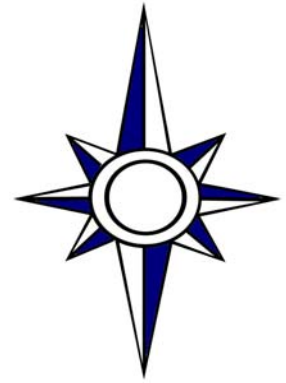


Comparative Connections

A Quarterly E-Journal on East Asian Bilateral Relations



U.S.-Korea Relations: All North Korea, All the Time

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The quarter saw a plethora of provocations by North Korea, ranging from ballistic missiles tests to the country's second (and more successful) nuclear test. The United Nations Security Council responded with Resolution 1874 that called for financial sanctions and the institutionalization of a counterproliferation regime that would have made John Bolton proud. The U.S. and ROK presidents held their first summit amidst all this noise and sent clear signals of alliance solidarity. Washington exhibited the closeness of the alliance, being the only country to send a presidential delegation to the funeral of former President Roh Moo-hyun. These rhetorical demonstrations of the alliance's strength, however, cannot drown out the potential substantive setback to the alliance as the KORUS Free Trade Agreement continues to languish.

All North Korea, all the time

"All North Korea, all the time," is how one Obama administration official described the events in Asia over the first four months in office. North Korea ended the last quarter threatening to conduct a missile test and opened the second quarter making good on its promise. On April 5, Pyongyang launched what many believe was a *Taepodong-2* ballistic missile, but which the North justified as a satellite launch. Regardless of what it was, the booster technology for a rocket is essentially that of a ballistic missile, which this time traveled about 1,900 miles and demonstrated an improved capability over the failed launches in July 2006 and in 1998.

The Democratic People's Republic of Korea (DPRK) responded to calls from the international community to seek a new UN Security Council (UNSC) resolution to the ballistic missile test by telegraphing its next moves: it threatened more tests and warned that it would restart all nuclear facilities if the UNSC even discussed its rocket launch. True to form, once the UN Security Council (UNSC) adopted on April 13 a nonbinding President's Statement (not a UN resolution) condemning the action as a violation of UNSC Resolution 1718 and called for the UN sanctions committee to list additional goods and entities for designation, Pyongyang ordered the International Atomic Energy Agency (IAEA) inspectors and a separate U.S. nuclear monitoring team out of the country. On April 29, a Foreign Ministry spokesman declared that the North would conduct another nuclear test unless the United Nations "apologized" for condemning its recent rocket launch.

On May 25, Memorial Day in the U.S., the North made good on that threat, conducting its second underground nuclear test. Initial reports of the seismic activity associated with the event appear to indicate a higher yield than the October 2006 test. The DPRK claimed it to be a

successful test that “was safely conducted on a new higher level in terms of its explosive power and technology of its control.”

Why the anger?

Even for the DPRK, this was a fairly unprecedented string of angry provocations. The few remaining DPRK apologists attempted to justify this activity, employing arguments about DPRK insecurity and desire for U.S. “attention” as causal variables. They look for small signals of moderation even amidst the DPRK anger, for example, claiming that the DPRK notified the U.S., China, and Russia in advance of its plan to launch the long-range rocket and declared a no-navigation zone for ships. Moreover, it is within Pyongyang’s sovereign right, these analysts claim, to put satellites into orbit, just as South Korea and Japan do.

These arguments, however, have lost much currency. The Obama administration’s outreach through Special Envoy Stephen Bosworth during his two trips to the region for high-level bilateral dialogue with Pyongyang have undercut attempts to pin the blame for DPRK bad behavior on Washington’s refusal to negotiate. Whether intentional or not, these initial entreaties by Obama did away in one fell swoop with the Bush administration’s perennial problem of being blamed for DPRK shenanigans. Regarding compliance with international procedures, the *Yomiuri Shimbun* reported that the DPRK did not follow the necessary international procedures for launching a satellite, which require a state to give prior notice of a satellite’s operating frequency, its intended orbital location, and other information to the International Telecommunication Union two to seven years before a satellite goes into use. And with regard to the moral equivalence of DPRK satellites, the answer quite simply is that neither Japan nor the ROK are under three UNSC resolutions – 1695, 1718, and 1874 (discussed below) – condemning their missile activities; hence the sovereign right to launch rockets is a little less circumscribed than those of Pyongyang.

