Cold War, the issue of non proliferation gained more prominence in American policy planning especially following suspected nuclear weapons programme of North Korea and Iran and subsequently due to the possibility of a nuclear arms race in South Asia.

¹ A National Security Strategy for a New Century, The White House, May 1997

HISTORICAL BACKGROUND

In June 1946, the US unveiled the **Baruch Plan** which proposed the creation of an International Atomic Development Authority and the abolition of nuclear weapons by putting such materials under international ownership and eliminating the Security Council's veto on violations of the treaty. However, the Baruch Plan ultimately failed due to differences with the Soviet Union. The Soviets wanted nuclear weapons to be outlawed before a verification system was in place to which the US would not agree. Moreover, neither side could have accepted the international ownership and no-veto provisions. The US then, adopted the **McMahon Act** also known as the Atomic Energy Act of 1946 which prohibited the exchange of any nuclear weapons information or materials with any other nation. However, the McMahon Act was seen as a failure to non-proliferation with the Soviet test of their first atom bomb in 1949 and the British bomb in 1952.

In 1953, the McMahon Act was replaced by the **Atoms for Peace Programme**. This new policy sought to assist the propagation of nuclear energy for peaceful purposes to all interested nations in return for their assurance that they would not use fissile materials for military purposes. The main purpose behind this Programme was that it would give the US access to the nuclear weapons programme, if any of the different nations.

In 1957, the **International Atomic Energy Agency (IAEA)** was formed. Washington's role in the establishment and evolution of the IAEA has been substantial. The purpose of the Agency was to oversee the development of nuclear technology world-

wide. It also set nuclear safety standards to ensure that facilities under its supervision would be used for peaceful purposes only.

In 1963, the US signed the **Limited Test Ban Treaty (LTBT)** which prohibited nuclear testing on land or the atmosphere, although underground testing was allowed to continue. France and China refused to sign and the US and the former Soviet Union continued to test underground.² The same year, the US signed the **Partial Test Ban Treaty (PTBT)** which forbade nuclear tests in outer space and the sea. However, this treaty could not bring the desired result of terminating all nuclear tests. To a certain extent, such steps were regarded as measures towards discouraging further proliferation of nuclear weapons.

Multilateral Efforts

Not long after signing the LTBT and PTBT, yet another proliferation challenge emerged. Communist China detonated a nuclear explosive in 1964. In a way, the Chinese nuclear test appeared to be a louder alarm bell to Washington. The world soon witnessed hectic diplomatic activities led by the US, which ultimately culminated in the signing of a multilateral treaty—**The Nuclear Nonproliferation Treaty (NPT)** in 1968. This treaty aimed to achieve and maintain an effective international safeguards system against nuclear nonproliferation and to promote peaceful co-operation in nuclear energy. Opened for signature in 1968, the NPT entered into force in 1970 and forbade nuclear weapon states to assist any nation in acquiring nuclear weapons while non-nuclear weapon states committed themselves not to acquire any nuclear weapons capability. To date, the NPT

² Gardner, Gary T, Nuclear Non-Proliferation, (Lynnne Riener, Colorado, 1994) p.41

has become the most widely observed arms control agreement in history. However, the NPT came to be criticized for its “discriminatory” character, since it made a sharp distinction between the nuclear “haves” and “have-nots”. It recognized five nuclear weapons powers -- Britain, China, France, Russia and the US -- and restricted other countries from developing nuclear weapons capability. Once again, China and France stayed out of the NPT.

Four years after signing the NPT, the two major nuclear powers got involved in negotiating SALT or the Strategic Arms Limitation Talks. The US perhaps wanted to convince the Non Nuclear Weapon States (NNWS) that, while encouraging them to abjure the nuclear path, it itself was not walking away from its commitment to achieve nuclear arms control. However, neither the NPT nor the SALT were convincing enough for countries like India.

India considered the NPT a discriminatory document and did not consider SALT as a nuclear disarmament endeavor. Six years after the signing of the NPT and two years after the SALT negotiations, India conducted a nuclear explosion in 1974. Although India stated that it was a “peaceful nuclear explosion”, the US considered it, for all practical purposes as yet another case of nuclear proliferation.

Once again under the leadership of Washington, the Zangger Committee came to be established, according to which all nuclear material and relevant materials would be subject to IAEA verification. Moreover, the Nuclear Suppliers Group (NSG) was set up in 1974 to control the export of sensitive nuclear related technologies.

As a consequence of the nuclear tests conducted by India and the clandestine nuclear weapons programme of Pakistan, the US Congress came to enact a number of

legislations to strengthen US nuclear non-proliferation policy. In 1976, the Symington Amendment was adopted according to which the US was prohibited from giving assistance to any country found trafficking in nuclear enrichment equipment or related technology outside of international safeguards.³ The Symington Amendment was first imposed upon Pakistan in 1979 because of the country's importation of equipment for the Kahuta uranium-enrichment facility which was not subject to IAEA safeguards. In 1977, the Glenn Amendment was adopted which prohibited US foreign assistance to any non-nuclear weapon state (as defined by the NPT) that, among other things, detonates a nuclear explosive device.⁴ As a result of the Symington and Glenn Amendments, Pakistan was cut off from US economic and military assistance. In 1978, the Nuclear Non Proliferation Act was passed according to which the US would have the right to consent to the reprocessing of fuel exported from the country.

Cold War Considerations

The 1980s witnessed the US becoming less concerned about nuclear proliferation and more focused on its principal national security agenda. In fact, some of the policies adopted by the Reagan Administration could promote, and not stop, further proliferation of nuclear weapons. For instance, the Reagan Administration, the US declared that it would unilaterally and indefinitely end the negotiations on a nuclear test ban.⁵ The US also declared that nuclear testing was indispensable as long as nuclear weapons and

³ Hathaway, Robert M. "Confrontation and Retreat: The US Congress and the South Asia Nuclear Tests", *Arms Control Today*, Jan/Feb 2000 p.11

⁴ Ibid

⁵ Muller, Harald, *Nuclear Non-Proliferation and Global Order* (Oxford University Press, New York, 1994) p.28

nuclear deterrence were the backbone of national security and that a test ban was thus not in its national interest.⁶

As the Cold War became more intense, Washington put its own national security concerns above proliferation concerns. The Soviet invasion of Afghanistan saw the US shifting its stance on Islamabad's nuclear activities. Due to the strategic importance of Pakistan in the region, the US waived the Symington Amendment citing their national security concerns. By suspending the Symington Amendment, the US was able to send arms through Pakistan to the Mujahedin to fight the Russians in Afghanistan.

In 1985, the Pressler Amendment came to be adopted which would ban most economic and military assistance to Pakistan unless the US President certified, on an annual basis, that Pakistan did not possess a nuclear explosive device, and the provision of US aid would significantly reduce the risk of Pakistan possessing such a device.⁷ Enactment of the Pressler Amendment is a classic example of the Reagan Administration's volt face on proliferation issues. While the real intention of the American legislators was to enact stringent laws to punish Pakistan for its clandestine nuclear weapons programme, the Reagan Administration officials lobbied for a milder version of the law, so that it could continue arming Pakistan.

Back on the Agenda

As the Cold War came to an end, the debate about the role of U.S. nuclear weapons entered a new phase. During the Cold War, nuclear weapons had been at the center of

⁶ Ibid

⁷ Hathaway, Robert M. n.3, p.12

U.S. national security strategy and such a policy had flown in the face of the so-called non-proliferation policy. After all, the US could not have one standard for itself and another for other nations. However, with the end of the Cold War, the US began emphasize on nuclear arms control and sought to strengthen to build up its efforts to ban nuclear weapons and strengthen non-proliferation initiatives. In its efforts towards nuclear arms reduction, the United States eliminated all ground-based intermediate-range ballistic missiles by the end of May 1991, as required by the Intermediate-Range Nuclear Forces (INF) Treaty. According to the START I Treaty which entered into force in December 1994, the US reduced their strategic nuclear warheads. On January 26, 1996, the United States Senate voted to give its advice and consent to ratification of START II.

Prevention of proliferation of nuclear weapons became more prominent in US national security and foreign policy planning. For instance, on March 25, 1996, the United States also signed the three protocols to the South Pacific Nuclear-Free Zone (SPNFZ) Treaty, the Treaty of Rarotonga according to which the US agreed not to use or threaten to use nuclear explosive devices against any Party to the Treaty and not to test nuclear explosive devices within the zone established by the Treaty. The United States continues to support the establishment of nuclear-weapon-free zones in other regions, provided they meet longstanding U.S. criteria for such zones.

One concrete instance of US desire to punish the proliferators was reflected in the US decision to stop certifying Pakistan's nuclear innocence. The US would not have resorted to an action, if the Cold War had not come an end and the Soviet troops had not withdrawn from Afghanistan. By 1989, the Russians had left Afghanistan and in 1990, the Senior Bush Administration stated that it was unable to certify that Pakistan did not

possess a nuclear explosive device. As a result, the Pressler Amendment came into effect and all government to government military and economic assistance to Pakistan were stopped.

While the Pressler Amendment was a country specific endeavour and the US endorsement of Nuclear Weapon Free Zones was a partial non-proliferation approach, the Clinton Administration sought to make three comprehensive international efforts in support of its non-proliferation goals. Firstly, the Clinton Administration endeavored to work towards the achievement of an indefinite extension of the NPT. Secondly, the Clinton Administration also sought to work towards the conclusion of a Comprehensive Nuclear Test Ban Treaty. Thirdly, the administration also worked towards the achievement of a Fissile Material Cutoff Treaty. Significantly, all these efforts aimed at preventing further proliferation of nuclear weapons.

After intense diplomatic activities, the NPT was indefinitely extended by the US and its allies in May 1995. Soon after that, the Clinton Administration began to work hard for a Comprehensive Test Ban Treaty (CTBT), which the US proposed jointly with India in the UN General Assembly in 1993. The CTBT finally saw the light of day after more than two years of laborious negotiations in the Conference on Disarmament (CD), in which the US all along played a leading role. The CTBT, which bans all nuclear weapons tests or other nuclear explosions, was formally opened for signature on September, 1996. Although President Clinton became the first world leader to sign the Comprehensive Test Ban Treaty (CTBT) on September 24, 1996, America's obligations to ban nuclear weapons came to test when it was required to ratify it. For the CTBT to come into force, it must be signed by all 44 countries possessing nuclear weapons

programme or nuclear reactors. However, the CTBT was dealt a big blow when, in October 13, 1999, the US Senate decided not to ratify the CTBT. The grounds for rejection were that if the US ratified this treaty, it would not stop others trying to go nuclear and therefore the US should not ratify on the grounds of national security. The ironic part is that many nations around the world feel threatened by recent US unilateral actions and are thus beginning to feel that they will need to procure weapons that are more dangerous to assure their own national security. If the U.S. reduced its aggressive postures then other nations perhaps would not feel as threatened -- instead they do and are arming themselves as a result. This has led to many uncertainties about the treaty coming into force in the future. By signing the CTBT, the United States would give credibility to India's and Pakistan's recent nuclear tests and US commitment to the treaty may provide strong incentives to other nations to do the same.

The United States also ceased production of all fissile material for use in nuclear weapons and began to strongly support the efforts to initiate negotiations on a **Fissile Material Production Cutoff Treaty (FMCT)**. It views such a treaty as an important milestone towards nuclear disarmament. Such a treaty was specifically called for in the 1995 NPT Conference decision on "Principles and Objectives." The United States sees an FMCT as an important milestone on the road to nuclear disarmament although many other countries consider such efforts as arms control rather than disarmament efforts.

AMERICAN INCONSISTENCE

The US has taken up various means to stop the proliferation of nuclear weapons. It has adopted both domestic and multilateral means to bring about this objective. It has been

partly successful in multilateral efforts as seen by the indefinite extension of the NPT which has been considered as the backbone of nuclear non-proliferation efforts. However, other multilateral efforts such as the CTBT and the FMCT have failed to yield the same level of success.

On the domestic front, the US has created a sanctions regime, but this policy of imposing sanctions upon proliferating countries has not generated much success as the targeted countries at most times seem to find alternate means of support. Even the US Administration has sometimes overlooked proliferation concerns in view of more pressing US vital national security interests or very significant American economic interests.

