

THE BROOKINGS INSTITUTION CENTER FOR NORTHEAST ASIAN POLICY STUDIES

A PROPOSAL FOR A “BOSWORTH PROCESS” WITH NORTH KOREA: DENUCLEARIZATION AND BEYOND¹

Dr. Sun-won Park
Northeast Asia Energy and Security Visiting Fellow
Center for Northeast Asia Policy Studies

October 2009

THE BROOKINGS INSTITUTION
1775 Massachusetts Avenue, NW
Washington D.C. 20036-2188
Tel: (202)797-6000 Fax: (202)797-2485
<http://www.brookings.edu>

¹ An outline of this idea was presented by the author on January 29, 2009 at the Brookings Institution’s Center for Northeast Asian Policy Studies. Since then, the idea has been developed as presented here. Dr. Richard Bush deserves special thanks for his invaluable advice and comments. The concept and this paper require further refining, and the author expects criticism and comments.

Despite consistent provocations by North Korea since the Obama administration took office in January 2009, conditions are now developing that should enable Ambassador Stephen Bosworth, the U.S. Special Representative for North Korea policy, to finally visit Pyongyang and secure North Korea's agreement to return to stalled negotiations on ending North Korea's nuclear weapons program. Ambassador Bosworth and the U.S. should refuse to conduct bilateral negotiations about ending what Pyongyang calls U.S.'s "hostile policy," as North Korea desires. Rather, he should take with him a comprehensive, three-part roadmap for denuclearization and beyond, showing the North Koreans a path toward peaceful coexistence with the United States and membership in the world community, which is the underlying goal of the Six-Party Talks. The U.S. government has failed to take advantage of several previous opportunities to engage Pyongyang, and missing this opportunity will not only reduce the prospects for denuclearizing the Korean peninsula, but will stall the Obama administration's efforts toward a global rollback of nuclear weapons.

Where do we stand now?

Since the turn of the 21st century, there have been four windows of opportunity to make real progress in the denuclearization of North Korea. The first was in 2002, when the Bush administration sent then-Assistant Secretary of State James Kelly to Pyongyang. At that time, however, the U.S. government was focusing on North Korea's suspected uranium enrichment program for political purposes and was also pre-occupied with preparations for the Iraq war. Therefore, Assistant Secretary Kelly's hands were tied and there was little he could do to engage the North Koreans. The second opportunity was the period between Winter 2003 and Spring 2004; North Korea had just extracted plutonium from spent fuel rods, and asked for step-by-step denuclearization because the Bush administration was opposed to a one-time package deal. At that time, the Bush administration's active pursuit of Libyan denuclearization complicated the Six-Party Process, and Washington was unable to respond to North Korea's demand for comprehensive negotiations. The third window opportunity was the period between Fall 2005 and Spring 2006. During the negotiations to adopt the September 19 Joint Statement in 2005, James Kelly's successor, Christopher Hill, offered to visit Pyongyang, but this attempt was abortive because of the administration's effective freezing of North Korean funds in Macau's Banco Delta Asia. The final chance was the last year, 2008, but the Bush Administration provided North Korea with a pretext for withdrawing from the Six-Party process by postponing the removal of North Korea from the State Department's list of state sponsors of terrorism.

In 2009 the new Obama administration attempted to create more windows of opportunity, but North Korea responded by detaining two American journalists in March, test-launching a long-range and other missiles in April, conducting a test of a nuclear device in May, launching more missiles in July, and announcing in September that it had completed the weaponization of all its plutonium and had successfully enriched uranium, in violation of two agreements reached in the Six-Party Talks.

In the meantime, former President Clinton visited Pyongyang in August and met with

North Korean leader Kim Jong-il to effect the release of the two detained journalists. Though White House and the U.S. State Department downplayed this visit, stating that it was strictly limited to the issue of the journalists and undertaken in a private capacity,, but this author believes that it was a vital opportunity for the U.S. and North Korea to re-start bilateral dialogue. The meeting between Clinton and Kim was prominently and positively covered by North Korea's state-run media, which should be actually taken as an outcome of U.S. pressure on North Korean to change its approach. From North Korea's perspective, the meeting functioned as a scouting and preparatory phase prior to re-engaging in political negotiations with the U.S.

