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U.S.-Korea Relations:
Agreement with the North, Progress with the South

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In an historic breakthrough at the Six-Party Talks, North Korea committed to disabling its Yongbyon nuclear facilities and declaring all its nuclear programs by Dec. 31, 2007. It also pledged not to transfer nuclear materials, technology, or know-how. In exchange, the U.S. agreed to move toward normalizing relations with Pyongyang by fulfilling its commitment to take North Korea off the list of state sponsors of terrorism and end the application of the U.S. Trading with the Enemy Act as Pyongyang fulfills its denuclearization commitments.

North Korea’s agreement in the nuclear negotiations created a positive atmosphere for a successful North-South summit, held Oct. 3-4 in Pyongyang. In their summit declaration, signed by President Roh Moo-hyun and Chairman Kim Jong-il, the two Koreas pledged to work together on security, economic and humanitarian issues while making only passing reference to smoothly implementing the Six-Party Talks agreement. Significantly, the declaration also explicitly acknowledged that “the South and the North both recognize the need to end the current armistice regime and build a permanent peace regime.” According to U.S. Ambassador to South Korea Alexander Vershbow, Washington and Seoul “have already begun consultations...in order to develop a common approach” to this issue.

As the ratification process for the Korea-U.S. Free Trade Agreement (FTA) moved ahead, Seoul resumed imports and inspections of U.S. beef. South Korea seemed to take seriously the warning of U.S. Secretary of Agriculture Mike Johanns that the Congress would not ratify the FTA as long as restrictions on U.S. beef remain in effect. In early September, the South Korean government submitted the FTA to the National Assembly for ratification.

Finally, in a change long sought by South Korea, President Bush signed into law in early August a measure that will allow South Koreans to visit the U.S. without a visa, for a period of up to 90 days. The change is set to go into effect in July 2008, at the time the Korean government is expected to issue biometric “e-passports” to its citizens.

Despite the progress made on several fronts, there was also an undercurrent of tension that marked the relationship between both Koreas and the U.S. throughout the quarter.
Nevertheless, each time the tension bubbled to the surface both sides seemed intent on smoothing over the differences and moving on with the issue at hand.

**North Korea Shuts Down Its Nuclear Facilities**

Diplomatic activity picked up significantly at the beginning of the quarter as the parties moved forward on implementing the Feb. 13 agreement at the Six-Party Talks. In late June, officials of the International Atomic Energy Agency (IAEA) announced that the agency had reached agreement with Pyongyang on how it would monitor and verify a shutdown of North Korea’s nuclear facilities. The IAEA Board of Directors subsequently approved this agreement July 9.

Shortly after, South Korea’s Ministry of Unification declared that after a two-day meeting with North Korean officials at the Gaesong economic zone, Seoul would ship 50,000 tons of heavy fuel oil as soon as Pyongyang shut down its Yongbyon reactor. Worth approximately $21.6 million, the shipment was part of the 1 million tons of oil promised to Pyongyang for dismantling its nuclear program.

With implementation of the Feb. 13, 2007 accord moving forward, North Korea’s Kim Jong-il made his first comments on diplomatic progress on July 4. He told Chinese Foreign Minister Yang Jiechi, during a meeting in Pyongyang, that “recently there have been signs that the situation on the Korean Peninsula is easing. All the parties should implement the initial actions of the agreement reached in February.”

In mid-July, Ambassador Vershbow put the Six-Party Talks agreement in a larger context by linking North Korea’s dismantling of its nuclear program to negotiations on a “permanent peace regime.” A new peace regime would formally end the Korean War and replace the 1953 Armistice Agreement, which is still in force. Vershbow said in Seoul that “the U.S. is certainly prepared to begin this process sometime this year.” But he indicated that Washington would not “settle for a partial solution” that would leave North Korea “with even a small number of nuclear weapons.” In noting that negotiations on a permanent peace regime would be complicated and likely require reducing troop levels along the Demilitarized Zone (DMZ), Vershbow said a new peace arrangement is within reach, if Pyongyang moves toward complete denuclearization.

Shortly after Vershbow’s statement, a senior North Korean military official, Lt. Gen. Ri Chan-bok, proposed holding bilateral military talks with the U.S. “in any place and at any time.” He said these talks would focus on “issues related to ensuring the peace and security” in Korea. State Department Deputy Spokesman Tom Casey responded the following day saying that the U.S. was open to talks related to a peace regime in Korea, and could discuss details with North Korea at the upcoming round of Six-Party Talks.