In its quest for achieving nuclear non-proliferation, the US fully supports the creation of Nuclear Weapon Free Zones (NWFZs). NWFZs have proved to be very useful means in dealing with nuclear proliferation and have generally been considered as instruments of prevention. In cases where a country might want to acquire nuclear weapons because a neighboring country is going nuclear, NWFZs could provide a way out of such a security dilemma.⁸ NWFZs can also provide domestic protection for nations that wish to eliminate their nuclear arsenal. The US was pleased by the Latin American efforts towards non-proliferation when they attempted to establish the world's first nuclear weapon-free zone by creating the Treaty on the Prohibition of Nuclear Weapons in Latin America (commonly known as the **Treaty of Tlatelolco**) which came into force on April 22, 1968. According to this accord, acquisition or the development of nuclear

⁸ Doty, Paul, "Arms Control for New Nuclear Nations", Robert D. Blackwill (Ed), *New Nuclear Nations: Consequences for US Policy*, Council on Foreign Relations Press, New York, 1993, p. 58

weapons and the deployment of such weapons is prohibited in Latin America.⁹ The Treaty of Tlatelolco has proved to be a useful supplement to the NPT as it includes Brazil and Argentina, two states that have been reluctant to join the NPT regime. In 1981, the US ratified Protocol II of the Tlatelolco Treaty, which obligates all of the nuclear weapon states to apply the treaty to the territories in the region. In the case of the US, this included Puerto Rico, Guantanamo Bay and the Panama Canal Zone, where there are major US military bases.¹⁰ Another important NWFZ is the South Pacific Region. The Treaty of Rarotonga came into force on December 11, 1986. It prohibits the manufacture or acquisition by other means of any nuclear explosive devices, as well as possession or control over such devices by the parties anywhere inside or outside the specifically described zone area. The parties also undertake not to supply nuclear material or equipment, unless subject to IAEA safeguards.¹¹ The US has agreed to the protocols of the Rarotonga treaty although it has failed to ratify it. The US also heavily endorsed the South East Asian Nuclear Weapon Free Zone declaration. There is no doubt that such NWFZs contribute to America's non-proliferation goals. However, it is significant to note that such NWFZs do not effect in any way the US nuclear strategy, because the US has a policy of neither confirming nor denying the presence of nuclear weapons in its military bases around the world and in its naval ships cruising around the globe.

A major proliferation concern which has greatly irked the US comes from the so-called "undeclared" nuclear powers like India, Israel and Pakistan. However, in order to

⁹ Gardner, Gary T., n. 2, p.41

¹⁰ The Future of US Nuclear Weapons Policy, National Academy of Sciences, National Academy Press, Washington D.C., 1997, p. 57

¹¹ Shan, Dingli, "Engaging the DPRK in a Verifiable Nuclear Weapons-Free Zone: Addressing Nuclear Issues Involving the Korean Peninsula", Kihl, Young Whan and Hayes, Peter (Ed) Peace and Security in Northeast Asia: The Nuclear Issue and the Korean Peninsula, (Armonk, New York, 1997) p.418

meet its own security interests, the means through which the US has dealt with these countries have been quite incoherent.

Israel: The close relationship between the U.S. and Israel has been one of the most salient features in U.S. foreign policy for nearly three and a half decades. The fact that Israel perceives itself as being surrounded by hostile Arab states and the absence of a US nuclear umbrella over their nation have been the major impetus in their drive towards a nuclear programme. The United States' policy towards the Israeli nuclear programme has varied, ranging from rather strong opposition to looking the other way. It should be mentioned that although the US administration attempted to treat Israel as it did other countries, US presidential policy toward Israel has remained quite liberal. In 1959, President Eisenhower remained silent over Israel's reported nuclear programme. In the same manner, President Johnson and President Nixon preferred not to engage in confrontation with Israel. This policy may have been influenced by the existence of a strong Jewish community in the United States as well as by Israel's specific security situation - surrounded as it had been for many years by enemies sworn to destroy the new Jewish state. President Kennedy, on the other hand, refused to ignore the Israeli nuclear programme. He demanded the inspection of the Israeli nuclear site--Dimona, the Israeli nuclear reactor. When the Israelis refused to do so, he authorized the sale of Hawk surface-to-air missiles, an advanced defensive weapon, representing a shift in U.S. policy of not selling weapons to Israel. It was only after such a gesture that the Israelis permitted the inspection of Dimona.

India and Pakistan: Although India and the US have long shared the goal of the ultimate eradication of nuclear weapons, India has refused to sign the (NPT), which,

India feels is discriminatory. In 1974, not very long after China's first nuclear test and the birth of the NPT, India carried out its first nuclear explosion and labeled it as a "peaceful nuclear test". The US was greatly troubled by India's nuclear test and viewed it as a great proliferation setback. Though less sophisticated than their regional rival, Pakistan's nuclear programme also caught the attention of the US. However, the US refrained from labeling Pakistan as a proliferating menace till the end of the Cold War due to the latter's strategic importance in the US engagement with the Soviets in Afghanistan. Although Pakistan has not signed the NPT, it has declared its readiness to sign the NPT if it is reciprocated by India.¹² In September 1996, India refused to sign the CTBT for similar reasons it had refused to sign the 1968 Nuclear Non-Proliferation Treaty. India's concern is that neither treaty works toward eliminating those countries' arsenals; rather, both are designed to stop other countries from acquiring nuclear weapons. In response to India's position, Pakistan also refused to sign these treaties.

In May 1998, India conducted five nuclear tests at Pokhran in the northwestern desert state of Rajasthan and three weeks later, Pakistan followed suit by six nuclear explosions in its southwestern region of Chaghai. The United States condemned both India and Pakistan for their nuclear tests and imposed sanctions against both the countries. The possession of nuclear weapons by India and Pakistan has made the US more fearful of the threat of a nuclear war due to the history of escalating bitterness over the status of the territory of Kashmir between the two countries and the fact that these two Asian neighbors have fought three wars in the last 50 years. While the immediate danger of a nuclear war in South Asia would affect hundreds of millions of people the US

¹² Muller, Harald, n.5, p.46

fears that it also could lead to a domino effect throughout the hemisphere.¹³ The US had for a long time put in place various policy approaches to prevent nuclear proliferation in the Indian subcontinent. Although Washington imposed against both India and Pakistan in the wake of Pokhran II and Chaghai developments, various developments have led to suspension of these sanctions. For all practical purposes, it seems the US has prepared itself to grudgingly accept nuclearization of the subcontinent.

Iraq: Ever since the Gulf War of 1991, in which air strikes hit parts of Iraq's nuclear weapon programme, this country's nuclear programme has been a major concern to the US. The discovery of the scope, size, and sophistication of Iraq's nuclear weapons programme after the Gulf War jolted the US. Although Iraq had signed the NPT in 1968, its nuclear programme can be traced back to the 1970s.¹⁴ Iraq has, of course, denied trying to reconstitute its nuclear weapons program after the Gulf War but the US thinks otherwise. Under the terms of the armistice which ended the war over Kuwait in 1991, Iraq allowed the UN weapons inspectors to search for and destroy suspected weapons of destruction. In order to force Iraq to comply with restrictions on their weaponry, the UN and the US imposed an economic embargo upon Iraq. The United States strongly supports the maintenance of United Nations sanctions on Iraq until that country fulfills all of its UN Security Council obligations. Under UN resolutions, Iraq must make available for elimination all weapons of mass destruction (WMD), allow monitors, and fully disclose past WMD programs. While the U.S. and the UN claim that Iraq is not living up to the terms of the agreement and is continuing to develop WMDs, Iraq believes that the

¹³ "Reducing the Threat of Nuclear War: A Call for US Leadership Response to Nuclear Testing by India and Pakistan", www.apcjp.org/India_pakistan_nuclear.htm

¹⁴ Albright, David, "Iraq's Reconstitution of its Nuclear Weapons Programme" *Arms Control Today*, Vol. 28, no. 7, October 1998, p. 11

U.S. is attempting to subvert their national sovereignty and cripple the country through continued economic sanctions. There are no signs as yet of US pressure on Iraq receding.

Iran: Israel and Iraq are not the only nuclear-interested nations in the region. Nations such as Iran and Libya have also become a source of concern to the United States. The possession of chemical weapons by Iran has added to this apprehension. Ever since the end of the Gulf War, the US has been suspicious of Iran's nuclear intentions. U.S. unilateral measures to contain Iran are based on economic sanctions, bans on Iranian imports, strict export controls, and the prohibition of foreign aid and credits. In the face of these accusations, Iran has denied its intentions to develop a nuclear programme. Iran does not have the economic capacity to support a clandestine nuclear weapons program in its current economic crisis. If Iran was supporting a clandestine nuclear weapons programme and this was discovered by the international community, the sanctions imposed upon the country would impoverish the nation especially when Iran is trying to rebuild after its eight-year war with Iraq.

Following the Geneva Agreement also known as the Agreed Framework of 1994 (to be discussed in the following chapters) between the US and North Korea, Tehran argued that if the US and its western allies are willing to sell Light Water Reactors (LWRs) to North Korea in spite of the fact that it does not follow IAEA obligations, the US cannot refuse to sell reactors to Iran, which is in full compliance with IAEA obligations.¹⁵ Unlike Pyongyang, however, Tehran is unwilling to accept restraints on its programme which disqualifies it from receiving civilian nuclear transfers.

¹⁵ Spector, Leonard S., "US-DPRK Agreed Framework on Nuclear and Related Issues: Congressional Testimony", Kihl, Young Whan and Hayes, Peter (Ed) Peace and Security in Northeast Asia: The Nuclear Issue and the Korean Peninsula (Armonk, New York, 1997) p.59

The Variations of US Nuclear Non-proliferation Policy

It can be seen that US policy of non-proliferation is not without its own set of faults and has been quite discriminatory in its character. It is quite hypocritical that the US, which has no hostile neighbors and has almost no enemies, expects other countries with hostile neighbours to refrain from acquiring or brandishing nuclear weapons.¹⁶ Although the US has been an active propagator of non-proliferation, it can be seen that US policy of non-proliferation towards different nations has been diverse and varied and in keeping with the US national interests and not necessarily with non-proliferation goals. The US has preferred to remain quiet regarding the Israeli nuclear programme while imposing sanctions towards other countries, like India and Pakistan. At the same time the well over \$3 billion in military and economic aid sent annually to Israel by Washington is rarely questioned in Congress.¹⁷ Moreover, the US efforts to contain Iran's have to be seen in the light of US-Iranian hostility since 1979 Islam's revolution and the Iran-Israel enmity.

The US policy to contain proliferation by imposing sanctions upon the accused country has also been quite inconsistent. While it attempts to contain countries like Iran and Iraq, it engages with countries like Israel and Pakistan. Even in labeling these states of concern as "rogue states", the US had been quite inconsistent. Syria, which uses terrorism as an instrument of state policy, has been exempted from the Clinton administration's list of "rogue states" because of its central role in the Middle East peace process.

¹⁶ Holdren, John .P, "Nuclear Non-Proliferation and US Responsibilities", The Chicago Tribune, 2 June, 1998

¹⁷ Stephen Zunes, "Why the US Supports Israel", <http://www.fpif.org/papers/usisrael.html>

American inconsistency towards nations of proliferation concern can also be seen in its policy towards Pakistan. Until 1990 and the end of the Cold War, Pakistan received American military and economic aid as long as the US gave a higher priority to defeating the Soviet Union in Afghanistan than to non-proliferation.¹⁸ Similarly when Pakistan tested a nuclear device in May 1998 and when its military regime was recently implicated by the U.S. government in the terrorist hijacking of an Indian airliner, it was not been labeled a “rogue state” or a state-sponsoring terrorism because of its long-standing ties to the United States.¹⁹

Amongst the US list of concerned states in regard to nuclear non-proliferation, North Korea seems to be a unique case. After all, the US-North Korea relationship has been marked by hostility and suspicion since the outbreak of the Korean War in 1953.