At this point, the relationship hinged on how the North dialed back its provocations of the previous nine months and shifted its negative stance toward the Six-Party Talks, and how it seriously and credibly presents its genuine goal. The U.S. government's perception of North Korea's goal is also crucial because it believes North Korea wants to control the engagement, moving from provocation to dialogue and winning new concessions in return for only token compromise. On September 18, 2009, in a meeting with Chinese State Councilor Dai Bingguo, Special Envoy of Chinese President Hu Jintao, Kim Jong-il reconfirmed that denuclearization remains North Korea's goal and that the nation is willing to return to bilateral and multilateral talks. On October 5 in a meeting with Chinese Premier Wen Jiabao, he moved one step further to say that the goal of denuclearization remains unchanged, and that North Korea will take part in multilateral talks including the Six-Party Talks, after first holding and scrutinizing bilateral talks with the United States. China's Xinhua News Agency reported that the head of the Chinese delegation to the Six-Party Talks, Vice Foreign Minister Wu Dawei, stated that "the Six-Party Talks face important opportunities of getting out of difficulties, with the concerted efforts of all parties involved." Xinhua also reported that "Wen and DPRK's top leader Kim Jong Il reached important consensus to push forward the Korean Peninsula denuclearization process," and quoted Wu as saying, "Such consensus was of great significance to resuming the six-party talks."²

With Kim's September 18th and October 6th remarks, Washington's stated requirements for sending Ambassador Bosworth to Pyongyang—a long-discussed step in the development of relations under the Obama administration—have its been met and he should be sent to Pyongyang as soon as possible. Furthermore, the objectives of a Bosworth visit should be changed from the short-term task of securing Pyongyang's agreement to return to the talks to more comprehensive and far-sighted talks about a comprehensive package of future negotiations, allowing the North Korean elite to develop a new vision for coexistence with the U.S. and membership in the world community as a normal and responsible state.

² "Six-party talks face opportunities of getting out of difficulties: Chinese Vice FM," Embassy of the People's Republic of China, October 7, 2009, http://news.xinhuanet.com/english/2009-10/07/content_12191057.htm; accessed October 8, 2009.

Delicate equilibrium

Despite the positive trend, the U.S.-North Korea relationship is now in a delicate balance in which attempts by either side to improve its position may disrupt the equilibrium. In such a situation, direct contacts between the two sides are required.

North Korea's near-term strategic objective In the first half of 2009, Kim Jong-il restored his political leadership and ended the internal political crisis that had developed in the wake of his medical episode in August 2008. A foreign policy offensive, in which North Korea projected the image that it has consolidated its status as a nuclear weapon state, was part of Kim's recovery of his political leadership. But this offensive was more than just rhetoric: without a doubt, the long-range ballistic missile test in April and the second nuclear test in May contributed to some enhancement of the deployability and credibility of North Korea's nuclear arsenals. Furthermore, by expanding the issues under discussion from the disablement of the Yongbyon nuclear facilities and declaration of plutonium stockpiles to missile capabilities and uranium activities, all the while reprocessing the last batch of the spent fuel rods, North Korea attempted to attain the upper hand for future negotiations. These tactics have caused the U.S. to lose confidence in North Korea's ultimate intention and raised suspicions about Kim's commitment to Kim Il-sung's dying wish for denuclearization.

North Korea's missile launches and nuclear tests, and its claim of completion of weaponization of all remaining plutonium and success of experimental enrichment of uranium, in effect nullified the February 13 Agreement (freezing nuclear activities) and the October 3 Agreement (disablement of nuclear facilities at Yongbyon and complete and correct declaration of nuclear activities) reached in the Six-Party Talks. There is only one agreed document, the September 19 Joint Statement of 2005, which remains standing but on a very fragile foundation. Therefore, the North Koreans believe that their best option, if they move forward with the Six-Party Talks, is to negotiate the rewriting of the February 13 and October 3 Agreements, repeating promises to seal and cease nuclear activities and disable the Yongbyon facilities, and winning new incentives. The North Koreans believe that such an arrangement would bring them closer to their strategic goal, which is the preservation of North Korea's nuclear state status as a *fait accompli* by deliberately engaging in delaying tactics in the Six-Party Talks. While dangling the prospect of a negotiated settlement, North Korea would instead mire Six-Party negotiators in protracted disputes over technical details that have already been discussed once, and would seek to divert international focus from its existing weapons stock.

Constraints in achieving this strategic goal: Contrary to North Korea's expectations, the second nuclear test has not changed the situation in its favor. Instead, there has been no substantial change in its bargaining power since the May explosion, and its options are more limited. It has run out of any foreseeable means of instigating the international society. Its one remaining card, uranium enrichment, has also now been played. The newly extracted plutonium and its weaponization, and the results of the successful experiment of uranium enrichment will be additionally declared to the Six-Party Talks once the dialogue resumes.

Kim Jong-il has set a goal of making his nation “strong and prosperous” (*Kangsong Daekuk*) by 2012, an exceptionally short-range goal. Economically, the country has been caught in a poverty trap since mid 1990s, and continued stagnation (or worse) may arouse suspicion and skepticism among the public. North Korea has not realized any material benefits from the lifting of the Trading with the Enemy Act or its delisting from the U.S. list of state sponsors of terrorism. UN Security Council Resolution 1874, one of the most severe economic sanctions ever passed by the UNSC, has curtailed government revenues from illicit activities, and even legitimate trade. All foreign currency transactions are strictly monitored. Kim’s two young sons, Kim Jong-chol and Kim Jong-un, are still being groomed to assume power in Pyongyang, but are not yet ready to take over in a smooth transition. Kim Jong-il has no solid basis on which to build a stable structure for succession by 2012. The North’s nuclear deterrence may have increased over the past year, but its chances for regime sustainability had to be compromised.