On July 15, North Korea announced it had officially shut down its nuclear complex at Yongbyon, and confirmed the arrival of a first shipment of heavy fuel oil. UN inspectors from the IAEA verified the shutdown a day later.
Ambassador Christopher Hill, the U.S representative to the Six-Party Talks, commented that “we took a long time to get these first steps, and we have really a lot of work to do now, but I think we are off to a good start.” Hill immediately looked ahead to permanently “disabling” the North Korean nuclear facilities, going well beyond the announced “shutdown.”

In talks with South Korea’s chief negotiator to the Six-Party Talks, Hill agreed that it was appropriate to provide political and security incentives to North Korea, to facilitate Pyongyang’s denuclearization. Such measures could include removing North Korea from the list of countries sponsoring terrorism and ending the application of economic sanctions through the Trading with the Enemy Act. According to Hill, “we’ll do what we need to do as long as it’s in our interests of making progress in the six party process. But we don’t have any immediate plan right now.”

On July 19, the Six-Party Talks convened for three days in Beijing, focusing on the second stage dismantlement of North Korea’s nuclear facilities. Although not much information about the negotiations was made public, the parties reportedly discussed at length the procedures for Pyongyang declaring its nuclear facilities and nuclear weapons as well as abandoning its nuclear program. This declaration would include any North Korean capability for using uranium-enrichment technology to produce the material for nuclear weapons.

**South Korea Calls for a Permanent Peace Regime on the Peninsula**

As the Six-Party Talks opened in Beijing, a South Korean Ministry of Unification official said Seoul would shortly propose a “peace treaty” that would replace the 1953 Armistice and formally end the Korean War. While the official, Vice Minister Shin Un-sang, did not explicitly link the peace treaty to recent progress on the nuclear issue, he said improved inter-Korean relations now made the time “ripe” to deal with a treaty.

The issue of a new “peace regime” for the Korean Peninsula achieved more prominence in early August, when South Korea’s President Roh Moo-hyun announced that he and North Korean leader Kim Jong-il would hold a summit meeting in Pyongyang from Aug. 28-30. Analysts speculated that a North-South peace “declaration,” which laid the groundwork for a future treaty, might be one “deliverable” at the summit.

Shortly after this announcement, Unification Minister Lee Jae-joung argued that progress in North-South relations at the summit could advance the nuclear negotiations. He said: “While working to resolve the North Korean nuclear issue peacefully through diplomatic efforts and improve inter-Korean relations through South-North dialogue, the government has been trying to maintain South-North relations in a way that speeds up the resolution of the North Korean nuclear issue.” He further emphasized his view that “the Six-Party Talks and inter-Korean dialogue run parallel.”

Washington reacted lukewarmly to the South Korean approach by emphasizing the primary importance of the nuclear talks. State Department spokesman Sean McCormack
said: “I think the center of gravity of everybody’s diplomatic efforts here really is in the Six-Party Talks. That isn’t to say that…South Korea should not pursue this engagement with North Korea.”

**Working Group Sessions Move Ahead**

During August, participants in the Six-Party Talks conducted three working group meetings: on energy assistance to North Korea, from Aug. 7-8, on the technical process of implementing North Korea’s pledge to dismantle its nuclear program from Aug. 16-17, and on establishing a multilateral forum for security and cooperation in Northeast Asia (a so-called “peace mechanism”) from Aug. 20-21. In mid-August, following floods in North Korea, South Korea announced that the impending North-South summit meeting would be postponed until Oct. 2-4.

The most important Six-Party Talks working group meeting took place Sept. 1-2 when Ambassador Hill and North Korea’s Vice Foreign Minister Kim Kye-gwan met in Geneva for bilateral discussions on the normalization of diplomatic relations. On the eve of this meeting, President Bush reaffirmed his commitment to the denuclearization process and urged Kim Jong-il to do the same: “It’s his choice to make. I’ve made my choice. The question is, can it happen before I’m through. Yes, it can. I hope so. The North Korea issue is the issue that we are spending a lot of time on, and hopefully we can get it completed.”