¹⁸ Nye, Joseph S., “Diplomatic Measures”, Blackwill, Robert D. (Ed), *New Nuclear Nations: Consequences for US Policy*, (Council on Foreign Relations Press, New York, 1993) p.78

¹⁹ Liwak, Robert S., “A Look at Rogue States”, *Washington Post*, February 20, 2000

CHAPTER II

NORTH KOREA'S NUCLEAR PROGRAMME

It would not be wrong to state that North Korea stands very prominently among the US's proliferation concerns. North Korea's nuclear programme has been one of the few cases which the US has had to deal with ever since the end of the Cold War and represents one of the most significant and challenging non-proliferation American initiatives. In its quest to prevent the proliferation of nuclear weapons, the US has placed North Korea in the same genre with countries such as Iraq. On January 24th, 2002, the US Under Secretary of State for Arms Control, John Bolton stated that "Countries such as North Korea and Iraq must cease their violations of NPT and allow the International Atomic Energy Agency (IAEA) to do its work."¹

Background to the Korean War- 1950

The defeat of Japan in August 1945 led to the liberation of Korea from colonial rule. Following the Yalta Conference, Korea came to be divided at the 38th parallel with the Soviet forces occupying the North and the US ones the South. Due to more pressing problems in Eastern Europe, the Soviets decided to withdraw from North Korea and the Democratic People's Republic of Korea (DPRK) came to be established in North Korea in September 1948 and the Republic of Korea (ROK) came into being in the same year.

¹ "US Warns Iraq and Iran to Stop Nuclear Weapons Programme", www.spacedaily.com

The Korean War broke out on June 25th, 1950 when the North Korean troops crossed over the 38th parallel in an attempt to reunify the peninsula. Within a few hours of the attack, the then American President, Truman ordered supplies to be sent to the South Koreans thus triggering a three-year war. In the ensuing war, the US helped the South Koreans both in terms of troops and supplies and the American troops stationed in Japan were also ordered to proceed to Korea.² Next to South Korea, the US contributed the largest contingent of forces. More than 33,000 Americans were killed in the Korean War.³ The war destroyed over 75 percent of the land and killed 20 percent, or 4 million, of the entire population. Truce came about in the spring of 1953 through an armistice agreement signed between the Korean People's Army, the Chinese People's Volunteers and the UN and the tense border was put in place between the two Korean adversaries. Officially, the Korean War never came to an end and at present there continues to be a persistent confrontation of soldiers along the Demilitarized Zone (DMZ). Ever since then, continual confrontation and mistrust have marked the relations between the DPRK and the US.

Till date, very little is known about the development of the DPRK mainly because of its isolationist foreign policy and its totalitarian regime; and it continues to be one of the world's most reclusive and "repressive" regimes that, many feel, cannot be trusted. The division of the Korean peninsula remains the last vestige of the cold war and the confrontation along the 38th parallel has led to the Korean peninsula being known as the most heavily armed area in the world. Up till now, the US does not maintain any

² Ambrose, Stephen, Rise to Globalism: American Foreign Policy Since 1938, (Penguin Books, New York, 1991) pp. 118-121

³ Council of Foreign Relations, Managing Change on the Korean Peninsula, (Task Force Report, Washington, 1998) p. 5.

diplomatic, consular or trade relations with the DPRK. But it maintains military bases in South Korea and thousands of US troops are also stationed in that country.

Ever since the signing of the Armistice on 27th June 1953, the Korean peninsula has been witnessing a competitive arms build-up between the two Koreas, endeavoring to expand their military strength. This has made the peninsula the mostly highly militarized and tense regions of the world with huge armies posed to fight at a moment's notice. However, what has really caught the attention of the US and its Asian allies has been North Korea's nuclear programme. Being a closed regime and often referred to as a hermit kingdom, it is not possible to say with certainty the exact status of North Korea's nuclear programme.

Background to the DPRK's Nuclear Programme

One of the main reasons why North Korea has occupied such an important place in American foreign policy agenda can be attributed to its covert nuclear programme. The North Korean nuclear programme has been one of the most serious, long lasting and still unresolved crises that the international community has faced since the end of the Cold War. It is believed that North Korea's nuclear programme started as early as the mid-1950s and by 1957, North Korea had turned its nuclear programme into a national project. The mid-1950s also witnessed the establishment of a nuclear physics department at the Kim Il Sung University and at the Kim Chaek Industrial College.⁴ In September 1974, North Korea joined the IAEA in order to receive atomic-power related benefits that

⁴ Kapur, K.D., Nuclear Diplomacy in East Asia: US and the North Korean Nuclear Crisis (Lancers, New Delhi, 1995) p.3

went along with the membership. By the 1980s, the DPRK had started the construction of a large nuclear power station at Yongbyon. The US appeared to be apprehensive about the DPRK's nuclear programme. It was only on December 12, 1985, that North Korea joined the Non Proliferation Treaty (NPT) at the urging of the former Soviet Union, from which it was receiving atomic-related technology and equipment.

In 1989 the international concern over the DPRK's nuclear programme began to dilate once again. The main reason behind this concern was the DPRK's refusal to open its nuclear facilities for international inspections. After becoming a party to the NPT, the DPRK was required to sign the Nuclear Safeguard Accord within a period of eighteen months, which would subject it to the inspection of its nuclear facilities. However, as a prerequisite to signing this accord, the DPRK set its own conditions-- that the United States must remove all its nuclear weapons from South Korea and also discontinue the Team Spirit Military Exercises which they had perceived as being highly provocative.⁵ Despite the fact that the DPRK had talked about the removal of nuclear weapons from the Korean peninsula in 1988, the publication of articles in various journals and newspapers such as the *Wolgan Chosun*, *Dong-A Ilbo*, *Chosun Ilbo* and the Washington Post regarding North Korea's nuclear programme had also led to a sense of growing alarm especially within North Korea's neighbours.⁶ Despite these reports North Korea denied that it was developing nuclear weapons.

Due to the growing rift with the former Soviet Union, which had been a major ally of the DPRK especially in their nuclear programme, the DPRK's stand on nuclear

⁵ Team Spirit is the name given to the joint military exercises conducted on the Korean Peninsula comprising South Korean and American forces of nearly 200,000 troops.

⁶ Oh, Kongdon, "Background and Options for Nuclear Arms Control on the Korean Peninsula", RAND Note N-3475-USDP, (RAND: CA, 1992) p.15



issues began to change in late 1991. On December 31, 1991, North Korea and South Korea signed the "Joint Denuclearization of the Korean Peninsula". According to this Declaration which came to force on February 19, 1992, both sides agreed not to "test, produce, receive, possess, store, deploy or use nuclear weapons". However, the Declaration did not call on external powers to refrain from using, or threatening to use nuclear weapons against the signatory states, as doing so would have deprived South Korea of its US nuclear umbrella.⁷ Moreover, the Declaration did not prevent either side from acquiring plutonium from overseas or sending their own spent reactor fuel for reprocessing overseas.

Relations between the United States and North Korea warmed significantly in 1991. As the international suspicions concerning the DPRK's nuclear intentions diminished considerably, the US supported the simultaneous admission of both the Korea to the UN in 1991. In addition to this, President George W. Bush and the South Korean President, Roh Tae Woo agreed to cancel the annual military exercise, Team Spirit. The DPRK finally agreed to sign the Nuclear Safeguard Accord on January 30, 1992. This meant that after becoming a party to the NPT, there had been no inspections of North Korea's nuclear activities and the IAEA was permitted to conduct inspections only as late as in May 1992. Through this Accord, the IAEA was able to conduct six inspections of the DPRK's nuclear facilities and established that it was constructing a large plutonium reprocessing plant. These facilities could have enabled Pyongyang to produce essential radioactive ingredients of highly enriched uranium and plutonium, for at least a small number of weapons.

⁷ Mack, Andrew, "Proliferation in Northeast Asia" (Henry L. Stimson Center, Washington, 1996) p. 55

North Korean Efforts to Outwit the System:

The initial optimism surrounding the DPRK's signature of the Nuclear Safeguard Agreement soon disappeared. In 1989, US spy satellites had shown the North Koreans were working to hook up their plutonium reprocessing plant with a huge waste storage tank and in the photos taken of the same site in 1992, the tank had disappeared under a rooted warehouse.⁸ Until then, the DPRK had declared that they had no undeclared nuclear sites. But the IAEA believed that the DPRK had more plutonium than it had actually declared. During their ad hoc inspections of the DPRK's nuclear facilities in 1992, the IAEA had found evidence that despite its denials, they had reprocessed spent fuel on a number of occasions. Moreover, the chemical analysis of the nuclear sample material was unable to establish exactly how much plutonium had been diverted.⁹ After such reports, the IAEA demanded the "special inspection" of two undeclared sites near the Yongbyon nuclear complex. The DPRK refused the IAEA's request for "special inspections" saying that the IAEA had no right to use military information given to it by a third party and accused the IAEA of being discriminatory and that it was being used by the US to advance its own political and military and security interests. Not only did the DPRK reject the demand for special inspections but it also barred the IAEA from further routine inspections as well. In October 1992, the Bush Administration announced that the annual military exercises, Team Spirit, would resume with double the number of American troops. North Korea claimed that these sites were military sites and had nothing to do with nuclear development and the inspection of these sites would be an

⁸ Chanda, Nayan, "Bomb and Bomblast", Far Eastern Economic Review, Vol. 157, no. 6, February 10, 1994

⁹ Mack, Andrew, n. 7

infringement on their national sovereignty and therefore would not permit their inspection by an outside agency.

Following the IAEA's insistence on exercising inspection rights under the NPT and since it was difficult for the DPRK to refute the IAEA position, it announced its intention to withdraw from the NPT on March 1993. This meant that the IAEA would no longer have the right to conduct even normal routine and ad hoc inspections.

American Efforts to Diffuse the Situation

Since no other country had ever made an announcement before to withdraw from the NPT, North Korea's sudden notice of such an action took the international community by surprise. It also raised questions regarding the effectiveness of the IAEA's inspection efforts and the viability of the NPT as an international regime for nuclear safeguards.¹⁰ Following such developments, the DPRK's nuclear programme became a more serious issue and came to be viewed with greater urgency. Tensions ran high on the Korean Peninsula as the confrontation between North Korea and the United States deepened. The US objective was to bring North Korea back into full compliance with its NPT obligations.

The DPRK had given a ninety day notice to withdraw from the NPT; however it also stated that it would reconsider if the IAEA reverted back to its principle of independence and impartiality and if the US stopped its nuclear threat.¹¹ On June 11, 1993, following a round of high-level talks in New York, North Korea announced the

¹⁰ Kihl, Young Whan "Confrontation or Compromise: Lessons from the 1994 Crisis", Kihl, Young Whan and Hayes, Peter, (Ed) Peace and Security in Northeast Asia: The Nuclear Issue and the Korean Peninsula, (Armonk, New York, 1997) p.189

¹¹ Sigal, Leon V., "The North Korean Nuclear Crisis: Understanding the Failure of the 'Crime and Punishment' Strategy, Arms Control Today, Vol. 27, no. 5, May 1997 p.12

suspension of its decision to pull out of the NPT, a day before the withdrawal would have become legally effective. The Americans had assured the North Koreans that they would not use force against them and also committed that they would not intervene in the internal affairs of the DPRK. It should be noted here that by threatening to withdraw from the NPT, the DPRK was not violating the terms of the NPT. Article X of the NPT states that a party may legally withdraw from the treaty if it "decides that extraordinary events related to the subject matter of this treaty have jeopardized the extreme interests of the country".¹²

The 1994 Crisis.