These challenges render the confrontation policy untenable and could indicate that Kim Jong-il would try to reach an agreement with the Obama administration as early on in the negotiations as possible, thus to see its political, economic, and diplomatic bloom as early as possible. Recently Kim has begun signaling this intention by maneuvering to attract high-level U.S. officials, including Ambassador Bosworth, to visit Pyongyang. Given the atmosphere in Washington, however, a simple change of negotiation tactics will not work.

The U.S. position The Obama administration has elucidated that it would pursue robust diplomacy for the resolution of the North Korean nuclear issue. The Obama administration has done relatively well in countering North Korean provocations, and it has developed viable levers to restrict North Korean action. It values dialogue but it will not come to talk by itself. But time is not necessarily on the Obama administration’s side. It is a serious blow to the administration, which values the strengthening of international nuclear non-proliferation as the highest priority of security policy, that North Korea has succeeded in enhancing its nuclear capability on Obama’s watch.

Secretary of State Hillary Clinton’s strong speech to the ASEAN Regional Forum (ARF) in Thailand on July 23, 2009 described the Obama administration’s North Korea policy. Secretary Clinton stressed resolutely that the U.S. goal is to press Pyongyang to choose either isolation or talks on denuclearization leading to a resolution. She made it clear that the U.S. is open to talks with North Korea, but had no interests in “half measures” and no “appetite for pursuing protracted negotiations that will only lead us right back to where we have already been.” “A more ambitious agenda for any future talks” she clarified, “must lead to irreversible steps by North Korea to denuclearize” in exchange for a comprehensive and coordinated reciprocation like full normalization of relationships, a permanent peace regime, and significant energy and economic assistance. This position can be called a definitive edition of the Obama administration’s policy towards North Korea.³

³ Hillary Rodham Clinton, “Remarks at the ASEAN Regional Forum,” U.S. Department of State, July 23, 2009, <http://www.state.gov/secretary/rm/2009a/july/126373.htm>; accessed October 8, 2009.

Complementing Secretary Clinton's speech, on September 23 and 24, 2009, President Obama made groundbreaking speeches to the UN General Assembly and the UN Security Council on the U.S. commitment to non-proliferation. He presented his determination to stop the growing threat of spreading nuclear weapons and to seek a world without them. The key endeavor in the pursuit of that goal is that the U.S. will play a critical role in strengthening the Non-Proliferation Treaty (NPT) within the next 12 months—"pivotal" and "absolutely critical" in "determining whether this compact will be strengthened or will be slowly dissolved"—while acknowledging all nations' right to peaceful nuclear energy.⁴ As an action plan, he set forth six major efforts:⁵ first, pursuit of new agreements with Russia to substantially reduce strategic nuclear warheads and launchers; second, U.S. ratification of the Comprehensive Test Ban Treaty (CTBT) and working with others to bring the treaty into force; third, completion of the Nuclear Posture Review suggesting deeper cuts and less reliance on nuclear weapons; fourth, beginning negotiations in January 2010 on a treaty to end the production of fissile material weapons; fifth, hosting a summit in April 2010 to reaffirm each nation's responsibility to secure nuclear materials on its territory and to help those who can't; and last, strengthening the NPT in a May 2010 Review Conference.⁶

On September 24, 2009, President Obama went further, chairing a meeting on nuclear non-proliferation and nuclear disarmament at the UN Security Council in order to adopt a "historic" UNSC resolution (S/2009/473) that unanimously "enshrines our shared commitment to the goal of a world without nuclear weapons."⁷ This Security Council resolution "endorsed a global effort to lock down all vulnerable nuclear materials within four years, and obliged all states to freeze any financial assets that are being used for proliferation. And it also calls for stronger safeguards not to divert peaceful nuclear programs to the development of nuclear weapons.

The success or failure of this major endeavor will be determined in large part by how the Obama administration handles North Korea and Iran. At the UN, President Obama pinpointed North Korea and Iran as threatening to take the world down "this dangerous slope," but made his point clear that these two countries have the choice of "living up to their obligations" or "the danger of escalating the nuclear arms race." The first option will be met with a U.S. commitment to diplomacy to "open a path to greater prosperity and a more peace." If North Korea and Iran choose the latter, Obama warned, they must be held accountable.⁸ By focusing on North Korea and Iran in the pursuit of "a world without nuclear weapons," President Obama has raised the stakes of these two cases, perhaps too high.