What is it, then, that the North wants with these actions? If Pyongyang rebuffs offers by the U.S. to negotiate and give Pyongyang all the attention it wants, then how does one explain the anger? The simplest explanation is that they are seeking to develop their missile and nuclear capabilities. Both the rocket launch and nuclear test appear to represent advancements in their capabilities. The April 2009 rocket, unlike the July 2006 test, did not fail in its initial ascent. Moreover, the second stage of the rocket overflowed the Japanese archipelago, landing in the Pacific Ocean. As noted above, the May 25 underground nuclear test registered seismic activity beyond the so-called “fizzle” of the October 2006 test, which registered less than a kiloton weapon. Even in their failure, scientists can gain valuable data that can be used to advance the programs. Deadlocked in the Six-Party Talks negotiations at the end of 2008 and aware that the new and young U.S. president will be focused on other crises, the North Korean leadership might have found the current situation as good as any to advance their programs.

A second potential cause relates to North Korean negotiating strategies. Pyongyang’s lack of interest in the Six-Party Talks at this moment may stem from a desire to shift the talks to a U.S.-DPRK bilateral negotiation between two established nuclear weapons states. The latter qualifier is a key consideration. As I noted in the *Washington Post* (June 14, 2009), the North constantly complained that the Six-Party Talks were about one-sided denuclearization of the DPRK, which

amounted to asking Pyongyang to “strip naked” while all others remained “garbed” (their parlance). Their preference was for “nuclear arms reduction” talks between two established nuclear weapons states. The ostensible purpose of these talks would be to get to zero, but neither would truly reach this point. In the interim, the North would enjoy both the economic/energy quid pro quos for partial denuclearization and the status of being the newest nuclear power. In this regard, the tests represent an attempt to demonstrate their capabilities in a way that positions them and the world into de facto acceptance of their nuclear status.

A third potential explanation for North Korean behavior relates to its internal political situation. The ailing Kim Jong-il’s apparent attempt to transfer power to his youngest son, Kim Jung-un is only the second power transition in the nation’s history. The youngest son, only in his 20s, possesses none of the experience or revolutionary credentials of his predecessors. This has resulted in two dynamics: the rise of so-called hardliners within the North to protect the younger Kim and act as regents to him as he learns the ropes of the regime; and second, the tendency for unstable dictatorships to demonstrate as much external belligerence as possible to ensure that no one messes with the regime in its vulnerable state.

The confluence of these factors may have created the “perfect storm” for the North’s nuclear belligerence.

Little daylight: policy response

Whatever the reason for the actions, there was little daylight among the international community in terms of responses. After the nuclear test, Deputy Secretary of State Jim Steinberg spent a week in Asia reaffirming the U.S. nuclear umbrella in Seoul and Tokyo while coordinating measures with the allies along with China and Russia. The South Korean government announced that it would fully participate in the U.S.-led Proliferation Security Initiative (PSI), which the previous ROK government had strongly resisted. These and other consultations led by U.S. Ambassador to the UN Susan Rice in New York paved the way for the unanimous adoption on June 12 of UNSC Resolution 1874, which was co-sponsored by the U.S., France, Britain, Japan, and the ROK – an enhanced package of sanctions against the DPRK. The Chapter 7 resolution condemned in the strongest terms the May 25 nuclear test. It called on member states to inspect, seize, and dispose of banned imported/exported weapons including combat vehicles, artillery, attack helicopters, and missile parts, and to deny fuel or supplies to vessels carrying such items. The resolution also called on member states and international financial and credit institutions to prohibit services that could contribute to DPRK missile and nuclear programs.