On January 10, 1994, the IAEA gave Pyongyang a detailed list of its demands but Pyongyang refused to accept it. On January 31, South Korea stated that Team Spirit would resume if the DPRK did not agree to full nuclear inspections. In the face of all these threats, the DPRK informed the IAEA that it had begun removing the fuel rods from the reactors. A week later, the IAEA confirmed this report but also instructed that inspectors should be present for any such action as spent fuel can potentially be reprocessed for use in nuclear weapons.¹³ During their visit to Yongbyon in March 1994, IAEA inspectors reportedly found evidence of ongoing construction activity at a reprocessing facility that was used to chemically separate plutonium from spent uranium fuel. The inspectors had also seen new ducts and pipes that could have been used to tap

¹² Kapur K.D., n.4, p. 248

¹³ "Chronology of US-North Korean Nuclear and Missile Diplomacy: December 1985-October 2000", Arms Control Today, November 2000, vol.30, no. 9, November 2000. p.32

onto the declared chemical reprocessing vat and allow covert removal of nuclear material to nearby unsafeguarded areas.¹⁴

On May 11, the UN Security Council passed a resolution urging the DPRK to cooperate with the IAEA and implement the 1991 North-South Denuclearization Accord. International concern began to grow when on May 19, 1994 the IAEA confirmed that North Korea had begun to remove spent fuel from its 5-megawatt nuclear research reactor without the presence of IAEA inspectors. Faced with this new challenge, the Clinton Administration offered to hold the long-differed third series of high level talks to consider the whole range of Korean peninsula issues, including economic, diplomatic and security benefits that North Korea might obtain if it agreed to place its nuclear programme under international inspection and safeguards.¹⁵

At the Yongbyon reprocessing facility, the IAEA inspectors were denied to take the necessary "glove box" samples and gamma ray scans at the reprocessing facility. The IAEA had also found evidence of tampering with seals on the "hot cell" in the reprocessing facility. As a result, the IAEA inspectors declared that they were unable to verify that North Korea had not diverted material since February 1993, when the facility was last inspected. The Clinton Administration offered the DPRK the resumption of high level talks if they would admit the inspectors to observe the removal and storage of the spent fuel. However, the DPRK rejected this proposal on the grounds that it was segregating selected fuel rods for future analysis.¹⁶

¹⁴ Cronin, Richard, "North Korea's Nuclear Weapons Programme: US Policy Options", CRS Report for Congress, CP.S94-470F, Richard P. Cronin, June, 1994

¹⁵ Sogel, Stewart,, "US, North Korea Set to Begin Talks on Nuclear Dispute", Washington Times, May 24, 1994, cited in CRS Report for Congress, CRS-94-470F

¹⁶ Sigal, Leon V., n.11, p.6

On June 10, 1994 the IAEA decided to suspend technical assistance to North Korea and three days later, North Korea announced its withdrawal from the IAEA. This meant that although North Korea was still required to undergo IAEA inspections as part of its NPT obligations, North Korea would no longer participate in IAEA functions as a member state. North Korea's withdrawal from the IAEA was the first of its kind and it took the international community by surprise. Subsequent to the North Korean defiance of the IAEA, the Clinton Administration sought to impose sanctions and a mandatory arms embargo against it.

As the situation in the Korean peninsula got worse, the DPRK threatened to go to war if sanctions were imposed by the international community. Throughout the crisis, the United States sought to avoid escalation to a military conflict for fear that this would involve other regional powers namely China. Moreover extensive bombing of the reactor or reprocessing plant could cause the release of nuclear radiation which might be carried by prevailing winds to South Korea.

After a period of high tension brought on by the failure to resolve the nuclear issue, and the Security Council's discussion of UN sanctions against the DPRK, former President Carter's visit to Pyongyang in June 1994 helped to defuse tensions, resulted in renewed North-South talks and set the stage for the 1994 Agreed Framework. Although Carter's trip to Pyongyang was publicized as a private mission, his status as a former President of the US obviously carried much weight. A third round of talks between the US and the DPRK opened in Geneva on July 8, 1994. Although, the sudden death of North Korean leader Kim Il Sung on July 8, 1994 halted the plans for a first ever South-

North presidential summit, the talks were resumed in August. Finally, an Agreed Framework was signed between the US and North Korea in Geneva on 21 October 1994.

North Korea's Ballistic Missile Programme

Missiles are often the preferred means of getting a nuclear bomb to its target as they are perceived to deliver a bomb more accurately than an aircraft or other delivery systems.¹⁷ North Korea was able to begin its own small scale missile programme with Chinese assistance in the 1960s – gradually expanding in the mid-to-late 1970s – by modifying the Soviet Union's SCUD-B short-range ballistic missiles and producing a SCUD-C version.¹⁸ North Korea has been suspected of possessing one to ten Taepodong missiles and two Taepodong 2 prototypes. There have also been reports that North Korea has an operational fleet of Inter Continental Ballistic Missiles (ICBMs) pointed at Washington, New York and Chicago although it is not known for certain if these ICBMs are nuclear tipped or not. Like the nuclear programme, the US has been attempting to persuade North Korea to abandon its missile programme which has often been viewed as the driving force behind expensive US missile defence plans. North Korea has been following an active ballistic missile programme based on the reverse engineering of Soviet Scud-B missile reportedly supplied by Egypt¹⁹ and in 1981; North Korea and Egypt signed an agreement on co-operation in missile development.

On May 12, 1993, Pyongyang was reported to have test fired a new ballistic missile into the Sea of Japan which was called the Nodong-I and which had a range of

¹⁷Gardner, Gary T, Nuclear Non-Proliferation, (Lynne Rienner, Colorado, 1994) p.81

¹⁸ Olsen, Edward A. "US-Korean Relations: The Evolving Missile Context", Journal of East Asian Affairs, Vol. XV, no. 2, Fall/Winter 2001. p.273

¹⁹ Jones, Rodney, Tracking Nuclear Proliferation: A Guide in Maps and Charts (Washington 1998) p.11

about 1000 kms. On August 31, 1998, North Korea launched another ballistic missile called the Taepodong I that landed in the Sea of Japan. A longer range version of the Nodong-I, the Taepodong I has an estimated range of 1500-2000 km meaning that it has the capacity to hit any part of Japan. As it had been fired without giving any formal advance notice, this episode sent tremors in the world community and was seen as a great destabilizing act.

The main apprehension surrounding these ballistic missiles is that they will be used for delivering nuclear warheads. It is estimated that North Korea has over 500 Scud missiles of various types. The former Soviet Union was instrumental in the development of North Korea's missile capabilities. The main US concern is to keep North Korea from developing, testing, deploying and selling any more medium or longer-ranging ballistic missiles.

In response to the threat posed by North Korea's ballistic missiles, the United States and South Korea agreed to deploy Patriot missiles to South Korea in March 1994. At South Korea's urging, the US is on the verge of extending the range of South Korean missiles to 300 km, which would bring them within striking distance of all of North Korea.²⁰

A Commercial Venture?

Besides the development of its own ballistic missile programme, Pyongyang has been exporting missiles and components to Pakistan, Iran and some states in the Middle East and the Persian Gulf. Presently, North Korea is regarded as the world's top exporter of

²⁰Feffer, John "Progress on the Korean Peninsula", www.fpi.org, vol 5, no. 41, Dec. 2000

missile technology. Pyongyang claims that these are purely commercial ventures to obtain hard currency and would discontinue its missile export if the US would lift the economic embargo and thus compensate for its loss. In their efforts to stall North Korea's missile programme, the Americans were irked by Pyongyang's demand for cash compensation of \$1 billion in exchange for curtailing development and exports of its weapons technology. However, Robert Einhorn, the US chief negotiator stated that "The North Koreans should not be compensated for agreeing to stop conducting an act which they should not be conducting in the first place."²¹ North Korea also stated that it would suspend its tests of long-range missiles in exchange for the easing of US sanctions. Stopping North Korea's exports to other countries has been a key agenda that Washington wishes to pursue with Pyongyang.

The DPRK has not joined the Missile Technology Control Regime (MTCR) and it remains capable of conducting further tests. As in the case of its nuclear programme, no one is quite certain of the DPRK's real capability. The sale of its missile technology remains a major source of revenue and it is not likely that the DPRK will give up this source which remains an important lever in its negotiations with the US. As for now, North Korea has put a voluntary moratorium on flight-testing its long-range Taepodong 2 missile which will expire at the end of 2003. This moratorium was put in place during discussions between the Clinton Administration and North Korean officials for a possible 'buy-out' of Pyongyang's missile development and export program. Although Pyongyang has continued to observe the moratorium, the CIA has stated that North Korea continues to improve the Taepodong 2 even in the absence of flight-testing. In July 2000, when President Vladimir Putin visited Pyongyang, the North Korean leadership told him that it

²¹ "Missile Talks between US, North Korea end in Stalemate" www.CNN.com

might abandon missiles if other countries would provide satellite launching capabilities.²² According to the Moscow Declaration, North Korea also affirmed their support of the 1972 Anti-Ballistic Missile (ABM) Treaty.

NORTH KOREA'S CALCULUS

Many explanations can be attributed to the rationale behind North Korea's clandestine nuclear programme. Pyongyang has perceived itself to be under nuclear threat from the US for some 40 years and therefore security has been one of the main motivating forces behind North Korea's nuclear programme. Even during the Korean War, there had been some apprehensions that the US may use their nuclear weapons against North Korea. The DPRK has repeatedly asked the US for assurance that they would not use nuclear weapons against them. However, Washington has refrained from giving Pyongyang any such formal assurances. Even before signing the Nuclear Safeguard Agreement, North Korea had demanded its amendment which would require the US to give their word that they would endeavour not to use nuclear weapons against North Korea and that they would withdraw their nuclear weapons from South Korea. But this did not take place. Even though, the US has supposedly removed its nuclear weapons from the South, Pyongyang is fully aware that this does, in no way, prevent them from striking at the DPRK with strategic nuclear weapons based in the US.

Perhaps what motivated Kim Il Sung's desire to develop nuclear weapons capability was North Korea's economic failure because the *juche* philosophy had led to the North Korean economy losing out to the South Korean economy and the DPRK did

²² Olsen, Edward A., n.18, p.280

not see any hope of winning a conflict in non-military terms. Although the ROK has only twice the population of the DPRK, the South Korean economy is estimated to be eighteen times the size of the North Korean economy.²³ Moreover the military balance on the peninsula has greatly shifted in favour of the South. The DPRK allocates about 29 per cent of its GNP on defense, but this amounts to only half of that spent by the ROK which allocates about 3.8 per cent of its much larger GNP for defense.²⁴ Given the fact that despite possessing superior military weapons, South Korea is still given the shelter of the US nuclear umbrella, it is of no surprise that North Korea has sought to acquire nuclear weapons capability.

Another reason which may have contributed to North Korea's nuclear ambitions was the international environment which was undergoing adverse changes by the second half of the 1980s. North Korea began to grow more suspicious of the Soviet Union and China and feared that they would abandon it and establish diplomatic relations with the ROK. As the relations between Pyongyang and Moscow grew more precarious, Pyongyang began to question Moscow's support. To the dismay of Pyongyang, Moscow and Seoul began to establish diplomatic relations in 1990 and Moscow began to steadily reduce its ties with the DPRK.

The end of the Cold War and the disintegration of the Soviet Union in 1991 put a great strain on the DPRK. The collapse of the Soviet Union largely cut off Pyongyang from its major source of modern military hardware and also eliminated the source of about 60 per cent of North Korea's trade and created a severe economic crisis and this

²³ Lee, Judy, "North Korea Sees Contradiction for Fifth Straight Year in 1994", Agence-France Presse, June 20, 1995

²⁴ CIA World fact book, (White House, Washington, 2000)

made it difficult for the North to support its massive military force. The collapse of the communist bloc in Eastern Europe, demise of the USSR and China's economic reforms also left North Korea with few supporters within the international community. The survival of its Communist regime could have been a primary factor in motivating Pyongyang to develop a nuclear weapons programme.

The end of the Cold war and the disintegration of the Soviet Union and the other socialist countries of East Europe not only inhibited Pyongyang's economy but also led her to more diplomatic isolation. The fate of communist regimes elsewhere in the world suggested that North Korea was under heavy pressure to change. Despite these adverse circumstances, North Korea has continued to survive and continues to grab the attention of the world community. The obvious reason for this would be the leverage that Pyongyang has gained from its nuclear programme.

Another factor which pushed North Korea to go nuclear was the US nuclear umbrella over two of its northern neighbours. Although the US may have removed their nuclear weapons from South Korea, it remains under the US nuclear umbrella and so is Japan. Japan may not possess nuclear weapons, but it has the materials and quite possibly the technology to develop nuclear weapons on a short notice.

Missile sales have also been a significant source of hard currency income, leading to fears that in the future North Korea might sell nuclear technology, materials or even weapons to ease its financial crisis. On the other hand, it is also believed that North Korea's dire economic situation may lead it to pursue disarmament rather than engage in an arms race with Seoul.²⁵ But at the same time, many analysts believe that North Korea

may not be in a position to agree to disarmament because its military strength serves as leverage in diplomatic negotiations.