⁴ "Remarks by the President to the United Nations General Assembly," Office of the Press Secretary, The White House, September 23, 2009, http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-to-the-United-Nations-General-Assembly; accessed October 2, 2009.

⁵ Ibid., and "Remarks by the President at the United National Security Council Summit on Nuclear Non-Proliferation and Nuclear Disarmament," Office of the Press Secretary, The White House, September 24, 2009, http://www.whitehouse.gov/the_press_office/Remarks-By-The-President-At-the-UN-Security-Council-Summit-On-Nuclear-Non-Proliferation-And-Nuclear-Disarmament; accessed October 2, 2009.

⁶ Ibid.

⁷ Ibid.

⁸ "Remarks by the President to the United Nations General Assembly."

It is problematic is that there is a serious North Korea fatigue among American specialists on that country; they are very reluctant to support active engagement plans and do not see a high probability for a negotiated settlement of the nuclear issue. By contrast, those approaching the issue from a law enforcement perspective seem to be overly excited, and believe they have found a panacea—sanctions— through which they can control North Korea. However, sanctions are nothing but a policy instrument, as former Brookings scholar and National Security Council official Meghan O’Sullivan argues, and sanctions alone are unlikely to achieve a change in regime. Further, sanctions without showing a new design for the future would enhance the rally-round-the-flag effect,⁹ and the momentum toward negotiations will fade away.

Calling for a Bosworth Process

A comprehensive framework for a full range of denuclearization and corresponding measures must be conceptualized, constructed, and implemented as soon as possible. It must not be overlooked that Kim Jong-il’s September and October affirmations of dialogue and denuclearization were a signal for Ambassador Bosworth to prepare a comprehensive solution before he visits. The “powerful, effective and result-oriented diplomacy” that the Obama administration has been emphasizing since day one must be exhibited and lead to results at this time in dealing with the North. If this fails, its reputation—as well as the international nuclear order—will be damaged. In a sense, a Bosworth visit is highly risky for Pyongyang as well. If the U.S. firmly presents a comprehensive process and holds in-depth discussions, North Korean inflexibility will reflect badly on Pyongyang, not Washington. North Korea should also prepare its own proposal to the U.S. in which the purpose of the Six-Party Talks is expanded to include other issues.

Taking such concerns into account, this author suggests that the Obama administration offer to the leaders and elites in Pyongyang a “Bosworth Process” that would exceed the scope of the 1999 Perry Process. A Bosworth Process would set out a specific and detailed a roadmap leading unambiguously to the cessation of the Cold War, the establishment of a permanent peace regime on the Korean peninsula, and normalization between the United States and North Korea.

Negotiations must begin again, but the U.S. and others should not begin simply by revisiting old ground. Talks cannot begin from a starting point of punishing North Korea for its actions of the last six months. Furthermore, previous agreements should not be re-written and Washington’s previous “learn-as-you-go” approach must be discarded. Rather, the Obama administration should lead in the development of a matrix of high-end simultaneous solutions to the North Korea problem.

This author believes that North Korea policy requires a three dimensional set of tools. “Plan A” lays out a broader framework of policy incentives that should be significant

⁹ Meghan L. O’Sullivan, *Shrewd Sanctions: Statecraft and State Sponsors of Terrorism*, The Brookings Institution Press, Washington D.C.: 2003, pp. 284 & 291.

enough to break the current deadlock. “Plan B” contains punitive measures in the case of North Korea’s intransigence and non-compliance. “Plan C” is the package of follow-on measures or contingency plans to deal with various negotiating outcomes that include successful denuclearization and, at the other extreme, regime instability or collapse. The policy recommendations for the final settlement of North Korean denuclearization will be focused on Plan A. Plan B has been well-developed over the last couple of months, and Plan C is not the focus at present. Plan B and C will be discussed briefly.

PLAN A: Cooperation in the Denuclearization Process and Political Confidence Building

Plan A places the dismantlement of North Korea’s nuclear program and U.S.-DPRK political confidence building measures including, normalization talks, at center stage. It offers North Korea incentives and new rights, as well as new obligations, in international non-proliferation efforts. This proposal suggests simultaneous talks on a peace regime which can and should be used as an institutional foundation for North Korea to abandon its nuclear arsenal. Under a peace regime, North Korea will find no ground to rely on nuclear weapons, but will base its security on a legal peace. Subsequent improvements in bilateral relations between the DPRK and the ROK and the DPRK and Japan would support the Six-Party process and would encourage North Korea as it negotiates denuclearization. Integrating these four pillars into one comprehensive package, in which reciprocal actions and measures are exchanged simultaneously in a mutually reinforcing manner, would assure the irreversible and verifiable denuclearization of the Korean peninsula.