In the aftermath of UNSC Resolution 1874, some argued that the resolution lacked the “teeth” that Ambassador Rice promised. Some pointed to the fact that the resolution did not authorize the use of force and that aside from a mandatory ban on arms exports, the steps enumerated in Resolution 1874 constitute recommendations rather than requirements, so the potential impact ultimately depends on the determination of member states.

While it is certainly true that the resolution does not mandate the use of force (few resolutions do), it goes a long way to building an effective counterproliferation regime against the North’s weapons capabilities. The arms embargo, financial sanctions, and inspection regime all

represent advances in efforts undertaken by the Bush administration to curtail DPRK proliferation financing and weapons development. Most important, these measures, once considered “unilateral” efforts by the Bush administration to undercut the regime in North Korea, are now institutionalized in a multilateral context, thereby making them potentially more effective. What was once, for example, a request on the part of the Bush administration to a financial regulator in Europe to investigate suspect North Korean bank accounts has now become an obligation among UN member states as a result of UNSC Resolution 1874. Moreover, the inspection regime created by this resolution represents a UN-backed institutionalization of the PSI created by John Bolton and Bob Joseph. UN member states are now obligated to inspect suspect cargo, deny “bunkering” (food and fuel) to suspect vessels, and share information, all of which should dramatically hamper the North’s ability to operate. Moreover, the resolution provides for the creation of a monitoring body among UNSC members to report on member state compliance with the resolution’s provisions.

These arguments did not persuade many until a North Korea ship, the *Kang Nam*, en route to Burma/Myanmar, offered the first immediate test of the resolution in June. Many saw Rangoon as a weak link that could provide bunkering for DPRK vessels and thereby enable trade to the Middle East. However, contrary to most pundits’ expectations, the government in Rangoon announced that it would be obligated to inspect and if necessary seize and dispose of banned cargo in compliance with UNSC Resolution 1874. The result: the North Korea ship reversed course, apparently navigating back to its home port. The resolution is far from air tight, but it makes commendable progress in building a real counterproliferation regime. Other areas where cooperation particularly with the Chinese and Russians is needed are controlling airspace and overland routes to prevent potential proliferation. These activities do not represent an end to the Obama administration’s interest in diplomacy (although there is understandably less interest in bilateral talks now). On the contrary, as one official noted, these activities would need to be undertaken regardless of the state of the negotiations as long as the North was in possession of even one nuclear weapon. The latter is an important message to the Chinese that any North Korean return to negotiations should not be equated with relaxed counterproliferation efforts.

The plight of Lee and Ling

Amid the nuclear provocations, the North Korean high court sentenced the two detained U.S. journalists, Laura Ling and Euna Lee, to 12 years of “reform through labor.” The harsh sentence was seen by some as an attempt to link their release to the ongoing nuclear dispute in some sort of “high stakes” poker game. While this made a good soundbite, it is not clear how such a negotiation might be manipulated by the North. The more likely explanation is that through the harsh sentence, Pyongyang sought to send a message to the world, deterring other journalists or humanitarian workers from operating near the North Korean border. In the midst of an internal power transition, North Korean leadership probably does not want the international media drawing attention to their refugee problem (the two reporters were apparently doing a story on the trafficking of DPRK refugees into China).

The U.S. response has been to draw a clear line between this issue and the nuclear dispute, essentially saying to the North that they have made their point with the harsh sentencing and should now release the two women on humanitarian grounds. The administration continues to

work this issue behind the scenes, exploring a variety of channels including the possible dispatch of a high-level envoy to negotiate their return at the appropriate time. Meanwhile, the two journalists have been confined in the North for the past four months.

