

# North Korea and the US “Strategic Decision”

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What is the outlook in 2006 for the “North Korea” problem? In September 2005 the parties to the Beijing “Six-Sided” conference reached a historic agreement on principles and objectives: North Korea would scrap “all nuclear weapons and existing nuclear programs,” return to the Non-Proliferation Treaty (NPT) and allow international inspections. In return, it would be granted diplomatic recognition, normalization, and economic benefits, including, at “an appropriate time,” a light-water reactor.

The September agreement was the more remarkable given that just over two years earlier the US had been refusing to talk to the North Koreans at all, still less to contemplate any security guarantees, let alone a civil nuclear program and a light water reactor. In that two years, what had begun as a US attempt to mobilize a united front of pressure on North Korea was turning, under South Korean, Chinese, and Russian “reverse pressure,” into a true, multilateral, negotiating forum. Fearful of becoming what Jack Pritchard, formerly the State Department’s top North Korea expert, described as “a minority of one ... isolated from the mainstream of its four other allies and friends in the Six-Party Talks,” the US had yielded on one point after another [1]. Its September decision, on the light-water reactor, occurred only under an ultimatum from the Chinese chair of the conference to sign or else bear the blame for the breakdown of the talks [2].

The principles were criticized as vague, and indeed they left unclear whether “existing programs” that North Korea would scrap included the enriched uranium weapons program on which Washington insisted but whose existence Pyongyang equally adamantly denied. The “respect” of the parties for North Korea’s desire for a peaceful nuclear program, and the “appropriate time” within which they would address it were also terms that papered over huge differences. Still, the principles conformed to international law, recognized the interests of regional countries for a denuclearized peninsula, and responded to the core of justice in North Korea’s complaints. Given the “respect” the parties pledged, it should not have been impossible to work out a roadmap and to turn the “coalition for punishment” (Victor Cha’s term) into a “coalition for engagement.”

Yet the Beijing consensus lasted little more than a day [3]. In both Pyongyang and Washington, hardliners seized the initiative to block possible reconciliation. North Korea demanded a Light Water Reactor (LWR), and made its commitment to end its weapons program and return to NPT Safeguards dependent on getting it first [4]. The US responded by insisting that no LWR could even be considered until all other steps in bringing North Korea back into the NPT were complete, and then summarily terminating the KEDO (the Light Water Reactor project at the heart of the 1994 agreement) [5]. Pyongyang’s view of “appropriate time” for a North Korean LWR was now, Washington’s the distant future.

Why the sticking point of the North Korean insistence on a civilian energy program and in particular its claim to a light water reactor (LWR)? There is a certain logic to it. North Korea has a chronic energy problem, is rich in uranium, and for long has dreamed of using its resource to solve its problem. In the 1980s, when Kim Il Sung succeeded in persuading the Russians to provide him with a reactor, he insisted on the newest, light water (Russian VVER) type, rather than a graphite one, i.e. the most advanced technology rather than the technology most compatible with a weapons program, and was apparently extremely angry when he learned that they had sent him the graphite model

instead [6]. In the 1990s, Kim Il Sung was persuaded to sign on to the Agreed Framework because of the American promise to supply him a LWR. Yet the American government was reluctant from the start, dragged its heels, and from 2001 the George W. Bush administration sought the first opportunity - which came in 2002 - to scrap it. In Beijing from 2003, North Korea again pressed the case and the Bush team opposed any civilian energy nuclear program till the very last minute, then agreeing to it only under pressure and clearly not intending to honor its commitment.

The problem with American reluctance is that North Korea is calling for the recognition of a legal right, one enshrined in the very treaty to which it insists North Korea return, and the problem with North Korean insistence is that a nuclear reactor of any kind is inappropriate to the needs of its economy [7]. The LWR is fabulously expensive, takes years to construct, and many billions of dollars would have to be spent upgrading the national grid before any electricity from it could be circulated. On both sides, the LWR becomes the irrational symbol of the deeper issues of confrontation, insecurity (on North Korea's side) and lack of trust.

Parallel with the Beijing breakdown, the balance of forces within the Bush administration seems to have shifted. The head of the North Korea working group, David Asher, refers to a "strategic decision" at the highest level [8]. Policy direction shifted from realists in the State Department to a more highly charged and highly-placed group within the Administration, directed by Vice-President Dick Cheney and coordinated by Under-Secretary for Arms Control Bob Joseph [9]. They determined to squeeze North Korea on every possible front, especially in regard to its alleged illegal activities and its human rights record [10]. If North Korea was a criminal state, or even a state crime syndicate, it could hardly be an equal negotiating partner entitled to the "respect" that Christopher Hill had pledged to it in Beijing. The purport of the "strategic decision" seems to have been to widen the scope of negotiations from nuclear matters, on which some progress had been made, to the nature of the regime itself, to neutralize the Beijing process, with the ultimate objective not of normalizing relations but of toppling the regime.