The most concrete result of the Sept. 1-2 bilateral in Geneva, according to Hill, was an agreement that the North Koreans “will provide a full declaration of all of their nuclear programs and will disable their nuclear programs by the end of this year, 2007.”

For its part, North Korea announced after the Geneva meeting that the U.S. had formally accepted two critical demands – removing Pyongyang from the U.S. terrorist list (which would allow North Korea to receive economic assistance from international financial institutions) and ending U.S. economic sanctions. But, State Department Spokesman Casey countered that while “some progress” had been made, taking North Korea off the terrorist list and eliminating economic sanctions were linked to Pyongyang’s denuclearization. “…How this is done and any timing under which it will be done is something that is yet to be determined,” he said.

Perhaps the most remarkable aspect of the working group was the way the two sides were able to overcome the apparently different interpretations regarding the timing of the U.S. actions. Despite reports that suggested the North Korean interpretation was that the removal from the terrorist list was to be immediate, the issue was quietly put aside when North Korea did not confirm the assertion following the U.S. clarification that the actions would occur at some point in the future.
Presidential Meeting at APEC

The extent to which the process of denuclearizing North Korea has become increasingly bound up with the issue of a “permanent peace regime” for the Korean Peninsula was evident in a meeting between President Roh and President Bush on Sept. 7 on the sidelines of the APEC summit meeting in Sydney, Australia.

Meeting the press following this meeting, Bush said “When the North Korean leader fully discloses and gets rid of his nuclear weapons programs, we can achieve a new security arrangement in the Korean Peninsula. We look forward to the day when we end the Korean War. That will happen when Kim Jong-il verifiably dismantles his weapons program.” Although Bush referred only generally in his statement to a “new security arrangement in Korea,” Roh declared that “Bush has reaffirmed the replacement of the armistice on the peninsula with a permanent peace regime.”

The actual exchange between the two presidents reflected the underlying tension between the two issues. It also caught the attention of the world when during the televised press statement Roh prodded Bush to affirm his commitment to a “peace regime” and Bush, visibly irritated, resisted by restating that it depended on Kim Jong-il’s willingness to give up his nuclear ambitions. Here again, despite press attempts to play up the differences, officials on both sides attributed the misunderstanding to poor translation.

Nevertheless, describing a “new security arrangement in Korea” as a goal of U.S. policy fundamentally changes and improves the negotiating dynamics of the Six-Party Talks. North Korea can now envision dismantling its nuclear program as a means of strengthening its security through a new political-military structure on the Korean Peninsula. Rather than viewing disarmament as a loss of security, Pyongyang can view it as the very means of assuring its survival – which was the stated purpose of its nuclear program in the first place.

The U.S. State Department reinforced Bush’s remarks. According to spokesman McCormack, “The core issue here is denuclearization. If you are able to make progress on that – disablement and coming through with full declaration – then what you will see from us as well as from others is the beginning of a different kind of relationship between North Korea and the rest of the world. This is going to be a process where good faith actions are going to be met by good faith actions.”

Ambassador Vershbow further dramatized the potential for a breakthrough when he told a public forum in Seoul that a summit meeting between President Bush and Kim Jong-il could take place in 2008, if North Korea fully dismantles its nuclear programs. Vershbow said dismantlement by Pyongyang could lead both to normalization of U.S.-North Korea diplomatic relations and economic assistance to North Korea from the international community.

For the first time, Vershbow publicly confirmed that the U.S. and South Korea have initiated discussions on ways to establish a new peace regime on the Korean Peninsula.
that would replace the 1953 Armistice. He said: “...We have already begun consultations with the South Korean government in order to develop a common approach to these talks. I expect there will be a very complex process to actually work out all aspects of a peace agreement that is not just a brief declaration that says the war is over, but also will involve all kinds of provisions including military confidence-building measures. So it will take some time to negotiate.”

As Vershbow spoke, a U.S. delegation, led by Director of the State Department’s Office of Korean Affairs Sung Kim, was visiting North Korea for what reportedly turned out to be fruitful technical discussions on how to disable Pyongyang’s nuclear program.