The nuclear programme has also greatly enhanced Pyongyang's hand in international negotiations. Despite its isolationist regime and stagnant economy, North Korea demonstrated itself as being capable of putting great pressure on the international community. Pyongyang is aware of the international concern surrounding its nuclear programme and has used this to its own advantage by using it as a bargaining chip in gaining concessions in their relations with other states. A classic example is when, the United States and South Korea offered to suspend the Team Spirit '94 military exercise on the premise that North Korea would fully implement the IAEA inspection and exchange envoys with the South to discuss the nuclear issue. Subsequently, no Team Spirit exercises have been held since 1993. There is also a general perception in the West that North Korea accepted the Agreed Framework in order to extricate itself from international isolation in order to resolve its economic difficulties.²⁶

Despite its harsh economic difficulties, Pyongyang gives priority to allocating national resources to the military and is modernizing its armed forces to maintain and improve their readiness. The North Korean leadership is fully aware that its economy is in a bad shape and very close to a state of crisis. North Korea continues to struggle with a severe food shortage and is running low on energy, spare parts and ammunition. Although the exact magnitude of famine in North Korea is unclear, estimates of famine deaths in the North are as high as two million giving clear evidence of chronic famine

²⁵ Seo-Hang, Lee, "Prospects for Disarmament on the Korean Peninsula", *Korea Focus*, Vol. 4, no. 9, July-August, 2001, p.74

²⁶ Shuja, Sharif, "The DPRK's Nuclear Program and Policy: Continuities and Challenges", *Korea Observer*, Vol. XXVII, No. 4, Winter 1997, p.686

and malnutrition throughout the country. From this weak and desperate position and given the history of its actions in negotiations, it is quite possible that Pyongyang can go to any level to get the attention it wants from the international community.

However, there has been another school of thought which believes that North Korea is not really concerned with the actual acquisition of nuclear weapons but simply wants to develop the technology, giving it both an option for future weapons manufacture and a present-day arms-reduction bargaining chip. Another viewpoint is that Pyongyang is just pretending as it has neither the intention nor the capability to develop nuclear weapons. This could be the reason behind Pyongyang's refusal to submit to IAEA inspections.

THE STANCE OF OTHER COUNTRIES IN THE REGION

Once North Korea's nuclear intentions were disclosed, the concern and apprehensions of its neighbours were sharp and intense. The US policy towards Pyongyang's nuclear programme has often been influenced and to a certain degree constrained by the stance adopted by the other powers within the region such as South Korea, Russia, Japan and China. China is in a position to play a pivotal role in helping or impeding U.S. diplomatic efforts.

South Korea

In spite of having a common historical heritage and culture, the development gap between North and South Korea is huge and growing. Both North and South Korea have been in competition with one another to prove their superiority over the other ever since

the 1950-1953 Korean War. Many of Pyongyang's choices can be understood in the context of its hostility to and competition with Seoul.²⁷ Today, the fight seems to be over and South Korea has proven its superiority over North Korea in almost all fields. After adopting the Accord on the "Joint Declaration on the Denuclearization of the Peninsula" in 1991, both the Koreas signed the South-North Korean Agreement on Reconciliation, Co-operation and Exchange (also referred to as the "Basic Agreement") and the South-North High-Level Talks in 1992. However, in late 1992, North Korea withdrew from the South-North High-Level Talks on the pretext of the '93 Team Spirit Exercise.

There were times when the policy of the South Korean government appeared softer than the US policy and times when they seemed just the reverse. When the US sought to impose sanctions upon Pyongyang in 1994, Seoul did not endorse such a move. Seoul was also quite reluctant to permit the deployment of US Patriot missiles on its soil. South Korea has often been concerned about Washington's North Korea policy, for fear that it would provoke unnecessary conflict with Pyongyang. This varying stance has been due to many reasons. The main concern of Seoul is to avoid another devastating war on the peninsula. Seoul seeks to promote a gradual movement towards eventual unification thus avoiding an East German style collapse of the North. They realize the importance of engaging Pyongyang in a dialogue so as to influence the isolationist regime to take a more open view of world affairs. Unification has been the centerpiece of South Korean foreign policy and this has often led to fears in Washington that Seoul will negotiate "bad" deals in its eagerness to patch up relations with the North. At present, South Korea

²⁷Oh, Kongdon, "North Korea in the 1990s: Implications for the Future of the US-South Korean Security Alliance", RAND Note N-3480-A, (RAND: CA, 1993) p. 15

seems content to remain under US nuclear umbrella and to work closely with its American allies to eliminate North Korea's nuclear programme.

Russia

After the fall of the Soviet Union, Russian democrats did not want to supply the DPRK with weapons and they did not want to provide any security guarantees or anything else for North Korea. As a result, Russian-North Korean relations took a turn for the worse and Moscow decided to stop all military cooperation with the North and put pressure on it to drop its nuclear plans.

When Vladimir Putin became the president Moscow, under his leadership has tried to revive its influence in Asia and the Korean peninsula in general. The Russian leader made a visit to Pyongyang in July 2000. Russia has come to realize that the North Korean regime will not necessarily collapse in the immediate future and that its collapse may actually create even greater security risks. In August, 2001 Russia and the DPRK signed the DPRK-Russia Moscow Declaration when Kim Jong-Il made a visit to Russia. According to this declaration, Russia recognized that reunification of the two Koreas was to be resolved independently between the two countries. Russia also expressed understanding of the North Korean demand for the withdrawal of American troops from the Korean peninsula and agreed that Pyongyang's missile development programme was for the purposes of its own defense.²⁸ In this declaration, Kim Jong Il also affirmed his support for the 1972 Anti-Ballistic Missile (ABM) Treaty.

²⁸ Ahn, Yinhay, "North Korea in 2001: At a Crossroads" Asian Survey, Vol. XLII, no. 1, Jan/Feb, 2002, p.49

Japan

The effect on Korea of Japanese imperialism was so harsh that Korea shunned normal diplomatic relations with Japan for twenty years after the end of World War II, until 1965.²⁹ Japan did not seriously consider North Korea as a direct threat to her security until North Korea's nuclear weapons programme was disclosed. During the 1994 nuclear crisis, the Japanese government fully shared American concerns about a nuclear armed North Korea and wanted to demonstrate its commitment to the non-proliferation movement especially when the international community became suspicious that Japan would develop their weapons programme if North Korea's nuclear intentions were confirmed. Moreover, if a military conflict did occur within the Korea peninsula, Japan would be directly affected as she would be forced to provide shelter for refugees and assist the US forces. Nevertheless, it was very reluctant to go along with U.S. threats to impose economic sanctions on the North. However, rather than taking the extreme step of imposing military actions upon North Korea, Japan emphasized upon patient diplomacy. Japanese policy has been greatly influenced by the unique status of its 700,000 or so ethnic Koreans.

Japan remains under the protection of the US nuclear umbrella. Although Tokyo remains committed today to its three non-nuclear principles, which prohibit the manufacture, possession or introduction into Japan of nuclear weapons, it has fairly advance nuclear and rocket technologies and vast stockpiles of plutonium and a nuclear weapons capability which could be developed as early as possible. If Tokyo did decide to

²⁹ Park, Hong-suk, "Trilateral Concert in Northeast Asia toward the Korean Peninsula", Korea and World Affairs, Vol. 21, no.1, Spring 1997, p.23

develop a nuclear weapons programme, it could lead to a new arms race within the region and drive Pyongyang to vigorously pursue a nuclear weapons capability.

China

As evident from China's participation in the Korean War, Beijing has vital interests on the Korean Peninsula. It was with the help of China that the DPRK began to conduct their own small-scale missile programme in the 1960s. The DPRK is conscious of China's ambivalence towards the two Koreas. Although, Pyongyang may officially express China to be a great friend, it remains suspicious of being betrayed by China.³⁰

China realizes that a nuclear North Korea could lead to a military confrontation on the peninsula, and could prompt South Korea, Japan and possibly Taiwan to develop nuclear weapons. Beijing would be highly disturbed by the prospect of a military conflict in a neighboring area. Although China wanted to avoid frictions with the US, it did not support the US stance of imposing economic sanctions upon North Korea as this would require cutting off Chinese supplies of food, oil and other goods. Moreover, North Korea with nuclear weapons would not pose as much of a threat to China as a collapsing North Korea.³¹ In the proposed four-party talks of 1996, China co-operated with the US and refused to support North Korean demands for the withdrawal of US forces from the peninsula.

After the demise of his father, Kim Jong-Il has made two official visits to China and this has also been reciprocated by a visit by Jiang Zemin to Pyongyang. These visits

³⁰Oh, Kongdon, "North Korea in the 1990s: Implications for the Future of the US-South Korean Security Alliance", RAND Note N-3480-A, (RAND: CA, 1993) p. 21

³¹Heppell, Janice M., "Confidence Building Measures: Bilateral versus Multilateral Approaches", Kihl, Young Whan and Hayes, Peter, (Ed), Peace and Security in Northeast Asia: The Nuclear Issue and the Korean Peninsula (Armonk, New York, 1997) p. 278

point towards an aim to improve relations between the two countries. Beijing supports an improvement of inter-Korean relations and has also agreed to provide grants of 200,000 tons of food and 30,000 tons of diesel oil.³² Beijing's influence on the Korean peninsula is considerable as compared to other nations in the region and this is likely to grow during the next few years. Kim Jong Il's trip to Beijing before the June Summit with his southern counterpart suggested his need to confirm personally China's support for his opening to the South.

³² Ahn, *Yinhay*, n.28, p.52

CHAPTER III

THE GENEVA AGREED FRAMEWORK AND THE CURRENT SCENARIO

The Geneva Agreed Framework of October 1994 is the main safeguard which presumably would prevent the DPRK from developing nuclear weapons. It laid the cornerstone for the DPRK's engagement with the outside world and committed Pyongyang not to develop nuclear weapons. It also laid down a series of actions to be taken by the US and the DPRK. This Agreement represents an important step forward for US efforts to eliminate the threat of North Korea acquiring nuclear arms and is the current guiding principle in US-North Korea relations. It commits the US in providing North Korea heavy fuel oil and in helping to build nuclear energy plants in exchange for Pyongyang's promise to shut down its nuclear weapons programme.

Attempts towards an Agreed Framework

Following the discovery of North Korea's clandestine nuclear programme, by 1994, the US and North Korea were steadily moving on the road to a major confrontation. The North Korean failure to comply with the Non Proliferation Treaty, the American push for sanctions upon North Korea within the UN and the North Korean assertion that sanctions would mean a declaration of war meant that talks between the two countries had broken off. For years, the United States had been trying to negotiate an end to North Korea's nuclear and missile development programmes and its export of ballistic missile technology.

It was the initiative of former US President, Jimmy Carter, which managed to move the US and North Korea away from the brink and back to the negotiating table. Although former President, Jimmy Carter's mission to Pyongyang was publicized as a private mission, his position as the former President of the United States obviously carried much significance.

In Pyongyang, Carter realized that the threat of sanctions would not resolve the situation as the North Koreans considered it an insult that they should be branded as an outlaw nation.¹ During their dialogue, Kim Il Sung, the North Korean leader made two requests to Carter: (i) that the US support Pyongyang's acquisition of light-water technology and that (ii) the US guarantee not to stage a nuclear attack against North Korea.² The Korean leader also stated his willingness to consider a permanent freeze on North Korea's nuclear programme if its aged reactors could be replaced with modern and safer ones. Carter managed to achieve Kim Il Sung's personal pledge that North Korea would freeze its nuclear programme, allow the inspectors to remain in place and monitor compliance, and to resume high-level talks with the US. Carter's mediation in the confrontation between North Korea and the US allowed the North Koreans to reconsider their hardened stance and priorities.

The unexpected death of Kim Il Sung on July 8, however, led to the suspension of high-level talks between the two countries which resumed in August. On August 12, 1994, an "Agreed Statement" was signed by the representatives of the two countries. It established a three-stage process for the elimination of North Korea's nuclear weapons

¹ Kihl, Young Whan, "Confrontation or Compromise? Lessons from the 1994 Crisis", Kihl, Young Whan and Hayes, Peter, (Ed) Peace and Security in Northeast Asia: The Nuclear Issue and the Korean Peninsula, (Armonk, New York, 1997) p. 190

² Ibid p.192

program. In return, the United States promised to move toward normalized economic and diplomatic relations and assured North Korea that it would provide assistance with the construction of proliferation-resistant light-water reactors to replace North Korea's graphite-moderated reactors.