Allegations of North Korean involvement in narcotics are far from new. The crew of the Pong Su, a North Korean ship, were found guilty of narcotic trafficking after the ship was seized in Australian waters in 2002. In 2005, however, the charges were stepped up. In September, the US government ordered suspension of transactions with a Macau-based bank that was alleged to have helped North Korea launder drug and counterfeit money and froze the assets of eight companies accused of involvement in weapons sales, publicized defector allegations of regime engagement in large-scale opium production, and accused North Korea of the manufacture and distribution of counterfeit hundred dollar bills, "supernotes". [11]

The picture that emerged was of "an extensive criminal network involving North Korean diplomats and officials, Chinese gangsters and other organized crime syndicates, prominent Asian banks, Irish guerillas and a former KGB agent. [12]" The coordinator of the Bush administration's North Korea working group described North Korea as "the only government in the world today that can be identified as being actively involved in directing crime as a central part of its national economic strategy and foreign policy. ... In essence, North Korea has become a "soprano state" - a government guided by a Worker's Party leadership whose actions, attitudes, and affiliations increasingly resemble those of an organized crime family more than a normal nation. [13]"

The newly appointed US ambassador to South Korea, Alexander Vershbow, spoke in similar terms, denouncing North Korea as a "criminal regime" responsible for "weapons exports to rogue states, narcotics trafficking as a state activity and counterfeiting of our money on a large scale [14]. "Normalization" with such a regime, Washington implied, was no more likely than normalization of relations between the US government and the Mafia.

North Korea's Foreign Ministry spokesman on 11 December retaliated by referring to ambassador Vershbow's statement as a "declaration of war," saying the talks were "suspended for an indefinite period," and a few days later demanding Vershbow's recall.

Criminality and human rights are issues on which Washington could expect to be able to mobilize support easily and on which diplomatic resolution was highly unlikely. Nobody would defend North Korea on its human rights record and probably few would deny the likelihood of its involvement in crime. Congress adopted a "North Korean Human Rights Act" 2004 and a special U.S. envoy for North Korean human rights (Jay Lefkowitz), took up office in August 2005. In December, the United Nations General Assembly adopted a resolution jointly sponsored by Japan, the US and the European Union, condemning North Korea for multiple human rights abuses [15].

By shifting the focus in this way, from Beijing, where the US had found it increasingly difficult to call the shots [16], to the global arena, the efforts of the regional powers, South Korea, China and Russia, to achieve a negotiated solution were undercut. While the US (and Japan, partly for its own reasons) concentrated on ways to squeeze North Korea, cutting trade and restricting the flow of funds to it and hoping, perhaps working covertly to achieve "regime change," the regional powers had all been doing or planning deals, and maximizing the two-way flow of funds and trade: i.e. precisely the reverse. They would find it harder to resist a campaign on crime and human rights issues.

How then to respond to this new, US-led campaign? There is first the difficulty that it rests heavily on US intelligence sources. The manipulation of intelligence to justify war on Iraq is now well known, and Selig Harrison and others have argued that a similar manipulation in relation to North Korea is likely [17].

Second, we know that the Pentagon in 2003, at Secretary Rumsfeld's instructions, drew up something called "Operations Plan 5030," a revision of its earlier plan for war against North Korea that featured destabilization, including "disrupting financial networks and sowing disinformation. [18]" In other words, if North Korea today is engaged in counterfeiting hundred dollar bills, it is taking a leaf out of the US's own book. If the US sees such behavior as a legitimate choice for itself, can it deny it to its opponent? Unlike criminal counterfeiting, the roots of counterfeiting as a political stratagem are themselves political and resolution is only likely to be accomplished by political processes, especially the ending of hostilities [19].

However, setting aside doubts over the source of the information about North Korean crimes and human rights abuses, and assuming the veracity of the various claims made about North Korea, what is the appropriate ethical and moral response? The fundamental principle of morality is universality. If North Korea is a "criminal regime," then so, for one, is the United States, whose contempt for international law and the United Nations if anything surpasses North Korea's. It is plainly guilty of waging aggressive and illegal (without United Nations warrant) war on Iraq, based on misinformation and manipulation of intelligence, and of instituting a worldwide system of secret torture camps. Further, and far from irrelevant, it has used nuclear weapons to intimidate North Korea (and other non-nuclear countries) for a half century. A campaign that singles out North Korean criminality while ignoring other, arguably much greater criminality can scarcely be justified.

Japan's position is equally lacking in any frame of universal moral principle, its outrage at being the victim of North Korean abduction of some dozen or so of its citizens two and a half decades ago sitting ill with its reluctance to accept responsibility for its own mass abductions and violations of Korean human rights a few decades earlier. However, the question of Japan has been addressed in a separate essay by this author and Wada Haruki.