Table 1: Structure of a comprehensive solution: North Korea denuclearization and beyond

Motivational Factors	Pivotal Factor	Facilitating Factor
Corresponding Compensatory Measures (multilateral & direct incentives)	North Korean Dismantlement of Nuclear Weapon Capabilities	US-DPRK Political Confidence Building Measures & Diplomatic Normalization
Institutional foundation		Supportive thrust
Establishment of Peace Regime on the Korean peninsula *The US, North Korea, China, South Korea		Other Bilateral Cooperation * NK-Japan diplomatic normalization talks * Improvement of Inter-Korean relations

Plan A, Step 1 (four to six months): Make the transfer of declared fissile material the first priority and discuss the provision of light water reactors. To that end, convert the “words for words” commitment of the September 19 Joint Statement must be converted into a workable action plan for the dismantlement phase. Both sides must clearly publicize the end-state of the negotiations as full normalization and the end of the Korean War.

1. The U.S. and the DPRK should establish a target timeframe (i.e. no later than at the end of 2011) to complete the implementation of the September 2005 Joint Statement to move forward on the dismantlement phase directly and secure a declared amount of fissile materials under observable monitoring in a designated facility in North Korea.

- The U.S. should reaffirm its commitments to the September 19 Joint Statement, and formally provide a negative security assurance to North Korea through either a presidential letter or a formal announcement of the U.S. government in line with the spirit of the Nonproliferation Treaty (NPT) and propose a concrete milestone for normalized U.S.-DPRK relations. Accordingly, bilateral and multi-lateral talks should be accelerated toward that goal.
- The US Nuclear Posture Review should assess the North Korean nuclear threat accordingly and adjust in characterization of North Korean cooperation to denuclearize as a means to reiterate the negative security assurance.
- The DPRK should also reaffirm its commitments to the September 19 Joint Statement. North Korea should commit to returning to the NPT by signing the treaty. Under this plan, the status of North Korea, either as a non-nuclear state party or nuclear state party, will not be clearly identified, but the rights and obligations of Article III, IV, V, and VI apply to North Korea. Before North Korea fully rejoins the NPT by transferring its declared fissile materials to the Six-Party Talks (China). And it should sign and ratify the Comprehensive Nuclear Test Ban Treaty (CTBT) and agree to build one or more monitoring stations in the eastern coastal area of North Korea.
- The U.S. provides humanitarian food assistance, which was halted in 2008, to North Korea separately, based upon an agreement on monitoring of distribution.

2. In conjunction with the initial actions of the dismantlement phase, verification should start with an initial declaration, according to the consensus of October 2008, and in accordance with IAEA safeguards. North Korea provides maximum cooperation.

- North Korea should make an additional declaration to China and the IAEA on its recent nuclear activities. In an effort of effective verification and ultimate abandonment of the nuclear weapon capabilities, North Korea should shut down and cessation of nuclear activities and disable its facilities in Yongbyon area.

- The U.S. and North Korea (as well as China and Russia, as permanent members of the UN Security Council in the Six-Party Talks) must agree to secure the initially declared fissile materials under the observable monitoring in a designated place within North Korean territory. This step is to ensure verification and preparation of the ultimate shipment.

3. The U.S. and North Korea should begin to discuss the provision of light water reactors (LWRs) to move to resume the construction of the Sinpo light water reactor. Providing alternative energy supplies (heavy fuel oil) to North Korea would be postponed until the completion of the LWR .

- North Korea should sell its estimated 14,000 fresh fuel rods to the Economy and Energy Cooperation Working Group of the Six-Party Talks.

- Experts of the six parties should visit Sinpo to check on the state of the construction site. South Korea's Korea Electric Power Corporation (KEPCO) will ensure the safe usability of the K-combustion type of light water reactors already manufactured. Under previous agreements, KEPCO has exclusive rights to dispose of the reactors and turbine engines and has maintained these key components until 2010 in an expectation that ultimately the construction project would resume.

- As soon as the discussion ends, the resumption of the Sinpo LWR construction would commence, and other parties would begin supplying alternative energy supplies (heavy fuel oil)—equivalent to the amount in the Agreed Framework—to North Korea until the completion of the LWR construction. The related parties should revive the KEDO Protocol.

- When North Korea verifiably shuts down its Yongbyon facilities, the U.S. should agree to open liaison offices in both capitals as a political confidence-building measure, which eventually will lead to full diplomatic relations.

Step 2(one and one-half to two years): Ship out the declared nuclear materials and normalize U.S.-DPRK relations

1. Contingent upon the commencement of LWR construction, the U.S. and North Korea should dismantle key Yongbyon facilities and verify the additionally declared nuclear activities, and the undeclared facilities in the past including nuclear waste plants and nuclear explosion sites. The US provides significant funds for the decommissioning of the Yongbyon key facilities and North Korean nuclear engineers according to its laws and consensus with North Korea.