Allied solidarity

North Korea lowlights for the quarter were complemented by U.S.-ROK highlights when President Lee Myung-bak traveled to Washington for his first summit with President Barack Obama. According to inside accounts, the atmospherics of the meeting were very good with the two leaders spending triple the allotted time for their one-on-one meeting in the Oval Office. The press conference and statements coming out of the meeting presented two strong messages: 1) that the U.S. would never accept a nuclear North Korea; and 2) the written promise of the U.S. nuclear umbrella over Seoul. On other issues, Lee apparently came ready to discuss new forms of assistance for Afghanistan and pledged cooperation on climate change and other issues. As a symbol of the friendship between the two countries, Obama sent a presidential delegation to the funeral of former president Roh Moo-hyun who committed suicide in May. The presidential delegation (which included this writer) was the only one of its kind to pay respects to the former head of state. Japan sent former Prime Minister Fukuda, but the Chinese conspicuously sent no one from its capitol. This message was not lost on the Koreans who appreciated the U.S. response and groused at the Chinese. The candlelight vigils in the streets of Seoul in the aftermath of Roh's state funeral were notable for their absence of any anti-American agitators (unlike the beef demonstrations or the 2002 candlelight vigils).

Despite the positive indications, progress on passage of the all-important KORUS free trade agreement (FTA) still remained absent. The ROK Parliament's Foreign Affairs Committee approved the deal in April, paving the way for the entire Assembly to vote on the pact. Yet progress on the U.S. side remains stymied by parochial domestic interests. KORUS – the United States' largest FTA since the North America FTA – dwarfs most recent agreements and could help restore critical U.S. jobs and exports to a Korean economy expected to be among the first to recover from the global crisis. The nonpartisan International Trade Commission estimates that enacting KORUS could boost U.S. GDP by as much as \$11.9 billion and merchandise exports as much as \$10.9 billion – a free economic stimulus without driving up U.S. debt.

Moreover, the importance of KORUS to visions of larger free-trade areas in the Asia-Pacific and beyond should not be underestimated. As World Trade Organization (WTO) negotiations stall, one scenario for advancing trade is uniting scattered bilateral FTAs into multilateral arrangements. KORUS is both a strong model and – with provisions that allow other nations to join – a potentially powerful draw for building multilateral efforts in Asia and globally. When the U.S. launched KORUS negotiations, countries like Japan watched politely but dismissively. After it was negotiated, there was quiet but palpable interest by Tokyo in exploring FTA talks – a testament to KORUS's influence on one of the world's largest economies.

Perhaps even more important than its economics are KORUS's strategic ramifications. KORUS helps elevate the U.S.-ROK alliance to a higher plane beyond its traditional military focus to the broader exchanges of a mature partnership. Koreans seek to strengthen bilateral ties and “trust” in the relationship – and there could be no more important way of advancing this than KORUS.

Delaying KORUS would be a setback in the alliance's growth. Granted, it would not end an alliance based on shared values and interests, yet it could drive Seoul to look beyond the U.S. for strategic partners. Korea is moving forward with FTAs with the European Union and across Asia while U.S. trade with Korea has already fallen behind that of China, Japan, and Europe.

Chronology of U.S.-Korea Relations **April-June 2009***

April 1, 2009: The Democratic People's Republic of Korea (DPRK)'s state radio accuses U.S. *RC-135* surveillance aircraft of spying on the launch site on its northeast coast and threatens to shoot it down. The DPRK also vows to wage war against Japan if it tries to shoot down a missile that the DPRK says will carry a communications satellite.

April 2, 2009: *Reuters* reports that President Barack Obama told President Lee Myung-bak that he wants to make progress on a free trade deal between the two countries.

April 3, 2009: President Obama tells Chinese President Hu Jintao that the U.S. would consider a DPRK missile launch provocative and that the U.S. would seek punishment at the UN in response. Obama and President Lee agree on the need for "a unified response by the international community in the event that North Korea launches a long-range missile."

April 5, 2009: North Korea launches a rocket, which ends up in the waters about 1,984 miles from the launch site, about double the range compared to the 1998 launch. U.S. analysts say the failure to launch a satellite might reveal a significant quality control problem in the DPRK.

April 8, 2009: *Chosun Ilbo* reports that the DPRK notified the U.S., China, and Russia in advance of its plan to launch the long-range rocket. According to a ROK National Intelligence Service official, "it is unprecedented for the North to notify the U.S. in advance of the time."