In mid-September, when the Six-Party Talks were about to reconvene, newspaper reports about Israel’s Sept. 6 attack on a facility in Syria to destroy allegedly nuclear-related materials supplied by North Korea threatened to disrupt the talks. U.S. officials offered no details on the Israeli raid, but President Bush gave a veiled warning to Pyongyang when he said he expected the North Koreans “to honor their commitment to give up weapons and weapons programs, and to the extent that they are proliferating, we expect them to stop that proliferation.” For its part, North Korea denied any nuclear involvement with Syria, to which it has exported missile technology in the past. According to Vice Foreign Minister Kim Kye-gwan, “lunatics have created these rumors about a nuclear deal between us and Syria.” While speculation lingers about the involvement of North Korea in Syria, the issue did not become the immediate showstopper some thought it might become.

Agreement at the Six-Party Talks

After convening in Beijing at the end of September, the talks lasted three days and were more successful than generally expected in gaining North Korea’s commitment to fully disabling its nuclear facilities according to a specific timetable. In the words of the final statement released on Oct. 3, the parties “reached agreement on second-phase actions for the implementation of the Joint Statement of 19 September 2005, the goal of which is the verifiable denuclearization of the Korean Peninsula in a peaceful manner.”

Among the specific provisions of the Oct. 3 final statement:

- The DPRK agreed to disable all existing nuclear facilities subject to abandonment under the September 2005 Joint Statement and the Feb. 13 agreement. Disablement of the [Yongbyon nuclear facilities] will be complete by Dec. 31, 2007.
- The DPRK agreed to provide a complete and correct declaration of all its nuclear programs in accordance with the Feb. 13 agreement by Dec. 31, 2007.
- The DPRK reaffirmed its commitment not to transfer nuclear materials, technology, or know-how.
The DPRK and the U.S. remain committed to improving their bilateral relations and moving toward a full diplomatic relationship.

The U.S. will fulfill its commitments [to begin the process of removing the designation of the DPRK as a state sponsor of terrorism and advance the process of terminating the application of the Trading with the Enemy Acts with respect to the DPRK] in parallel with the DPRK’s actions.

The DPRK and Japan will make sincere efforts to normalize their relations expeditiously in accordance with the Pyongyang Declaration.

In accordance with the Feb. 13 agreement, economic, energy and humanitarian assistance up to the equivalent of 1 million tons of [heavy fuel oil] will be provided to the DPRK.

A Six Party Ministerial Meeting will be held in Beijing at an appropriate time.

Commenting on the Oct. 3 final statement, Ambassador Hill said he was “pleasantly surprised” at this agreement: “The joint statement was very comprehensive…there are lots of details. It is very useful.”

Declaration at the Pyongyang Summit

A day after China released the final statement from the Sept. 27-30 round of the Six-Party Talks, President Roh and Kim Jong-il signed a “Declaration on the Advancement of South-North Korean Relations, Peace and Prosperity” at the end of their summit meeting in Pyongyang.

Aside from announcing several concrete measures for economic cooperation, the Declaration laid out several important points directly affecting U.S.-Korea relations:

- “The South and the North both recognize the need to end the current armistice regime and build a permanent peace regime. The South and the North have also agreed to work together to advance the matter of having the leaders of the three or four parties directly concerned to convene on the Peninsula and declare an end to the war.”

- “With regard to the nuclear issue on the Korean Peninsula, the South and the North have agreed to work together to implement smoothly the September 19, 2005 Joint Statement and the February 13, 2007 Agreement achieved at the Six Party talks.”

As an implementing step, the Declaration announced that defense ministers from South and North Korea would hold talks in Pyongyang in November “to discuss military confidence-building measures.”
In early July, South Korea’s deputy chief negotiator for the U.S.-Korea Free Trade Agreement (FTA), Lee Hye-min, made clear his government’s view that the FTA “cannot be ratified smoothly in the U.S. Congress, unless the beef issue is clearly resolved first.”

Lee’s observation proved foresighted, although most analysts believed that the beef issue had already been resolved in mid-May when the World Organization for Animal Health (OIE) ruled that U.S. meat is safe for export, despite earlier scares that some U.S. beef was infected with mad cow disease.

After South Korea opened its market to U.S. beef in July, inspectors found pieces of bone in one shipment, causing them to suspend inspections altogether. Secretary of Agriculture Mike Johanns subsequently criticized this decision for failing to meet U.S. “expectations.” He added that the U.S. Congress would not ratify the FTA as long as unfair Korean restrictions on U.S. beef remained in effect.