- North Korea should for a third time declare its nuclear weaponization facilities to the three nuclear states of the Six-Party Talks (the U.S., China and Russia).
- The Six Parties should recommend the lifting of U.S. sanctions based on UNSC Resolution 1718 and 1874. North Korea will be able to raise funds to construct electric power transmission line from Sinpo to Pyongyang.
- The U.S. should initiate economic compensation by appropriating budget resources for the dismantlement of the key Yongbyon facilities, pursuant to U.S. law. This dismantlement and complete decommissioning of the Yongbyon facilities will be completed right before the key components of the LWR are delivered.
- The application of Yongbyon personnel to the Sinpo site and other peaceful use of nuclear energy sectors should begin. Mining and fabrication should be allowed, but enrichment of fuel rods usable for the Sinpo LWR should be done outside of the Korean peninsula, in line with the 1992 Joint Declaration on the Denuclearization of the Korean peninsula.

2. The U.S. and North Korea should accelerate normalization talks, and North Korea should ship its declared fissile materials to China, chair country of the Six-Party Talks. The U.S. and North Korea should secure remaining plutonium and enriched uranium under the observable monitoring at a North Korean facility as a result of additional declaration and verifications.

- As soon as the key components of the LWR are delivered, North Korea should ship out its fissile materials that were initially declared in June 2008 to the U.S.
- The DPRK would become a full normal member state to the NPT and the Additional Protocol obligation would apply to it. Other parties should provide massive-scale economic assistance to North Korea, as already committed publicly.

- North Korea would provide relevant information and cooperate with the U.S. to clear concerns of past proliferation activities.
- Both sides should establish interest sections in both capitals. Up to this point, high-level visits between Washington and Pyongyang should have taken place regularly to build mutual confidence. Other bilateral contacts should be expanded, and humanitarian and economic assistance should be followed up.
- As a reinforced political confidence building measure, the two sides should establish a regular high-level comprehensive dialogue mechanism.

3. The U.S., North Korea, South Korea, and China should accelerate Four-Party Talks on the establishment of the permanent peace arrangement to replace the current armistice system.

- After fissile material that North Korea initially declared are to be shipped out, the Four Party talks hold summit talks to discuss the termination of the armistice mechanism.

4. North Korea and Japan should expand economic cooperation and normalize their diplomatic relationship.

Step 3: *Exchange of leaders' summits in Washington and Pyongyang*

1. The U.S. and the DPRK should fully normalize their diplomatic relationship and realize peaceful co-existence.

2. North Korea should abandon all remaining nuclear materials and weaponization capabilities to the U.S.

- Additional verified fissile materials and nuclear devices should be shipped out of the Korean peninsula should be moved to the Oak Ridge Institute for Science and Education.
- The two Koreas should agree to the establishment of an Inter-Korea Joint Nuclear Control Commission to verify future nuclear related activities.

3. The permanent peace regime will be established, and U.S. –DPRK summit meetings exchanged in Washington and Pyongyang.

- The Four Party Talks should adopt a document specifying a “New Relationship to Overcome the Legacy of the 1950 Korea War.”
- The two Koreas also must manage the border line (formerly the Military Demarcation Line) in a constructive way.

The above mentioned Plan A differs from the previous Bush approach in four ways. First, it attempts to achieve simultaneous and compulsory actions, interlocked and mutually reinforcing like cogs in a gear. In the past agreements of the Six-Party Talks, the reciprocity of obligations has been too susceptible to North Korea’s calculated strategy of invoking procedural and technical delays to slow down the negotiating process.

Second, Plan A contrasts with the Six-Party Talks’ phased approach of sequenced stages of shutdown, disablement and dismantlement. Slicing negotiations into compartments plays to North Korea’s advantage; it exploits any possible chance to establish rigid negotiating architectures. This “package approach” of the Triple Plan is in accordance with the 1994 Agreed Framework, the results of the 1999 Perry Process, and the U.S.-DPRK Joint Communiqué of 2000—all which stressed the importance of an integrated and comprehensive, rather than phased, approach. This Plan A requires both parties to make hard choices.

Third, Plan A incorporates a timeline by which North Korea is expected to denuclearize. The Six-Party Talks meandered without the constraints of a deadline, facilitating North Korea’s emergence as a de facto nuclear state. A firm timeline will reduce the incidence of delaying tactics by Pyongyang.

Fourth, this approach eschews the creative ambiguity that prevailed in the Six-Party Talks, but remove roots of disputes in the implementation of each side’s obligations. For the sake of operable agreements, it is imperative to devise a new solution that precisely prescribes reciprocal actions. In some sense, the readers may think this structure of comprehensive solution seems unbalanced and benefits look like asymmetric. However, a successful denuclearization of North Korea would be more beneficial than anything else in the pending important security issues in the contemporary world, and by nature, the U.S. actions are more likely to be political pledges—words, while North Korean actions are materialistic—deeds. The North Korean side may think that actions to be taken are intrusive, but they should study the case of Libyan leader Muammar al-Qaddafi, whose stature has increased after his denuclearization deal with the U.S. in 2003-2004.