From September 23 through October 16, 1994, representatives from the US and the DPRK met in Geneva to negotiate an Agreement that would bring about a complete end to the nuclear crisis. After four months of negotiations, both sides finally worked out an "Agreed Framework", which was signed on October 21, 1994 in Geneva. The Agreement mapped out reciprocal steps to resolve the nuclear issue. Within a year, a more detailed accord on the replacement reactors was signed at Kuala Lumpur, putting the antagonists on the path to settlement of the nuclear dispute.³

Prior to the Agreed Framework, there was a conviction amongst many scholars that the US would not open dialogue with nuclear armed countries such as Iraq, Iran and North Korea in an attempt to influence their nuclear programmes and policies.⁴ It is often said that by playing its nuclear card skillfully and bargaining in a tough manner, North Korea not only brought the US to the bargaining table but exacted major concessions from Washington.

THE TERMS OF THE AGREEMENT

According to the Agreed Framework, the DPRK would be supplied two pressurized-water-type light-water nuclear reactors (referred to as LWRs) for electricity generation

³ Sigal, Leon V., Disarming Strangers: Nuclear Diplomacy with North Korea, (Princeton University Press, New Jersey, 1998.) p.168

⁴ For details see Lewis A. Dunn, "New Nuclear Threats to US Security", Blackwell, Robert D.(Ed), New Nuclear Nations: Consequences for US Policy, (Council on Foreign Relations Press, New York, 1993) p.45

which were to be financed and constructed through the Korean Peninsula Energy Development Organization (KEDO) to be set up in 1995, in exchange for abandoning its existing graphite-moderated nuclear research reactors and taking further steps to comply with nuclear safeguards. The US would also move towards full normalization of relations between the two countries.

To resolve U.S. concerns about Pyongyang's plutonium-producing reactors and the Yongbyon reprocessing facility, the Agreement calls for North Korea to freeze and eventually eliminate its nuclear facilities, a process that will require dismantling three nuclear reactors, two of which are still under construction. North Korea allowed the IAEA to verify compliance through "special inspections," and it agreed to allow 8,000 spent nuclear reactor fuel elements to be removed to a third country. The DPRK also agreed to remain a party to the NPT and to comply with the IAEA's safeguard obligations. Calling for movement toward full normalization of political and economic relations, the Agreement also served as an arrangement for U.S.-North Korean dialogue on Pyongyang's development and export of ballistic missiles, as well as other issues of bilateral concern.

Both sides also agreed to "reduce barriers to trade and investment" and to "upgrade bilateral relations to the Ambassadorial level". The US partially lifted trade and investment sanctions long levied against Pyongyang. The US also gave a formal assurance to the DPRK against the threat or use of nuclear weapons while the DPRK agreed to "take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean peninsula" and for this purpose, "to engage in North-

South dialogue.”⁵ In addition to this, the two sides also held diplomatic meetings to open respective liaison offices.

The Agreed Framework is not without its own set of drawbacks. The most serious is that it postpones the IAEA’s ability to resolve uncertainties about the DPRK’s past production of plutonium and thus, permits Pyongyang to retain whatever material it may now have, possible enough for one or two nuclear devices.⁶ The Agreement also fails to penalize North Korea for its refusal to permit the special inspections and for its blatant disregard of agency procedures during the May-June 1994 defueling of the five-megawatt reactor at Yongbyon.⁷

KEDO

KEDO is the Agency responsible for implementing the reactor deal and raising the funds to pay for the oil deliveries. Founded in 1995 as a mechanism for implementing the Agreed Framework, KEDO is a multinational consortium in which South Korea, the US, Japan and the European Union encompass the executive members along with nine other countries as regular members. Until the reactors are completed KEDO is obligated, according to the Agreement, to supply 500,000 metric tons of heavy fuel oil to the DPRK annually. The oil delivered by KEDO is to be used to fuel electricity generation facilities and to help the DPRK maintain electricity supplies while the LWRs are under

⁵ Young Whan Kihl, “Confrontation or Compromise? Lessons from the 1994 Crisis”, n.1, pp.199-200

⁶ Spector, Leonard S. , “US-DPRK Agreed Framework on Nuclear and Related Issues: Congressional Testimony”, Kihl, Young Whan and Hayes, Peter, (Ed)Peace and Security in Northeast Asia: The Nuclear Issue and the Korean Peninsula, (Armonk, New York, 1997) p.55

⁷ Ibid

construction.⁸ The KEDO has worked to finance the shipment and delivery of heavy oils to North Korea on a regular basis. It has completed the site survey for the construction of the two light water reactors. As a result of KEDO's efforts, the US is not financially paying much for the Agreed Framework. Japan, South Korea and the European Union are paying for the Agreed Framework with only a small percentage being paid by the United States.

The Four-Party Talks

On April 16, 1996, the governments of the ROK and the US, in a joint communiqué, proposed four-party talks involving the US, Russia, China and Japan to achieve permanent peace within the Korean peninsula. According to this communiqué, the US and the ROK also reaffirmed the validity of the Korean Armistice Agreement until a permanent peace agreement was arrived at by the two Korean governments. The neighboring countries of Japan, China and Russia also responded affirmatively to the proposed four-party talks. However, the four-party talks failed to yield any positive results due to Pyongyang's demand for a huge US food commitment and the withdrawal of US troops in the peninsula. To date, Pyongyang has refused to acknowledge Seoul as a legitimate dialogue partner on security issues.⁹ Six plenary sessions of the Four Party Talks were held in Geneva from December 1997 through August 1999. Two subcommittees have been created to discuss armistice replacement and tension reduction within the Korean peninsula.

⁸ Council of Foreign Relations, Managing Change on the Korean Peninsula, (Task Force Report, Washington, 1998) p. 5.

⁹Cossa, Ralph A. "US-ROK-DPRK Relations: Dealing With Uncertainty" The Journal Of East Asian Affairs, Vo. XV, no. 1, Spring/Summer 2001 p.5

Challenges to the Agreed Framework

The Agreed Framework has faced many challenges especially during the first year of its implementation. Congressional support to the Agreement was very crucial and there were many within the Congress who were highly critical of the Agreement. However, the Congress eventually chose not to challenge the Agreement with expectations that its implementation would eventually lead to the dismantling of the DPRK's nuclear programme. It was only in 1999 that Congress agreed to the administration's full request of \$35 million to fund US obligations under the accord.¹⁰

Another challenge to the Agreed Framework was the role of South Korea. It was difficult for the DPRK to accept the fact that South Korea, whom it viewed with great competition, was playing a central role in providing the reactors. South Korea was to provide the North with a "South Korean-model" light water reactor. Eventually the DPRK compromised in accepting a reactor that was based on an "original US design" which was made possible by the creation of the Korean Energy Development Organization. (KEDO)¹¹

The important role played by South Korea in the implementation of the Agreement means that its public support is essential which has been quite tough to obtain especially when Seoul has been accused of making too many concessions to Pyongyang. Without the financial and political support of Seoul, the US may find itself unable to

¹⁰Sigal, Leon V., "Averting a Train Wreck With North Korea", Arms Control Today, Vol. 28, no. 8, November/December 1998 p.13

¹¹Snyder, Scott, "Beyond the Geneva Agreement Framework: A Road Map for Normalizing Relations with North Korea", Kihl, Young Whan and Hayes, Peter, Peace and Security in Northeast Asia: The Nuclear Issue and the Korean Peninsula (Armonk, New York, 1997) p. 208

fulfill its obligations under the Agreed Framework. It is difficult for Seoul to accept the fact that its strongest ally is developing diplomatic relations with its nemesis and many conservatives within the country are opposed to any sort of compromise with Pyongyang.

Another challenge to the Agreed Framework is the shipments of fuel that the US is to make to the DPRK annually according to the terms of the Agreement. However, these shipments have often been delayed due to disagreements about how the oil was being distributed. These shipments can be suspended or terminated if the DPRK is deemed to not to be complying with the terms of the agreement.¹²

The current Bush administration has implied that North Korea is in violation of the 1994 Agreed Framework. If any party has violated the agreement it would be the U.S., which still has not taken promised steps toward normalizing relations. It has been Washington which has seriously lagged behind towards fulfilling their promises. The U.S. has stated that continued construction of the nuclear reactors will be jeopardized if North Korea doesn't permit key international inspections; North Korea, for its part, expected more than the construction of supporting infrastructure and the excavation of the foundations to have been completed in seven years. The US has been accused of making only token moves toward normalizing relations with North Korea.

The Current Status

The aim of the Agreed Framework was to find an overall solution to the nuclear crisis in the Korean peninsula. Although the Agreement may have successfully capped North

¹²Elliot, Kimberly Ann, "Will Economic Sanctions Work against North Korea?", Kihl, Young Whan and Hayes, Peter, (Ed)Peace and Security in Northeast Asia: The Nuclear Issue and the Korean Peninsula, (Armonk, New York, 1997) p. 101

Korea's nuclear programme, it has in no way succeeded in creating a lasting peace between the US and North Korea nor has it led to any sort of mitigation of tension between the two parties. Both Washington and Pyongyang continue to accuse each other of violating the Agreement and the implementation makes little progress.

Several hurdles remain towards the successful implementation of the Agreed Framework. The US seeks the elimination of the DPRK's weapons of mass destruction (WMD) and missile programs, while the DPRK seeks energy, economic assistance, and the elimination of external threats to its existence. Since the Agreed Framework is a "framework" and not a legally binding treaty, it is subject to review along the way. This feature of the agreement was necessary to build trust and confidence between the parties; however, it also gives each side the opportunity to back out of the deal at almost anytime.

Although no serious violation of the Agreed Framework has taken place, some Republicans in the US Congress have accused Pyongyang of attempting to pursue nuclear weapons development through different routes, such as acquiring uranium enrichment technology and material.¹³

Washington's commitment to the Agreed Framework appears to be quite lax as compared to Pyongyang's commitment to the terms of the Agreement. The reason may be that when the US signed the Agreed Framework, many in the administration expected the North Korean government to collapse before the promised light-water nuclear reactors would be operational in 2003. The Agreement also stipulated that the US would ease their economic sanctions upon the DPRK and work towards the normalization of relations. However, this has not taken place up till now. The US argues that it is not

¹³Seoungwhun, Cheon, "KEDO at a Crossroads", Korea Focus, Vol. 9, no. 4, July-August, 2001 p.96

possible to account for all of North Korea's plutonium and considering the opaqueness of the North Korean regime one cannot be sure that nuclear weapons-related work is not going on somewhere else. It is suspected that the North probably has one or two nuclear bombs -- and it may also have biological weapons as well as chemical weapons.

The construction of the two nuclear reactors, the first of which was initially slated for completion in 2003, is far behind schedule and, barring any further delays, is not likely to be operational until 2008. Numerous events since 1994 have strained relations between Washington and Pyongyang, notably North Korea's Taepo-Dong-1 missile test-firing in 1998, resulting in delays to the construction schedule. Recently, the Bush administration has been pressing North Korea to open itself up to international inspections ahead of the terms outlined by the framework. However, given the dramatic cooling of U.S.-North Korean relations since President George W. Bush took office in January 2001 and barring any sudden overtures by North Korean leader Kim Jong-Il, the chances of additional near-term cooperation appear slim. On March 20, 2002, the White House indicated that it would not certify to Congress that Pyongyang is abiding by the terms of the deal, citing its resistance to open itself up fully to international weapons inspections.¹⁴

According to the Agreement, the US would provide the DPRK a Light Water Reactor project with a total generating capacity of 2,000 MW by the target date of 2003 and supply an annual amount of 500,000 tons of heavy oil. This was done to compensate the energy forgone due to the freeze of the DPRK's graphite-moderated reactors and related facilities. In return, the DPRK helped the IAEA inspectors with their inspection of

¹⁴ Wagner, Alex, "Bush Challenges North Korean Adherence to Nuclear Freeze", Arms Control Today, Vol. 32, no. 3, April 2002, p. 26

safe storage and disposal of spent fuel discharged from a 5-MW test reactor. As the deadline for the construction for the two light-water reactors which has been set for 2003 draws nearer, one of the key suppliers (General Electronics) has pulled out pressurizing the Administration to undertake a revision of the Agreed Framework and the negotiations for a new deadline. The reactor project is five years behind schedule and Congress has continued to refuse funding for the project.¹⁵ Because of the delay in reactor construction and distrust of the Bush administration, North Korea has balked at fully disclosing its nuclear history and activities to the IAEA.

