

## Policy Forum 11-11: 6-Party Trap



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### 6-Party Trap

By Nicholas Eberstadt

May 19, 2011

Nautilus invites your contributions to this forum, including any responses to this report.

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#### I. Introduction

Nicholas Eberstadt, Senior Adviser, National Bureau of Asian Research and Henry Wendt Chair in Political Economy at the American Enterprise Institute, writes, "North Korean leadership is confident it can manipulate the "6 Party" process to generate further, perhaps unprecedented, benefits for its otherwise impoverished and discredited regime."

The views expressed in this article are those of the author and do not necessarily reflect the official policy or position of the Nautilus Institute. Readers should note that Nautilus seeks a diversity of views and opinions on significant topics in order to identify common ground.

## II. Article by Nicholas Eberstadt

### -“6-Party Trap”

By Nicholas Eberstadt

Two years into the Obama Administration—after detonating a nuclear weapon, test-firing long range ballistic missiles, killing dozens of South Korean sailors in an unprovoked torpedo strike, ostentatiously unveiling a long-denied uranium enrichment facility, and murdering South Korean civilians in a brutal daylight artillery attack that was broadcast globally—Pyongyang has decided it is time to return to the negotiation tables.

With China’s backing, North Korea is now vigorously campaigning to draw the United States back to another round of “6-Party Talks”, the multilateral deliberations on North Korean “denuclearization” first convened in 2003. Amb. Ri Gun, North Korea’s chief delegate to the “6-Party Talks” has announced that all US-North Korea “concerns should be resolved through dialogue and negotiations,” implying that his government is now ready for genuine diplomatic give-and-take with Washington.

American officials appear to be increasingly receptive to these entreaties: according to some news reports, Washington is hoping that talks with North Korea can resume within the next several months. This April, Secretary of State Hillary Clinton visited South Korea, purportedly to test the waters with this key US ally about a possible diplomatic re-engagement with the North.

But if Obama’s North Korea team really expects it can settle some of its many differences with the DPRK by accepting the North’s invitation for renewed negotiations, they are in for a very rude surprise. Pyongyang evidences no intention whatever of being ready to compromise with Washington in any prospective parleys. Quite the contrary: there is every reason to believe the North Korean regime regards new talks with America as an avenue for achieving something quite different—namely, a permanent ratification of its nuclear weapons state status—and for pressing demands for stunning new strategic concessions from Washington that American policymakers have not yet even dreamed of.

Pyongyang’s intentions were made very clear late last March, at a three-day gathering convened in Germany by the Aspen Institute, between an official North Korean Foreign Ministry delegation headed by Amb. Ri and an unofficial American group in which I was a member.

In our protracted in-depth discussions, the North Korean officials detailed their government’s position on all the major issues they wished to bring up with Washington. Their expositions were patient, careful, frank—and unfailingly consistent with pre-existing DPRK pronouncements. Over the course of many hours of formal and informal conversations, we Americans had the opportunity to probe and clarify the meaning of many critical official North Korean phrases and formulations that are unfamiliar or altogether mysterious to American ears (even the ears of our diplomatic corps). In effect, we were afforded a Rosetta stone for translating North Korean official-ese into plain English: and although our conversations themselves remain confidential, the insights from them help to elucidate the DPRK’s game-plan for the desired negotiations with Washington.

The master key to the DPRK’s current negotiating strategy is the so-called “September 19 Joint

Statement”, a document signed back in 2005 by all members of the “6-Party Talks” (China, Japan, North Korea, Russia, South Korea and the USA). In that document, the six signatories committed commonly to the goal of “the verifiable denuclearization of the Korean peninsula”, while also acknowledging the DPRK’s claim to “the right to peaceful uses of nuclear energy”. But document goes on to enumerate a number of shared objectives in addition to “denuclearization”: among them, normalizing North Korea’s relations with both America and Japan; promoting economic cooperation; and perhaps most significantly “negotiat[ing] a permanent peace mechanism” between the “directly related parties” at “an appropriate separate forum”. The “9/19 Joint Statement” further calls for “coordinated steps to implement the aforementioned consensus in a phased manner in line with the principle of ‘commitment for commitment, action for action.’”