Table 2: Matrix of Specific Actions towards Denuclearization and beyond¹⁰

	Step I (3-6 months)	Step II (1.5 years)	Step III (2.5 years)
US Initiative : Confidence Building & Normalization	Negative security assurance Establish liaison office Exchange of high-level visits Resume Humanitarian assistance Six Party Ministerial Talks	Establish interest sections (more normal relationship) High level political talks Provides economic aids Begins full normalization talks	US-DPRK summit meetings Full diplomatic normalization
North Korean Denuclearization	Recommit to the 9/19 JS Observable monitor of fissile materials Shutdown/disable Yongbyon Facilities Return to NPT/Sign to CTBT & build monitoring stations Verify the declared facilities Sell fuel rods (to SK)	Sign AP of the NPT Verify the undeclared facilities Dismantle key Yongbyon facilities Remove declared nuclear materials Forgo uranium enrichment Address suspicion on proliferation activities	Abandon nuclear devices and additional nuclear fissile materials Additional Protocol level verification
Compensatory Measures	Buy fuel rods (Energy WG of SPT) Discuss provision of LWR (expert groups organized) Revive the KEDO Protocol Alternative energy supplies Resume humanitarian aids	Resume LWR construction Key components of LWR delivered Relocation of ex-nuclear engineers Begin cooperative threat reduction (CTR) Lift UN sanctions Int'l financial assistance	Complete LWR construction Int'l financial assistance and other economic cooperation projects accelerated

¹⁰ The author thanks Jae-jung Suh, Professor at Johns Hopkins University, for his input into this table.

Peace Regime	Begin Four Party Ministerial Talks	Expedite Four Party Talks Process Four Party Summit Talks (“New Relationship”)	Replace the Armistice by the permanent peace regime
Other Bilateral Relations (NK vs SK/Japan)	Two Koreas reengage ministerial talks dialogue Resume NK-Japan normalization talks	Two Koreas exchange interest section NK-Japan economic cooperation/ full diplomatic normalization	Establish Inter-Korean Joint Nuclear Control Commission Two Koreas manage the border line

* [Please click here to see a graphic version of the matrix.](#)

PLAN B: Countermeasures to North Korean non-compliance with the denuclearization process

Plan B will provide effective, immediate, and workable sanctions to help compel North Korea to abide by stated commitments in the event that it backtracks or otherwise does not comply. In the past, the Bush administration failed to provide a comprehensive set of benefits that North Korea would retain if it followed through with its agreed obligations. One the other hand, the Bush administration did not actually invent and apply intimidating tools to alter North Korean non-compliance. Its words were provocative like “axis of evil” and “outpost of tyranny”, to name a few, but its deeds were not punitive, North Korea thus was not awed. In other words, North Korea had little incentive to carry out its agreements, and faced no real punishment when it reneged.

It is true to say that UNSCR 1718 and 1874 have real teeth in some sense, but it remains necessary to develop means to effectively pressure North Korea to carry on with talks if they become stalled or derailed. Plan B will be discussed only briefly here in order to keep the focus on constructive diplomacy at this time.

Step 1: If North Korea, even after Ambassador Bosworth visits and presents Plan A, does not commit to re-engage in denuclearization talks, the U.S., China, and Russia should re-examine the existing UN sanctions and consider additional sanctions. The designation of senior members of the National Defense Commission as the objective of sanctions, which the U.S. suspended in June 2009 after deliberation in the UN Security Council, could be considered. The U.S. should ask China to more strictly observe the UNSCR’s existing sanctions in its economic cooperation with North Korea.

Step 2: Once meaningful talks start after the Bosworth visit to Pyongyang, the U.S. should not apply additional bilateral sanction measures on North Korea. The China-DPRK economic cooperation program, agreed to by the premiers of the two countries, should begin in full scale at least as Step 1 of Plan A is set in motion. If North Korea fails to comply with obligations detailed in Plan A, the U.S. should re-apply bilateral sanctions under the Trading with the Enemy Act (though knee-jerk responses should be avoided) and China can scale back its economic cooperation in a meaningful way.

Step 3: If North Korea does not agree to Plan A, Step 1 and takes provocative actions, the Government of the Republic of Korea should announce the temporary suspension of its observation of the Joint Declaration on the Denuclearization of the Korean Peninsula. The U.S. should also expand R&D cooperation with the ROK on peaceful nuclear energy. The U.S. and ROK should consider housing significant numbers of North Korean defectors. To that end, the U.S. can begin to prepare the groundwork for allowing North Korean defectors to claim refugee status. The ROK Government should examine the feasibility of incrementally increasing payments to new North Korean defectors.