April 9, 2009: DPRK warns that it would take "strong steps" if the UNSC took any action in response to the launch, threatening to boycott the Six-Party Talks and restart its nuclear facilities.

April 9, 2009: North Korean Supreme People's Assembly (SPA) meets and reelects Kim Jong-il to a five-year term as the Chairman of the National Defense Commission (NDC). The SPA also promotes Kim's brother-in-law, Jang Song-taek, to serve on the NDC.

April 13, 2009: The UNSC unanimously adopts a nonbinding President's Statement on the DPRK rocket launch, condemning the action as a violation of a resolution banning the country from all missile activity and demanding no further launches.

April 13, 2009: *Yonhap* reports that the U.S. Trade Representative (USTR) wants a free trade pact with the ROK to be ratified without renegotiation.

* Compiled by Shin W. David Park

April 14, 2009: The DPRK Foreign Ministry issues a statement saying the DPRK “resolutely rejects” the “unjust” action taken by the UN and that the DPRK “will bolster its nuclear deterrent for self-defense in every way.”

April 15, 2009: The DPRK orders International Atomic Energy Agency (IAEA) inspectors and a separate U.S. nuclear monitoring team out of the country.

April 15, 2009: Secretary of State Hillary Clinton criticizes the DPRK for its decision to restart its nuclear reactor and to boycott the Six-Party Talks.

April 15, 2009: The U.S. and Japan propose lists of DPRK companies, banks, and missile-related equipment to be targeted by the UN sanctions that are to be enforced for the first time since they were imposed in 2006.

April 22, 2009: Gen. Walter Sharp, the commander of the U.S. forces in Korea stresses that Washington will continue to offer the ROK protection under its nuclear umbrella after the 2012 transfer of wartime operational control.

April 22, 2009: The ROK Parliament’s Foreign Affairs Committee approves the KORUS FTA, paving the way for the entire Assembly to vote on the pact.

April 28, 2009: The ROK and the U.S. fail to agree on the completion date and cost-sharing for the relocation of U.S. troops on the peninsula.

April 29, 2009: The DPRK says it will conduct a second nuclear test and test-launch ballistic missiles unless the UN apologizes for condemning its recent rocket launch.

April 30, 2009: Secretary Clinton says it is “implausible, if not impossible” that the DPRK will return to international talks on ending its nuclear ambitions.

May 2, 2009: An unidentified DPRK spokesman says President Obama is no different from his predecessor in trying to “stifle” countries that are uncooperative with the U.S.

May 2, 2009: Secretary Clinton says the U.S. will not provide economic aid to the DPRK until it stops threatening to conduct further nuclear and missile tests and returns to the Six-Party Talks.

May 6, 2009: The DPRK criticizes the U.S. for seeking to increase its military spending, vowing to bolster its own defense capabilities to cope with what it calls “increasing American threats.”

May 8, 2009: North Korea rejects bilateral talks with the U.S. and vows to strengthen its nuclear deterrent because the Obama administration is taking a hostile stance towards the country.

May 12, 2009: U.S. Special Representative for DPRK Policy Stephen Bosworth says he would consider visiting Pyongyang to revive stalled talks on dismantling the DPRK’s nuclear program.

May 14, 2009: Russian Ambassador-at-large Grigory Logvinov, Moscow's representative to the Six-Party Talks, and U.S. Special Envoy Sung Kim meet in Moscow and agree to search for diplomatic solutions for settling the dispute surrounding the DPRK's nuclear program.

May 17, 2009: DPRK government newspaper *Minju Joson* says the DPRK will not come back to the negotiation table unless the U.S. and the ROK give up their "hostile policy."

May 18, 2009: U.S. Secretary of Defense Robert Gates says the 30 ground-based missile interceptor system of the U.S. "is only capable against North Korea, and that 30 interceptors in fact provide a strong defense against Pyongyang."

May 20, 2009: President Obama says the KORUS FTA would enhance and promote bilateral ties and prosperity between the two allies.