The North Koreans argue that they were developing their nuclear industry in order to meet their increasing demands for electricity. However, in order to dispel nuclear suspicions by the international community, it agreed to freeze their nuclear power station in operation and related facilities in accordance with the provision stipulated in the agreement. They argue that this has produced a vacuum in the development of their power industry and energy shortage. The agreement temporarily ended Pyongyang's ability to produce plutonium for nuclear weapons, though, according to US intelligence estimates, only after North Korean scientists separated enough plutonium for one or two nuclear weapons. The DPRK has demanded that the U.S. abide by the promise as well as make up for the loss of energy.

A Critique of the Agreed Framework

One of the main criticisms of the Agreed Framework has been that it guarantees nothing and gives away too much on the part of the US. The signing of the Agreement in no way

¹⁵ Wit, Joel S., "North Korea: The Leader of the Pack", Washington Quarterly, Vol. 24, no. 1, Winter 2001. p.88

guarantees its success. Although North Korea promised to accept international access to its existing nuclear facilities and be in full compliance with safeguard procedures upon completion of the light water reactors, until then the possibility of already manufactured atomic bombs has led to serious insecurity within the peninsula. Many observers have criticized that instead of resolving the North Korean nuclear issue for good, it simply postponed the resolution because North Korea does not have to accept special inspections for five to ten years.¹⁶ In a way, the Agreed Framework simply permits both sides to settle the matter at a later date.

Another criticism of the Agreed Framework is that it is simply a deal to bribe the North Koreans to stop their nuclear weapons programme. The North Koreans cannot be rewarded with a deal every time they indulge in an act that the international community does not like.

THE REGIONAL FACTORS

The US perception of North Korea's suspected nuclear weapons programme is shaped, among other things, by many extraneous factors, such as the relationship between the two Koreas and the perception and policy of other regional powers on the issue. It may, therefore, be necessary to briefly mention the events related to unification of the Korean peninsula and the manner in which the regional countries have responded to North Korea's nuclear programme.

During the 1990s, relations between the US and North Korea has weathered many storms. American diplomacy towards North Korea has suffered from long stretches of

¹⁶ Park, Hong-suk, "Trilateral Concert in Northeast Asia toward the Korean Peninsula", Korea and World Affairs, Vol. 21, no.1, Spring 1997, p.35

high-level neglect, punctuated by brief periods of intensity and high anxiety, such as the 1994 nuclear crisis. Even after signing the Agreed Framework at Geneva, the US and North Korea have a long way to go before achieving a full fledged peace in their relations. The US seeks to strengthen relations with North Korea, halt their WMD programme, and support the peaceful coexistence between the two Koreas and work towards Korean reunification.

Unification of the Peninsula

Although both North and South Korea attempted to unify the country by military means during the Korean War of 1950-1953, their official policies are now for peaceful reunification.¹⁷ While the two Koreas have pledged to avoid another military confrontation, at the moment, nearly two million Korean troops confront each other within the divided peninsula. The two Koreas have been endeavoring towards the unification of the peninsula, but with their different political and economic structures, this has not been able to take place.

In 1998, the South Korean President, Kim Dae Jung announced his “Sunshine Policy” which was an attempt to improve inter-Korean relations through peace, reconciliation and co-operation. The policy had three fundamental principles: no tolerance of North Korean provocations, no intention to absorb the North and the separation of political co-operation from economic co-operation. The main aim of the “Sunshine Policy” was that if or when reunification of the peninsula does come about, the South Koreans would not have to bear the costs of the North’s failing economy. Although

¹⁷ Shuja, Sharif, “The Politics of Unification: Korea- A Case Study”, Korea Observer, Vol. XXIX, no. 2, Summer 1998 p.288

Kim Jong Il responded positively to the “Sunshine Policy”, most analysts attribute this willingness primarily to his desire for his regime’s survival especially in light of his country’s dire economic situation.¹⁸ The “Sunshine Policy” also suffers from various contradictions. It explicitly renounces the desire to absorb North Korea, but the task of achieving political and economic reforms in the North will require open borders, which would invite millions of North Koreans to seek a better life in the South, thus marking a significant step towards reunification by absorption.¹⁹

Unification of the Korean peninsula would greatly change the nature of relations between the US and North Korea. A single democratic government on the Korean peninsula would greatly erase many regional tensions within the region. The US supports the peaceful reunification of North and South Korea on terms that are acceptable to both the sides. The US believes that a constructive and serious dialogue between Pyongyang and Seoul is necessary to resolve the issues on the peninsula. The economic crisis in North Korea has made unification more difficult and has often led to speculations about the collapse of the regime which will in no way serve the interests of the neighbouring powers including the US. Moreover, if North Korea does collapse, there is no guarantee that this would immediately lead to a reunification of the two Koreas. The US remains prepared to participate in negotiations between the two authorities of North and South Korea if desired by the two Governments and provided that both are full and equal participants in any such talks.

¹⁸ Cossa, Ralph A. n.9, p.2.

¹⁹ Oh, Kongdon and Hassig, Ralph C., “Guessing Right and Guessing Wrong About Engagement”, The Journal of East Asian Affairs, Vol. XV, no. 1, Spring/Summer 2001. p.39

The June Summit

In April 2000, Kim Jong Il stunned the world community by accepting President Kim's proposal of a summit meeting. In the following Summit of June 2000, the international community hoped that the meeting between the leaders of the two Koreas would lead to the mitigation of tension within the Korean peninsula. At the end of the Summit, the two leaders adopted the 15 June Joint Declaration according to which the two sides agreed on five points: that reunification of the peninsula should be accomplished independently; acknowledging common elements in their reunification proposals; the reunion of separated families; co-operation and exchanges in economic, social and cultural fields; and holding dialogues to implement these objectives.²⁰ However, important issues such as North Korea's ongoing programmes in Weapon of Mass Destruction (WMD), including ballistic missiles, and conventional forces and heavy artillery amassed along the Demilitarized Zone (DMZ) were not addressed. Moreover, the divided families reunion programme remains tightly controlled by the DPRK.

In the wake of the June Summit and the Joint Declaration signed between the leaders of the two countries there were expectations of the advent of normalization of relations between the DRPK and the ROK. However, it will take a long time for the two countries to achieve the normalization of relations, dispel antagonistic feelings and establish mutual understanding and trust. The North-South estrangement has lasted for fifty years and it would not be possible for it to disappear simply with the signing of a joint declaration.

²⁰ Park, Kyung-Ae, n.24, p.499

A NEW BARGAINING LEVER

In the aftermath of the Agreed Framework, North Korea has found a new bargaining lever in international negotiations. North Korea's ballistic missile threat stands as one of the most serious proliferation challenges in the post-Cold War era. According to the US CIA, North Korea has become the world's largest missile exporter, earning about \$580 million between 1987 and 1992.²¹

In August 1998, Pyongyang launched the Taepodong I missile with a range of 1500 to 2000 kilometers that successfully flew over Japan. This was a matter of grave concern to the Washington. In June 1998, North Korea had announced that it would continue to develop, test and export ballistic missiles. The official North Korean press agency, KCNA, announced that "if the US really wants to prevent our missile export, it should lift the economic embargo as early as possible and make a compensation for the losses to be caused by discontinued missile export."²² Pyongyang has demanded a total of \$ 3 billion over three years to compensate for its export sales to the Middle East.²³

Although North Korea has not put a hold on its production and export of missiles, under the Berlin Agreement of September 1999, Pyongyang agreed to a moratorium on flight testing of long range missiles. In return, the US agreed to lift key US economic sanctions, under the Trading with the Enemy Act, which had been in place since the Korean War. Another negotiation effort in July 2000 ended in stalemate as both parties reiterated their stand: North Korea stated that their missile development was a part of its

²¹Park, Kyung-Ae, "North Korea's Defensive Power and US-North Korea Relations", Pacific Affairs, Vol. 73, no. 4, Winter 2000. p.543

²² Sullivan, Kevin, "North Korean Missile Disclosure", International Herald Tribune, June, 1998

²³Lee, Chung Min, "North Korean Missiles: Strategic implications and Policy Responses", The Pacific Review, Vol. 14, no. 1, 2001. p.103

right of self-defense and also sought compensation for suspending its exports of missile technology and the US refused to pay.²⁴

For years, Pyongyang has shown interest in a missile deal but has been unwilling to give up their missile export programme unless they get something in return. Since 1992, Pyongyang has expressed its willingness to stop exporting at a price. The North Korean regime has admitted that their missile export programme is aimed at obtaining money and will put a halt to these exports if the US lifts the economic embargo and make compensations for the losses that would be incurred by discontinued missile export.²⁵ If Washington and Pyongyang do arrive at a missile deal, the North Korean regime has offered not only to end its missile sales but also the development of new missiles.²⁶

In order to deal with the North Korean missile threat, the US needs the co-operation of the other powers within the region. Other powers in the region are aware of the possibilities of North Korea involving the US in large-scale regional war in the near future. Although Japan and South Korea are in agreement with the US that North Korean missiles pose a threat to the security of the region, coordinating strategies has been constrained by four factors. These constraining factors include the divergent perceptions on the actual threat posed by North Korea's missiles; the contrasting calculations on potential long-term repercussions; the different domestic political considerations of the different countries and the divergent policy priorities.²⁷

²⁴Park, Kyung-Ae, n.16, p.53

²⁵ Sigal, Leon V., "Negotiating an End to North Korea's Missile Making", Arms Control Today, Vol.30, no. 5, June 2000. p. 3

²⁶Sigal, Leon V., n.10, p.14

²⁷Lee, Chung Min, n.23, p. 88

In response to North Korea's launching of the Taepodong I missile, the then President, Clinton, named former Secretary of Defense William J. Perry to conduct a comprehensive review of US policy towards North Korea. After a trip to Pyongyang and extensive international coordination, the Perry Report was drawn out. As part of the process, the US, South Korea and Japan have established a high-level Trilateral Coordination and Oversight Group (TCOG) to coordinate their policy towards North Korea.

ANALYSIS OF THE CURRENT SCENARIO

Following the June Summit, in October 2000, North Korean Vice Marshal Jo Myong Rok, visited the US as the special envoy of Kim Jong Il. During this visit, the two countries issued a Joint Communiqué in which they stated that neither government would have hostile intentions with the other and that efforts would be made to build a new relationship free from past enmity. Besides other issues, the future visit of the then Secretary of State, Madeline Albright was discussed.

A few months after the visit of Jo Myong Rok, the then Secretary of State, Madeline Albright made a visit to Pyongyang as the highest-level US official ever to visit North Korea. As Albright was given a lavish welcome on her visit, there was much hope in Washington that North Korea was finally coming out of its shell and that Albright's visit would lead to a thaw in relations between the US and North Korea. There were expectations that this visit would lead to an Agreement on North Korea's export of missiles and missile technology to countries such as Iran and Syria. Although Kim Jong Il confided in Albright that Pyongyang would not test another rocket after the Taepodong

launch, little progress was made on the production and export of missiles. During her visit Albright justified US forces in Korea on two grounds: deterrence of North Korean aggression and stability in the region.

In recent years, North Korea seems to be eager in making friends in the international community. For the first time, in July 2000, North Korea attended the ASEAN Regional Forum (ARF) in Bangkok where its delegates were given a warm welcome. In addition to this, Russia has rekindled its traditional interest in Korean affairs, culminating in President Vladimir Putin's official state visit to Pyongyang in July 2001. There is a growing sense among its neighbours that the best way to work with North Korea now that the hermit kingdom has left its shell is to engage Pyongyang through coaxing and incentives rather than through overt displays of deterrence.