Step 4: Any military options should be off the table, but North Korean military adventurism should be dissuaded by maintaining a strong combined deterrent.

PLAN C: A Positive Contingency Plan for a Soft Landing and Negative Contingency Plan for a Hard Landing

Plan C presents a long-term context in which to situate the negotiations. In addition to Plan B's hedge against DPRK recidivism on Plan A's optimism, Plan C provides a realistic and flexible framework to facilitate the best case scenario for a smooth denuclearization process (a soft landing) or an additional hedge against worst-case scenarios (a hard landing). The basic principle is that these two different contingency plans must contribute to the stability of the Korean peninsula and to a more positive future for North Korea.

Track I: Facilitate a soft landing with smooth denuclearization (positive contingency)

- The U.S., DPRK and other parties including international organizations like the World Food Programme should launch a joint study on North Korean agricultural productivity and explore solutions to North Korea's chronic food shortages.
- North Korea should appeal to international society for help preventing pandemic disease and rebuilding its crumbling medical system. North and South Korean medical universities can organize an international consortium that will lead the project.
- Other programs for avoiding external and internal shocks during a systemic transition will also be provided based upon close cooperation with appropriate North Korean

entities. Educational exchange programs on the market economy could be one of major part.

Track II: Prepare for a hard landing due to continued defiance and/or sudden collapse (negative contingency).

- The collapse of the current regime or temporary political turbulence is not identical to the collapse of the DPRK. No external power should intervene in a domestic political transition. This should be pledged publicly by the relevant parties including the U.S., South Korea, and China.
- In the event of mass migration crossing the Chinese border, international humanitarian assistance should be granted to local Chinese governments and the incumbent (or caretaker) North Korean leadership.
- In case of famine, international society should provide the maximum necessary assistance.
- Military intervention or remarks on military operations should be eschewed. Indeed, U.S. and ROK political and military leaders agreed in 2007 to re-write Concept Plan 5029 and to include strict conditions on the circumstances under which U.S. and/or ROK forces may cross the Military Demarcation Line. Such limits are necessary and the re-writing should proceed in accordance with each side's Constitution. The U.S., China, and South Korea must place their highest priority to the prevention of any WMD capability from proliferating, and therefore they will need to cooperate with the caretaker leadership of the DPRK.
- All related parties must strictly observe the existing armistice system. Crossing the Military Demarcation Line between the two Koreas breaches the current armistice system, and the ROK and U.S. should never consider such a step except in case North Korea wages a direct war against South Korea in an attempt to dilute a domestic political crisis. If a contingency situation breaks out, the directly related parties—except North Korea—must discuss it in the United Nations before any action that can shake the Armistice system is considered.

Concluding Remarks

In August 2009, North Korea began to implement "charm diplomacy" aimed at the U.S. and other neighboring countries, but its actions are yet to please the Obama administration, which has been spending months to decide whether or not to send chief negotiator Stephen Bosworth to Pyongyang. At present, in spite of the fact that North Korean leader Kim Jong-il abruptly changed his attitudes towards the Obama administration, it is still questionable to convince whether Kim will make a hard choice to reconsider his nuclear option and part ways with salami tactics.

However, this author believes diplomacy is an art of possibility, not probability, and arduous efforts and debates to visualize the most desirable path toward a nuclear-weapon free Korean peninsula is worthwhile. While this paper was being completed, there were two positive developments forthcoming from Iran and North Korea. On October 5, 2009, Director General of the International Atomic Energy Agency (IAEA) Mohamed ElBaradei announced in Tehran that the Iranian government agreed to the inspection to its new uranium enrichment plant in three weeks.¹¹ More importantly, North Korean leader Kim Jong-il made a statement that represents one more step toward negotiation with the U.S. According to Chinese Xinhua News Agency, he reconfirmed that: “the denuclearization is a dying wish of North Korean founder Kim Il-sung and it is the ultimate goal. North Korea has not changed its goal to realize the denuclearization of the Korean peninsula.” With regard to the Six-Party Talks, he said, “the hostile relationship between the DPRK and the U.S. should be transformed to a peaceful relationship. North Korea will participate in the multilateral talks including the Six-Party Talks, after watching the situation of the bilateral talks with the U.S.” This sounds like a conditional statement, but in this author’s experience, he said everything that the outside world wanted him to say. The role of the Chinese government to call North Korea back to the Six-Party Talks after bilateral meetings has been fulfilled. Hesitation and backtracking are hallmarks of robust diplomacy, and a Bosworth Process is needed. Of course, if North Korea offers its own bold approach as suggested in Plan A, suspicion of its intentions will be watered down.

¹¹ Mehdi Bagheri, “Iran agrees to IAEA inspection of new uranium enrichment plant,” Xinhua News Agency, October 5, 2009, http://news.xinhuanet.com/english/2009-10/05/content_12181784.htm; accessed October 8, 2009.