By the end of August, South Korea’s Ministry of Agriculture decided to resume inspections of U.S. beef after accepting an apology that the shipment containing bones was “mistakenly” sent. While welcoming this decision, U.S. Trade Representative Susan Schwab criticized the earlier Korean restriction as not “based on science.” She said: “…If countries adopt import standards that go beyond internationally agreed scientific basis, that can be an excuse, that can be used as an excuse for import protection….It’s time for Korea and Japan and China to recognize that American beef is fully safe, all products, all cuts of beef, all ages.”

Shortly after the flare-up on imports of U.S. beef settled down, the South Korean government submitted the FTA to Korea’s National Assembly for legislative ratification. Prime Minister Han Duck-soo emphasized the Roh administration’s commitment to ratification when he said: “The FTA will be a cornerstone to strengthen the nation’s economic competitiveness. For this, the deal should promptly come into effect.” Han added that the government would introduce adjustment measures that would provide economic benefits to the agricultural sector, in particular, to help deal with any negative effects of the FTA.

**Koreans Become Eligible for U.S. Visa Waiver Program**

In early August, President Bush signed into law a measure that will allow South Koreans to visit the U.S. without a visa, for either business or travel, for a period of up to 90 days. South Korea has long sought the right for its citizens to participate in the so-called “visa waiver program” which facilitates entry into the U.S.

A breakthrough occurred when the U.S. earlier this year liberalized entry requirements for countries like South Korea, where a higher than acceptable percentage of visitors have historically violated visa obligations. The liberalizing measure was made possible by the
impending introduction, by the U.S. Department of Homeland Security, of its Electronic Travel Authorization System (ETA) and Exit Control System (ECS).

So long as Korea issues biometric “e-passports” to its citizens, allowing their entry and exit to the U.S. to be monitored by electronic means, the new visa waiver program will go into effect, possibly as early July 2008.

Prospects

If, as now appears likely, North Korea disables its Yongbyon nuclear facilities and declares, by Dec. 31, all its nuclear programs, the U.S. administration intends to move forward, in the words of President Bush, “to achieve a new security arrangement in the Korean Peninsula.” This is, of course, easier said than done.

According to Ambassador Vershbow, U.S. diplomats have “already begun consultations with the South Korean government in order to develop a common approach” to talks on a new Korean peace regime to replace the 1953 Armistice. Yet, as Vershbow notes, this will entail a “very complex process” including discussions on “military measures” and “not just a brief declaration that says the war is over.”

The Bush administration will likely hold back supporting actual negotiations for a new peace arrangement in Korea until verifying Pyongyang’s abandonment of its nuclear program. But the administration’s public statements and consultations on a prospective peace regime, in the weeks and months before then, will nevertheless be critical both to the success of the Six-Party Talks and to the health of the U.S.-Korea alliance.

By reinforcing the U.S. commitment to new “security arrangements” in Korea, U.S. statements and actions can strengthen North Korea’s resolve to fully implement its promises. Conversely, statements that cast doubt on the security benefits of a new peace regime could undermine North Korea’s decision to disable its nuclear program. Such negative U.S. statements would also play very badly in South Korean public opinion in the aftermath of the successful Pyongyang summit – and would serve to weaken the U.S.-Korea alliance.

To avoid the expression of sharply dissenting views in Washington that harm either the nuclear disarmament of North Korea or the U.S. alliance with South Korea, the Bush administration will have to exercise tight discipline over its interagency policy process. More likely than not, opposition to fundamental changes in the security structure on the Korean Peninsula will surface in the Defense Department, if it has not already. Dissenters at the Pentagon may make common cause with the administration’s neo-conservatives whose ranks have dwindled but still consider Vice President Richard Cheney as their champion. These critics of President Bush’s new realpolitik toward North Korea will certainly argue, in the words of former U.S. Ambassador to the United Nations John Bolton, that if this policy succeeds, “the president will have embarrassed his administration in history.”
Given there is substantive progress toward fulfillment of the Dec. 31 deadline for North Korea’s nuclear disablement and declaration, there will be increased talk of a visit to Pyongyang by Secretary Rice or even President Bush. In the meantime, expect to see officials working overtime to keep trying to build momentum and manage conflicts as they arise in an increasingly complex set of relationships between the U.S. and the two Koreas. This will be no easy task in the context of the polarizing election politics that will be heating up in the U.S. and coming into full boil in South Korea.