Before leaving his presidency, one of Bill Clinton's last acts was a decision not to visit North Korea at the invitation of Pyongyang and the urging of the South. Even at the height of its dialogue with Pyongyang, the Clinton Administration continued to view North Korea as a "state of concern". The Clinton administration also failed to fully lift the economic sanctions despite repeated promises. However, a major accomplishment of the Clinton Administration was the ability to portray to the North Koreans that Washington and Seoul spoke with one voice and there would be no separate agreement between Washington and Pyonyang.²⁸

In March 2001, President George W. Bush announced that his Administration would not immediately pursue the negotiations begun by the Clinton Administration to

²⁸ Cossa, Ralph A. n.9, p.8

constrain North Korea's ballistic missile development and exports.²⁹ Under the current Bush Administration, new trends seem to be emerging in the relations between the US and North Korea. Even during the Presidential campaign, the Bush foreign policy team stated that the Clinton Administration was being too soft on Pyongyang and promised to adopt a harder line. President Bush moreover, is quite skeptical about North Korea's peaceful intentions and has also scorned the "Sunshine Policy". The Bush Team claims that there are five elements in their policy towards Pyongyang that are distinct from the previous administration: insistence on improved implementation of the Agreed Framework; verifiable controls on the North's missile production and exports; a way to address the posture of conventional forces; a demand for reciprocal gestures in return for compromises with the North; and close co-ordination with allies.³⁰

On January 29, 2002, President George W. Bush, in his state of the union address, announced what seemed to be a new US policy towards North Korea and placed North Korea among the "axis of evil"³¹ This has sparked fears of war among Seoul's 11 million residents. President Bush's "axis of evil" speech indicates that his team has decided to adopt a hard line policy than its predecessor toward North Korea.

According to the Agreed Framework, the US and North Korea would work towards the normalization of relations. However, North Korea remains on the "terrorism list". The US has been unwilling to take North Korea off its list of state sponsors of terrorism although Washington admits that the Koreans have not conducted terrorist activities since 1987. However, the harbouring of Red Army members whom Tokyo

²⁹ ACA Press Conference, "Bush's Deferral of Missile Negotiations with North Korea: A Missed Opportunity", *Arms Control Today*, Vol. 31, no. 3, April 2001 p. 13

³⁰ Cha, Victor D., "Korea's Place in the Axis", *Foreign Affairs*, Vol. 81, no. 3, May/ June 2002. p. 82

³¹ *Ibid.* p.79

holds responsible for the 1970 hijacking of a Japanese airliner has been a bone of contention and remains an obstacle in the removal of North Korea from the list. As long as North Korea remains on "terrorism list," North Korea feels that it cannot count on U.S. support for assistance. As a consequence of such circumstances, the resolution of the nuclear stand-off has no end in sight.

CONCLUSION

The US appears committed to prevent the spread of nuclear proliferation. The bulk of financial support for critical non-proliferation programs around the world has been provided by the United States. While there are a number of countries in the US list of proliferation concern, North Korea has come to occupy a vital place in US non-proliferation policy. Confrontation on the Korean Peninsula has survived the end of the Cold War, the demise of the Soviet Union and fall of the Berlin Wall.

In dealing with the DPRK's nuclear ambitions, the US has had to shift its policy from one of isolation to that of engagement. The strategy of imposing sanctions upon the regime has not seemed to work. It was only when the US agreed to engage with the country and thus concluded the Agreed Framework that the DPRK appeared to put a halt to its nuclear ambitions.

John Feffer is of the opinion that the US policy towards North Korea has been quite hesitant. He cites the example when President Clinton planned a trip to Pyongyang, then cancelled it; the U.S. promised to lift economic sanctions, and then insisted that North Korea jump through more hoops to get off the "terrorism list."¹ The US promises of lifting economic sanctions and improving bilateral relations with Pyongyang and Washington are yet to be fulfilled. Moreover, the ambiguity of US policy towards North Korea can be discerned in its attitude towards Pyongyang's economic crisis. Although financial and commercial transactions between North Korea and persons or firms under

¹ John Feffer, "Northeast Asia Peace and Security" www.nautilus.org, December 13, 2000

US jurisdiction were banned, exceptions were made in 1988 for the commercial export of goods for basic human needs. Even during the food crisis of 1995, the Clinton Administration decided to provide millions of dollars in humanitarian aid to North Korea.

It should be understood that North Korea is not essentially anti-American. Despite its current political structure, North Korea wants to improve relations with the U.S.—almost desperately. In order to overcome its economic predicament in a changing global economic rules and profiles, North Korea needs deeper economic relations with other countries particularly with the US and its allies. North Korea sells weapons not as part of a global anti-American conspiracy, but because it needs the hard currency. Since the early 1990s, when its economy collapsed, the DPRK has pursued trade with such states as Angola, Burma, Cuba, Iran, Iraq, Libya, Pakistan, and Syria as its only means of earning hard currency. Most of the trade involves arms, chemical and biological weapons and related materials, and even ballistic missile technology--in clear violation of the Missile Technology Control Regime.

Even after the conclusion of the “Agreed Framework” the DPRK has used a new bargaining lever. North Korea’s missile tests and missile export programme have been a source of major concern to the US. Perhaps the problem with current US policy is putting the most intractable issue- North Korea’s missile programme- at the core of its engagement strategy.² Analogous to its nuclear programme, North Korea’s missile capability cannot be ascertained. Moreover, in negotiating a missile deal, North Korea is unlikely to give up something for nothing.

² Feffer, John, “Progress on the Korean Peninsula” Volume 5, Number 41, December 2000, www.fpip.org/briefs

Another difficulty in current U.S. policy toward the DPRK is overestimation of North Korean nuclear threat. The US believes that North Korea poses a direct threat to it. Like the previously hyped Soviet menace, the North Korean threat is inflated. It is often felt that the Pentagon has magnified the North Korean threat in order to rationalize its desire for a missile defense system. The longest range missile that North Korea has tested cannot fly any further than 2500 km (1500 miles), and these missiles have not even been deployed. Although the extent of North Korea's biological and chemical weapons remains unknown, it is currently incapable of targeting the U.S. with these weapons. Moreover, the North Korean Army may be large but considering the state of its economy, they are inadequately trained, fed, and equipped.

The Agreed Framework has worked to the advantage of the Americans by freezing North Korea's nuclear programme. Despite failure of the US to deliver promised heavy-fuel on time and failure to ease the economic embargo, the DPRK has adhered to the Agreed Framework. If the Agreed Framework withers the United States will lose more than just a heretofore successful nonproliferation agreement: the freeze on North Korea's nuclear program is not irreversible, meaning North Korea could potentially produce even more plutonium for nuclear weapons.

The 1994 nuclear crisis almost led the US to a war like situation with North Korea in an attempt to stop their nuclear weapons programme. From its preceding dealings with the North Korean regime, the US has perhaps realized that coercion will not work. It was co-operation that finally led Pyongyang to stop their nuclear programme. Coercion failed whereby the Agreed Framework succeeded in the peaceful dismantling of Pyongyang's nuclear programme. Pyongyang has shown indications of its desire to co-operate with the

US. According to some scholars, if North Korea had been determined to acquire nuclear weapons, it could have shut down its only operational nuclear reactor anytime between 1991 and 1994, removed the fuel rods, and quickly reprocessed the spent fuel to extract plutonium, the explosive ingredient in bombs.³ This clearly indicates that North Korea was restraining itself in the hopes of concluding a nuclear deal with the US.

The North Koreans have learnt that the use of threats could be a useful means to get the attention of the international community. Their nuclear programme was used as a leverage in international dealings, but with the conclusion of the Agreed Framework, the North Koreans have been quite meticulous in following up the terms of the Agreement. During the 1994 crisis, the US encouraged the IAEA and Seoul to get tough with Pyongyang and as a result, the US had become hostage to the demands of the IAEA and Seoul. Pyongyang was not ready to give up something in exchange for nothing. As a part of the Agreed Framework, the IAEA continues to maintain a presence at Yongbyon to ensure the proper use of spent fuel from the reactors although the North Koreans have failed to sufficiently co-operate with the Agency officials.

Although the completion of the light-water reactors, originally scheduled for 2003, has been postponed until at least 2007, and key nuclear components of the reactors cannot be delivered until North Korea comes into full compliance with its IAEA safeguards agreement, it remains to be seen whether the Agreed Framework would collapse. The Agreed Framework may have failed to bring about peace on the Korean peninsula, but without the Agreement, the US today, would be dealing with a North Korea with the possible possession of nuclear weapons. North Korea's implementation of

³Sigal, Leon V., "Averting a Train Wreck With North Korea", Arms Control Today, Vol. 28, no. 8, November/December 1998 p. 11

the Agreed Framework has been quite commendable. In the wake of the signing of the Agreed Framework, the US government has often faced criticism at home for allowing itself to be blackmailed, but it is quite complicated to deal with a country that has been identified as a “rogue state” and has a suspected nuclear weapons programme as well as a well-known ballistic missile programme. If the Agreed Framework does collapse, then it would mean the resumption of North Korea’s nuclear programme in the absence of international inspection of its sites. A military showdown in the Korean Peninsula cannot be ruled out.

In the aftermath of the September 11 terrorist attacks, the campaign against terrorism has become top priority of the US and the issues relating to North Korea have been sidelined as Washington has not had time to resume its talks with Pyongyang. In the fight against terrorism, North Korea has been quite eager to be taken off the list of countries sponsoring terrorism and the US has acknowledged the fact that North Korea has not indulged in any terrorist act ever since the 1987 bombing of the South Korean airliner. However, North Korea’s support for the Japanese Red Army and providence of a safe haven for some of the members remain the primary obstacle to its removal from the list. Although the US has refused to delete North Korea from the list of states sponsoring terrorism, the DPRK has demanded that the US comply with the terms of the Agreed Framework and compensate for the damage that occurred due to delays in the construction of the nuclear light water reactors and failure of the US to meet the agreed schedule of crude oil supply.⁴

⁴ Ahn, Yinhay, “North Korea in 2001: At a Crossroads”, Asian Survey, Vol. XLII, no. 1, January/February, 2002. p.50

In February, 2002, a month after he placed North Korea amongst the 'axis of evil', President George W. Bush made a visit to the Demilitarized Zone. He reiterated his desire to enter into dialogue with North Korea but, so far, North Korea has given no response. The Clinton Administration chose a path of bargaining rather than contemplate a military showdown when confronted with the 1994 nuclear crisis. Following the history of US policy towards North Korea, engagement and dialogue seems to be the most workable policy option for the US. An engaged North Korea would be much more conducive to stability in Northeast Asia than a desperate North Korea, as the latter has shown its penchant to take up risks if it is pushed to a corner.⁵

US policy of non-proliferation towards North Korea's nuclear programme has been shaped by a number of varied perceptions. If the North Koreans came to possess a nuclear weapons capability, the US feared that it would lead to a domino effect in the region and that its own allies such as Japan and South Korea would pursue a nuclear weapons programme. The uncertainty of North Korea's future has also greatly influenced US policy towards its nuclear ambitions. During the mid 1990s, there was a conviction amongst many scholars that North Korea would wither away and the Kim Jong Il regime would collapse. It is now clear that these observations underestimated the resilience of North Korea. Besides, the US officially supports the reunification of the Korean peninsula. Despite attempts towards a peaceful reunification, however, the two Koreas continue to be hostile towards each other and maintain troops on their respective borders. Significantly, Pyongyang has been highly critical of the presence of US troops in South Korea and perceives this to be a main obstacle to reunification.

⁵Park, Kyung-Ae, "North Korea's Defensive Power and US-North Korea Relations", *Pacific Affairs*, Vol. 73, no. 4, Winter 2000. p. 550

US policy towards nonproliferation as a whole has come under much criticism. In dealing with countries which it considers to be of proliferation concern such as North Korea, Israel, Iraq, India and Pakistan, the US has been quite inconsistent on its approach. While engaging with countries like Israel, it condemns and imposes sanctions on others. Moreover, the US must be clear in its own commitments to honor the Nuclear Non-Proliferation Treaty (NPT) by stopping its own research and development of nuclear weapons as required by that treaty, and to realize the long delayed ban on all forms of nuclear testing. The United States tested nuclear weapons in Nevada as recently as September 1997. By signing the CTBT, the United States sought to give credibility to its condemnation of the nuclear weapons programme of other countries. But the US Senate did not ratify it. If the US continues to emphasize the importance of nuclear arms to its own defense, it can hardly expect other nations to forgo them forever.

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