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The 4th Round of Six-Party Talks: Negotiating for Success
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As we look to the resumption of the Six-Party Talks July 26, press reports indicate the U.S. sees this as a make-or-break effort: if there is no progress, the talks will be abandoned and Washington will seek to ratchet up pressure on Pyongyang in other ways. Absent a truly outlandish move by the DPRK, such as a nuclear test, gaining support from others for such a hardening strategy would likely prove difficult and divisive. It isn't that the U.S., and perhaps Japan, can't impose substantial pain on the North on their own. But at the very least, the prospects of success would be questionable, and there would be high potential costs to U.S. relations with others like China and South Korea, whose cooperation is crucial on a variety of fronts.

Thus, success at the negotiating table is not only preferable, but it is worth taking some important new steps to achieve. Indeed, there are some significant changes that the principal negotiating parties – especially North Korea and the U.S. – need to make to bring resolution within reach.

North Korea, of course, needs to own up to possessing components, equipment – whatever – for uranium enrichment and to make it available for inspection and eventual disposition. Without that, the talks will fold. But other than what U.S. negotiators report they heard in October 2002, Pyongyang has steadfastly denied it has a uranium enrichment program or any related materials. Although Washington lacks information on the state of the program, analysts feel certain that materiel and plans have been obtained. Even Bush administration critics do not seriously question the validity of this information.

In light of the North's previous denials, obtaining an admission will not be easy. It will take something either akin to the reversal of Pyongyang's denial regarding Japanese abductees – when DPRK leader Kim Jong-il told Japanese Prime Minister Koizumi Junichiro in September 2002 he had discovered that well-meaning but misguided people had committed such acts, and they had been punished – or some sort of "Oh, you mean THAT!" type of admission.

At the same time, the U.S. must demonstrate flexibility on issues such as sequencing of steps to be taken by each party and the difficult but crucial negotiation that will ensue over verification; but there are other, larger, questions that need to be addressed if the negotiation is to be successful.

For one thing, the U.S. needs to move the issue of normalization of diplomatic relations from the post-nuclear deal agenda, where Washington has relegated it, back onto the Six-Party table. That doesn't mean seeking full-scale, ambassadors-at-post, flags-flying-from-limousine-fenders relations as the first step. But we should recall the mutual decision under the 1994 Agreed Framework to establish diplomatic relations. This was to come first at the liaison office level and only advance as various concerns were addressed, but it was a critical factor in Pyongyang's calculation about achieving its larger security goals. At that time, the U.S. was prepared – indeed, was preparing – to move ahead. But North Korea backed away for reasons one can only speculate about. Now, however, having once again demanded establishment of relations, Pyongyang is presumably ready to proceed.

The U.S. also needs to dispense with its conditionality for establishment of diplomatic relations, which currently not only puts it off until after the nuclear issue is resolved but also adds preconditions related to progress on human rights and other questions. The level and other aspects of such relations could, as envisaged in 1994, be staged to coincide with important developments. But to condition any diplomatic relationship totally on prior progress on such issues not only is putting the cart before the horse – the greatest likelihood of influencing human rights and other problematic aspects of North Korean life will come when we have regular, in-depth exchanges with, and access to, North Koreans – but it will in effect deprive the U.S. of the ability to use the establishment of diplomatic relations as a tool for achieving a nuclear agreement in the first place.

Moreover, however despicable Americans find broad aspects of the North Korean system, the U.S. needs to accept the concept of "coexisting" with the North. Otherwise, it will not be able to meet the long-standing, bottom-line DPRK requirement that the U.S. foreswear activities designed to topple the regime. We don't have to love the regime. And we can't guarantee its security and survival against all contingencies, including economic collapse. But we can't expect the North to give up what it sees as its one trump card against perceived U.S. predatory designs without providing a substitute assurance. Establishment of diplomatic relations is one aspect of such an assurance; accepting the concept of "coexistence" is another.

Similarly, the U.S. should revise its position on permanent peace arrangements to replace the 1953 armistice. Currently, the U.S. says it will look at that question once the nuclear issue is resolved. But, once again, this deprives the U.S. of a vehicle for persuading the North to abandon its nuclear program by giving substance to assertions that the U.S. really does intend to live in peace with the North, not to attack or invade it.

Negotiations on permanent peace arrangements will be complicated and take a long time. They will likely involve several parts, not a single negotiation or document. There should be a North-South agreement of some sort, a critical element for ensuring that the ROK plays a central role in

establishing a permanent peace and that the North forswears a military approach to unification. It should include a U.S.-DPRK piece to express the new, non-hostile relationship. And it probably should include a few other pieces that would bring in China (as an armistice signatory), and perhaps Russia and Japan as guarantors, though the feasibility of this last could depend on the state of DPRK-Japan relations, currently rocky, to say the least.

Completion of a permanent peace arrangement logically cannot be achieved until the nuclear issue has been resolved. But undertaking serious negotiations now, in parallel with the Six-Party Talks, would give more concrete meaning to mutual commitments to a non-hostile relationship, and thus stand as an "earnest" of the intentions of both sides to transform the situation on the Peninsula and in the region. Again, no one should mistakenly think that this would lead to an era of love and harmony among the players involved. But this is not about love and harmony; it is about peace and stability and reliably resolving the nuclear issue. Starting serious talks now about permanent peace arrangements, eventually desirable and necessary in any case, is hardly too high a price to pay for moving in that direction.

One final thought. The American approach over the past few years has virtually amounted to making negotiations with the U.S. a reward for good behavior. Reaching agreements requires adherence to satisfactory terms, and in that sense has to be earned. But talking – discussing or even negotiating – is not a reward. It is a necessary process to achieve one's goals – to move from where you are to where you want to be. Liking or fully trusting your counterpart is not the issue; the North doesn't like or trust us any more than we like or trust them. But what we want from Pyongyang requires the North to be convinced that it is not making its very survival dependent simply upon U.S. grace and favor.

The terms of any agreement must meet the requirements of both sides, or else there isn't going to be a deal. Concepts of "rewards" for good or bad behavior are out of place. Instead, as Robert Gallucci, the U.S. negotiator who reached the 1994 Agreed Framework with North Korea, frequently puts it, one needs a negotiation in which each side gives something of value in order to get something of value. The current U.S. negotiator, Assistant Secretary of State Chris Hill, has shown he understands that, including in his comment that bilateral talks with the North could proceed even between six-party sessions, as long as the six-party process formed the overall negotiating umbrella. Whether he will be given the necessary latitude to make a sincere substantive effort to achieve U.S. goals remains to be seen. The severe constraints placed on his immediate predecessor by a divided administration give one reason to be concerned, however.

We do not know if North Korea is willing to totally and verifiably give up its nuclear weapons program. But we won't know unless we make a serious effort, eschewing high-toned rhetorical posturing for well thought-through negotiating proposals that serve our substantive national interests.

It appears we now may have an opportunity to do that. To pass up that opportunity would be nothing less than irresponsible.

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