**Chronology of U.S.-Korea Relations**

**July-September 2007**

**July 1, 2007:** U.S. and South Korea sign bilateral trade agreement.

**July 2, 2007:** U.S. President Bush pledges to include South Korea in visa waiver program with U.S.

**July 2, 2007:** U.S. and South Korea rename military drills from *RSOI* (Reception, Staging, Onward Movement, Integration) to “*Key Resolve*.”

**July 2, 2007:** Bush and Roh agree to hold summit on sidelines of UN in September.

**July 2-4, 2007:** Chinese Foreign Minister Yang Jiechi visits Pyongyang and meets with Kim Jong-il.

**July 11, 2007:** South Korea’s Foreign Affairs and Trade Minister Song Min-soon says South Korea should tie denuclearization of North Korea to the end of the Korean War.

**July 12, 2007:** South Korea sends 1st shipment of 6,200 tons of fuel oil (of a total of 50,000 tons), to North Korea.

**July 13, 2007:** UN inspectors head to Pyongyang to verify shutdown of North Korean’s Yongbyon nuclear facility.

**July 13, 2007:** North Korea proposes bilateral talks with U.S. to replace armistice that ended Korean War in 1953.

**July 14, 2007:** North Korean Lt Gen. Ri Chan-bok, who heads the North’s mission at Panmunjom, announces “Pyongyang wants direct military talks with Washington in the presence of a United Nations representative any place and any time.”

**July 15, 2007:** North Korea states that it has shut down its Yongbyon nuclear facility after receiving the first shipment of heavy fuel oil on July 13. IAEA verifies the shutdown on July 16.
July 16, 2007: South Korea and U.S. agree to provide political incentives for North Korea as part of denuclearization of the North.

July 18-20, 2007: First Session of the Sixth Round of Six-Party Talks resumes in Beijing after a four-month recess.

July 24, 2007: U.S. calls for immediate release of South Korean hostages in Afghanistan, but affirms that it doesn’t negotiate with terrorists.

July 25, 2007: South Korea announces it plans to issue e-passports as part of visa waiver program.

July 30, 2007: U.S. House of Representatives approves resolution condemning Japan’s sexual enslavement of women during WWII, some of whom were Korean, and urges Japan to apologize.

Aug. 4, 2007: U.S. signs into law the visa waiver program with South Korea.

Aug. 16, 2007: South Korea gives Tong-il Medal, South Korea’s most valuable military decoration, to U.S. Chairman of the Joint Chiefs of Staff, Gen. Peter Pace.

Aug. 20, 2007: U.S.-South Korea joint military exercise, Ulchi Focus Lens, begins.

Aug. 21, 2007: South Korea’s financial regulator requests approval for new KOSPI 200 futures index from the U.S.

Aug. 27, 2007: South Korea government resumes inspections of U.S. beef shipments.

Aug. 28, 2007: South Korea and Taliban insurgents reach agreement on the release of 19 Koreans held hostage in Afghanistan. The agreement calls for the release of all hostages beginning Aug. 29 in return for removal of all South Korean military forces by the end of 2007, ending all missionary work in Afghanistan, and banning all travel by Koreans to the country.

Aug. 30, 2007: U.S. confirms that U.S.-South Korea trade agreement will not be re-opened and renegotiated, but outstanding issues on beef will need to be resolved before U.S. Congressional approval.


Sept. 2, 2007: Former South Korean President Kim Dae-jung visits the U.S. to discuss Korean issues with U.S. officials.

Sept. 3, 2007: North Korea reports that the U.S. has agreed to remove North Korea from terrorism list.
Sept. 5, 2007: U.S. denies agreeing to remove North Korea from terrorism list.

Sept. 8, 2007: Presidents Roh and Bush meet at APEC.

Sept. 11-15, 2007: Nuclear experts from Russia, China, and the U.S. visit North Korea to survey nuclear facilities and recommend ways to disable them.

Sept. 12, 2007: President Bush reaffirms willingness to sign peace treaty for Korean Peninsula provided North Korea fully dismantles its nuclear program.


September 17, 2007: Several news sources report that a Sept. 6 Israeli attack inside Syria was on what Israeli intelligence believes was a nuclear-related facility that North Korea was helping to equip.