Nevertheless, the probability of criminal behavior on the part of the North Korean regime is high, the suffering of the people is plain, and morality requires a response. If one rules out pressure designed to achieve regime change by precipitating collapse, or by coup or invasion, because of the chaos that would be likely to bring, what options are there? In my view, the first requirement is to recognize that North Korea is a deeply distorted state, the fossilized encapsulation of the contradictions and failures of the 20<sup>th</sup> century. But if so, is it not necessary to state that no factor has so helped sustain its dictatorship as US hostility. While outright antagonism from the United States helped the regime justify and reinforce itself, South Korea under its current president and his immediate predecessor began to articulate an alternative approach: sunshine. The US authorities despise such an approach as wimpish and the “balancer” claims of Roh Moo-Hyun as presumptuous. Yet the South Korean strategy has served to prise open many doors through which different winds now blow in North Korea. Solidarity with the people of North Korea today commences with the effort to shift the central subjectivity for addressing the “Korean question” to Korea itself, from Washington to Seoul, to “Seoul-center” it, as I wrote in 2004 (Target North Korea, New York, 2004).

The people of South Korea won their democracy in struggle against oppressive and criminal regimes that were supported by the same governments who now claim to be avatars of freedom and democracy. If one believes in democratic principle, then one believes that the people of North Korea will achieve the same victory in their own way and their own time, in association with their southern compatriots, by peaceful means. The present campaign to “free” them is as likely to be disastrous in its consequences as the campaign to “free” Iraq. The Beijing agreement of September 2005 is the best agreement thus far and renewed pressure on both Washington and Pyongyang to honor it is the only way forward.

## Footnotes

[1] Charles L. (Jack) Pritchard, “Six Party Talks Update: False Start or a Case for Optimism,” Conference on “The Changing Korean Peninsula and the Future of East Asia,” sponsored by the Brookings Institution and JoongAng Ilbo, 1 December 2005.

[2] Joseph Kahn and David E. Sanger, “U.S.-Korean deal on arms leaves key points open,” New York Times, 20 September 2005.

[3] For relevant documents: Korea and World Affairs, vol. xxix, 3, Fall 2005, pp. 455-464

[4] North Korean Foreign Ministry Statement of 20 September, *ibid.*, p. 458.

[5] “U.S., partners end N. Korea nuclear project,” Associated Press, 22 November 2005.

[6] Yoshida Yasuhiko, (head of public relations at IAEA, 1986-1989, subsequently professor at Osaka University of Economics and Law), “Keisuiro no tottoku wa Kin Nissei no ikun,” *Shukan kinyobi*, 30 September 2005, pp. 20-21.

[7] Kurt Achin, “Experts: North Korean reactor dreams more political than practical,” *Voice of America*, 6 January 2006.

[8] David Asher, head of the Bush administration’s North Korean working group, quoted in Josh Meyer and Barbara Demick, “N Korea running counterfeit racket, says US,” *Sydney Morning Herald*, 14 December 2005.

[9] Guy Dinmore and Anna Fifield, “U.S. hardliners grab North Korean Policy reins,” *The Financial Times*, 20 December 2005.

[10] Both Pritchard (“Six-Party Talks Update,”) and Dinmore and Fifield mention Undersecretary for

Arms Control Bob Joseph as the key person. Myer and Demick also note the role played by Treasury, with Daniel Glaser, deputy assistant Treasury secretary for terrorist financing and financial crimes, calling on North Korea "to cease its criminal financial activities."

[11] "US accuses North Korea of \$100 bill counterfeiting," Washington Times, 12 October 2005.

[12] Meyer and Demick, cit.

[13] David L. Asher, "The North Korean criminal state, its ties to organized crime, and the possibility of WMD proliferation," Policy Forum Online, No. 05-92A, Nautilus Institute, 15 November 2005.

[14] "US says N Korea 'criminal regime'," BBC News, 17 December 2005.

[15] UN General Assembly 10437, 16 December 2005 listed "torture, public executions, arbitrary detention, the lack of due process, extensive use of forced labour, high rates of infant malnutrition and restrictions on humanitarian organizations ... severe restrictions on freedom of religion, assembly and on free movement within the country and abroad, as well as trafficking in women for sexual exploitation, forced marriage and forced abortions."

[16] Even after years of intense effort, the US had not been able to persuade regional countries of its claims about a secret HEU program in North Korea. Like Iraqi weapons of mass destruction, it was crucial to the US case but similarly difficult to prove. North Korea, for its part, can only deny, but can never disprove. (Gavan McCormack, "The umbrella and the mushroom: realism and extremism on North Korea," Japan Focus, No 373, 24 August 2005.)

[17] "Crafting intelligence: Iraq, North Korea, and the Road to War," and "Did North Korea Cheat?" Japan Focus, No 229 No. 229 and 186 respectively.

[18] Bruce B. Auster and Kevin Whitelaw, "Upping the ante for Kim Jong Il," US News and World Report, 21 July 2003.

[19] This not to downplay the likelihood of criminal intent, but to insist on the political context, hostile confrontation, that distinguishes any such North Korean action.

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## **P.S.**

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