To the American diplomats who crafted and signed off on this language, the “9/19 Joint Statement” no doubt seemed perfectly straightforward and clear in its meaning. But in fact almost every clause in this somewhat hapless conference-committee construct is bedeviled by mischievous ambiguity—an imprecision that permits the North Korean government to insist upon an interpretation that is altogether different from what Washington and her allies thought they were signing on to.

To begin, take the notion of “the denuclearization of the Korean peninsula”. This means getting rid of nukes in North Korea, right? Wrong! As North Korean pronouncements have repeatedly stated, this means getting rid of nukes for both Koreas. Pyongyang won’t just take America’s word that it removed all tactical nuclear weapons from South Korean territory twenty years ago: it wants to conduct continuous, intrusive challenge inspections throughout South Korea (including US and ROK military facilities) to “verify” this.

And even then, Pyongyang won’t be satisfied. As long as South Korea is protected by the U.S. nuclear umbrella, the DPRK argues, the country is not “denuclearized”. From the North Korean standpoint, the sine qua non for a true “denuclearization” of the Korean peninsula must be the end of American nuclear assurances for Seoul—and since these assurances are provided under the US-ROK military alliance, the end of that alliance as well.

Nor is this all. Given what Pyongyang posits as “the U.S. hostile policy” toward the DPRK—a centerpiece of the regime’s ideology and rhetoric—North Korean pronouncements have indicated that the country’s leadership cannot feel secure unless US nuclear weapons anywhere near the Korean peninsula are also eliminated. Thus, the US-Japan military alliance has to be scrapped, too.

In fact, as long as nuclear weapons that might theoretically be used in the defense of South Korea exist anywhere in the world, de-nuclearization for North Korea is a non-starter. Thus, for now and the immediate future, the de-nuclearization of North Korea is off the table: North Korea is a declared nuclear weapons state, and has served notice it will continue to amass a nuclear arsenal until what Pyongyang means by “denuclearization of the Korean peninsula” might come to pass. “North Korean de-nuclearization”, in other words, is out of the question: if Pyongyang is to talk about nukes with America, the topic will have to be mutual arms reductions, conducted on an equal footing between two nuclear weapons states at some point in the future.

Yet this does not mean Pyongyang will be totally unwilling to discuss freezing some of its nuclear activities back at the 6-Party Table. Indeed: North Korea frequently describes its gestures toward America and other foreign states as “magnanimous”: and one area of potential “magnanimity” entails the country’s long-denied HEU program. The “9/19 Joint Statement” can be read to grant North Korea the right to a peaceful nuclear energy program—so Pyongyang will declare that its heretofore-furtive uranium enrichment program (whose discovery back in 2002 triggered the

current ongoing North Korean nuclear drama) is a sort of atoms-for-peace project. Just as in the past, when North Korea proposed a “Compensation for Freeze” barter to America and her allies (remember Kim Jong Il’s ballistic missile scheme back in the year 2000?), Pyongyang may now graciously indicate that it would consider payment for a temporary halt to the processing of weapons-grade uranium—for the right price.

Of course, Pyongyang has its eye on other “economic co-operation” prizes to be wrested from the “6-Party” process, too. The biggest of these is the “compensation fee” it expects to be paid by Tokyo upon the normalization of Japanese-North Korean relations. Over a decade ago—during the days of the “Perry Process” under the Clinton Administration—that pot of gold at the end of the diplomatic rainbow (if North Korea came to terms with America, South Korea, and Japan on all security issues then under consideration) was bruted to be a \$10 billion payment by Tokyo to Pyongyang upon establishment of bilateral diplomatic ties. North Korea is very likely now counting on a “signing bonus” of at least this magnitude from the “6-Party” process—and quite possibly, even more. After all: US dollars are worth less these days—and North Korea’s nuclear protection racket has become worth a whole lot more since it started detonating atomic weapons.