May 23, 2009: Former ROK President Roh Moo-hyun commits suicide.

May 25, 2009: DPRK conducts its second underground nuclear weapons test.

May 25, 2009: DPRK fires two short-range missiles from its east coast.

May 25, 2009: DPRK's *Korean Central News Agency* states that Chairman Kim Jong-il has expressed condolences to the family of former President Roh Moo-hyun.

May 26, 2009: President Obama criticizes the DPRK for its nuclear test, saying the world must "stand up to" Pyongyang and demand that it honor a promise to abandon its nuclear ambitions.

May 26, 2009: South Korean government announces that it will fully participate in the Proliferation Security Initiative (PSI).

May 26, 2009: President Obama tells President Lee in a telephone conversation that "U.S. military strength and nuclear umbrella were expansive enough to protect South Korea."

May 27, 2009: *Yonhap* reports the DPRK has restarted its nuclear reprocessing facility.

May 27, 2009: North Korean newspaper *Choson Sinbo* reports that the DPRK will continue to raise the stakes no matter how seriously it is punished by the international community unless the U.S. takes direct action to resolve the nuclear crisis.

May 27, 2009: North Korea announces that it no longer considers the Korean Armistice Agreement valid.

May 30, 2009: Secretary of Defense Gates says the U.S. would hold the DPRK accountable for selling or transferring nuclear material outside its borders.

May 31-June 5, 2009: U.S. delegation led by Deputy Secretary of State James Steinberg visits Tokyo, Seoul, and Beijing for talks on how to respond to North Korea's latest nuclear test.

Jun. 1, 2009: Former Defense Secretary William Perry says that if non-military options do not stem the DPRK's escalation of tension, the U.S. must consider others, namely military options.

Jun. 4, 2009: Assistant Secretary of State for Public Affairs Philip Crowley says the U.S. has no intention of relisting the DPRK as a state sponsor of terrorism despite nuclear and missile tests that escalated regional tensions.

Jun. 8, 2009: North Korea's official news agency announces two U.S. journalists who committed a "grave crime" would be sentenced to 12 years of "reform through labor."

Jun. 10, 2009: Special Envoy Stephen Bosworth says the U.S. will do what is necessary for the security of its allies, but has no plans to invade the DPRK or overthrow its government by force.

Jun. 12, 2009: UNSC unanimously passes Resolution 1874, which calls on UN members to inspect cargo vessels suspected of carrying military materials in or out of North Korea.

June 12, 2009: DPRK Foreign Ministry denounces UNSC Resolution 1874 and says that North Korea would "weaponize" its existing plutonium stockpiles, begin a program to enrich uranium and take "firm military action if the United States and its allies try to isolate us."

Jun. 15, 2009: DPRK newspaper *Rodong Sinmun* denounces the ROK for "begging" the U.S. for nuclear protection.

Jun. 15, 2009: President Lee and President Obama hold a summit in Washington. They adopt a statement for a "joint vision for the Korea-U.S. alliance."

Jun. 15, 2009: Meeting with President Lee, Secretary Gates says the U.S. will use all means necessary, including nuclear arms, to defend the ROK against military threats from the DPRK.

Jun. 18, 2009: U.S. officials say the U.S. military is tracking a DPRK ship believed to be carrying illicit weapons in the Pacific Ocean.

Jun. 18, 2009: Secretary Gates orders the U.S. military to take defensive measures should the DPRK attempt to fire a ballistic missile toward Hawaii.

Jun. 22, 2009: UN Development Program says that aid projects will continue as planned in North Korea regardless of the sanctions resolution. U.S. Agency for International Development (USAID) also says plans to continue its medical aid projects for the DPRK.

Jun. 24, 2009: President Obama extends sanctions on commerce with the DPRK for a year under the International Emergency Economic Powers Act and the Trading with the Enemy Act.

Jun. 26, 2009: The Obama administration names Philip Goldberg to lead a task force coordinating Washington's political, military, and financial measures against the DPRK.