The “9/19 Joint Declaration” talks of a sequencing for the progress in the various issues under consideration in the “6-Party” process—and American diplomatists assume this naturally means progress toward North Korean denuclearization should precede everything else. The North Korean regime, unfortunately, maintains a diametrically opposite interpretation of that same somewhat muddled text. To Pyongyang, “denuclearization” is the very last issue to be resolved by the “6-Party” process—since “economic cooperation”, diplomatic normalization, and most especially a “permanent peace mechanism” will all be necessary to establish the atmosphere of trust and feelings of security in which the DPRK could even begin to consider any move toward denuclearization.

And North Korea has a very specific idea of what this “permanent peace mechanism” should look like: it must be a “Peace Treaty” replacing the 1953 Korean War armistice agreement, but with only Pyongyang and Washington as signatories. All other Korean War combatants—China; the 15 other UN members who sent troops abroad to defend against Chinese and North Korean aggression; and most especially the Republic of Korea, the victim of the attack that launched the Korean war—are expressly excluded from this proposed “Peace Treaty”. South Korea, indeed, is not only to be marginalized in the deliberations to bring a formal end to the Korean War: the ending of the “US hostile policy toward North Korea”, in Pyongyang’s view, will further require Washington to abandon its longtime ally completely before Pyongyang can think about moving toward denuclearization.

What, then, is to become of South Korea? Unlike many other parts of the DPRK’s current “6-Party” playbook, North Korean officialdom is rather coy on this point. A recurring Pyongyang admonition concerning the “U.S. hostile policy” is that Washington does not recognize the “territorial integrity” of the DPRK—and according to North Korea’s constitution and its Worker’s Party charter, the territory of the DPRK is the entire Korean peninsula.

No wonder the North Korean regime is now so adamant about a return to “6-Party Talks” as the venue for any renewed US-DPRK dialogue. Thanks to the careless work of previous U.S. negotiators, the “6-Party” process, if adroitly and relentlessly manipulated, may offer the North Korean regime its best chance of grasping what the regime takes to be the keys to the kingdom: to winning at the conference table a victory it could never achieve on the battlefield.

Some will argue that Pyongyang does not really expect to obtain the “maximalist” objectives its official pronouncements and diplomatists have outlined: that it is prepared at the end of the day to settle for much less. Perhaps. But remember: North Korea today is in the midst of a leadership

transition to an as yet-untested princeling; and the process of consolidating power at home is unlikely to be aided by granting concessions or betraying anything that might be construed as weakness in the face of a great historical foe (i.e., the United States). Moreover, the year 2012 assumes an almost mystical importance in North Korea's *juche* theology: it is the 100th anniversary of the birth of the late Kim Il Sung, and the *anno mirabilis* in which North Korea has been prophesied by his successor Kim Jong Il to emerge as a "strong and prosperous state" [*kangsong taeguk*]. As newspaper readers may be aware, things are not going so well in North Korea in the lead up to this great celebration: just last month Pyongyang appealed to the World Food Program for yet another emergency humanitarian donation of food aid. North Korea needs big benefits from abroad: and it needs to lock them in now.

During the first six years of the intermittent "6-Party" process, North Korea went from hinting it had a "war deterrent" to declaring itself a full-fledged nuclear power with repeated atomic blasts. North Korean leadership is confident it can manipulate the "6 Party" process to generate further, perhaps unprecedented, benefits for its otherwise impoverished and discredited regime. For all its many weaknesses, North Korea has a coherent and consistent strategy for its negotiations with their counterparts. Before they sit down again at the negotiation table with the North Koreans, American officials might want to be sure that they can say the same.

### III. Nautilus invites your responses

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