

WebMemo



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Playing “Whack-a-Mole” with North Korea

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The U.S. intelligence community’s revelation that North Korea was helping Syria to build a nuclear reactor “not intended for peaceful purposes”¹ after seven months of Bush Administration stonewalling will be a serious body blow to the Six-Party Talks. The intelligence disclosure, coming so soon after strenuous congressional and interagency objections to a tentative agreement between Washington and Pyongyang to resolve the data declaration impasse, could be a knockout punch to the current U.S. strategy in the talks.

Ironically, the Bush Administration’s zeal in pursuit of an agreement with North Korea could ultimately constrain U.S. negotiator Christopher Hill’s future negotiating maneuverability. This is probably a good thing. The negotiations at times have seemed to take on a life of their own, seemingly far ahead of their stated objective. The Bush Administration will now be pressured to insist on a much higher level of North Korean compliance.

There is suspicion that the Bush Administration is aware of other North Korean nuclear activity, including potential proliferation to Iran that would further aggravate the congressional mood toward the Six-Party Talks. The Administration’s repeated rebuffs of congressional inquiries on the Syrian enigma have engendered bitter bipartisan anger that could jeopardize legislative support for the talks or other Bush foreign policy initiatives. Trust is certainly lacking with respect to how the Administration might handle evidence of an Iranian connection.

Congressional Demands for Disclosure. The Bush Administration was likely compelled to divulge intelligence information on North Korean support to a covert Syrian nuclear program in response to congressional demands that hindered future progress in the Six-Party Talks. Congress indicated that it was unwilling to provide funding for continuation of disablement activities of the Yongbyon nuclear reactor, a waiver of the Glenn Amendment, or agree to remove North Korea from the terrorist list until it had received requisite intelligence briefings.

The Israeli Air Force attacked a facility in Syria in September 2007 that was believed to be a nuclear reactor with North Korean involvement. Neither the U.S. nor the Israeli governments released any information, though the Bush Administration briefed selected members of the congressional leadership in September. It refused broader congressional hearings until April 24, 2008. The U.S. intelligence community subsequently issued its assessment:

We are convinced, based on a variety of information, that North Korea assisted Syrian covert nuclear activities both before and after the reactor was destroyed. The reactor would

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have been capable of producing plutonium for nuclear weapons, but was not configured to produce electricity and was ill-suited for research.²

Lack of Support for a Singapore Agreement.

The Six-Party Talks are currently deadlocked because Pyongyang refuses to abide by its commitment to provide “a complete and correct declaration of all its nuclear programs [by] 31 December 2007.” North Korea continues to deny it ever had a covert program to develop uranium-based nuclear weapons and refuses to provide information on nuclear proliferation to other countries, including Syria.

North Korea claims that the Six-Party Talks are stalled because the United States has not removed Pyongyang from the list of state sponsors of terrorism, but the February 2007 joint statement commits the United States only to “begin[ning] the process of removing the designation of the DPRK as a state-sponsor of terrorism.” No deadline like the December 31 deadline for North Korea’s requirement to make its declaration was provided.

In early April, U.S. Assistant Secretary of State Chris Hill reached a tentative agreement with North Korean counterpart Kim Gye-gwan during bilateral meetings in Singapore. Leaked details indicate that the agreement would bizarrely reverse previous U.S. arms control strategy by having the *United States* rather than Pyongyang provide requisite data on North Korean nuclear programs. Pyongyang would then merely “acknowledge” Washington’s concerns by not challenging the U.S. information rather than admitting to having violated previous international agreements.

Beyond concerns about jeopardizing U.S. sources and methods, such an approach allows North Korea to avoid disclosure of its covert uranium-based nuclear weapons program and nuclear

proliferation with rogue nations. The U.S. would be unsure whether its information was accurate since North Korea would not be required to provide any additional information. Currently, there is not even a requirement that Pyongyang disclose the number of nuclear weapons it has developed from its fissile material.

In return for this flawed agreement, the United States was to remove North Korea from the state sponsors of terrorism list and the strictures of the Trading with the Enemy Act. The Bush Administration has recently backed away from previous requirements for removing Pyongyang from the terrorist list, including President Bush’s political commitment to Japan that would have required progress on resolving the abductee issue.³

U.S. Promises Much But Delivers Little. The Singapore agreement fits the Bush Administration’s pattern during the past year and a half: Issue bold and resolute declarations, criticize the critics who question U.S. resolve in upholding those negotiating positions, and then capitulate to North Korea while vowing to be firm on the next issue of importance.

Reportedly, there was considerable criticism of the Singapore agreement within the U.S. government, including at senior levels. These misgivings appear to have led the Bush Administration to request additional meetings with North Korea to strengthen the data declaration procedures. Although U.S. officials have vowed to demand a rigorous verification regime, there is little confidence that the Bush Administration will do so.

U.S. national technical means, including imagery satellites, are useful, but they are no substitute for on-site inspections. Classified collection systems can alert us to suspicious activity, but suspicions can be conclusively resolved only by inspectors on the

1. “Statement by the Press Secretary,” White House Press Office, April 25, 2008, at <http://www.pr-inside.com/statement-by-the-press-secretary-r556401.htm>.
2. Reuters, “U.S. Says North Korea Aided Syrian Nuclear Activities,” April 24, 2008, at <http://uk.reuters.com/article/topNews/idUKN2422257920080424>.
3. North Korean leader Kim Jong-il admitted to Japanese officials in September 2002 that Pyongyang had systematically kidnapped Japanese citizens. Seoul estimates that Pyongyang abducted at least 485 South Korean citizens. See Choe Sang-Hun, “Abductions Unite South Korea and Japan,” *International Herald Tribune*, April 21, 2006, at <http://www.ihf.com/articles/2006/04/20/news/abduct.php>.

ground. An effective verification regime must include details such as the number of short-notice challenge inspections of non-declared sites, the technical inspection equipment allowed, and a requirement that inspectors be transported expeditiously to desired sites.

Next Steps Recommended for the U.S. The U.S. should continue nuclear negotiations with North Korea, but with three critical modifications to the current Bush Administration approach. Washington must:

- Insist on complete North Korean compliance with existing denuclearization commitments;
- Demand greater specificity in subsequent agreements to clearly delineate North Korean requirements, including a rigorous verification regime; and
- Implement parallel measures against Pyongyang's illegal and recalcitrant behavior.

This can be accomplished through enforcement of existing international law and implementation of U.N. Resolution 1718. To date, North Korea has not experienced any negative consequences as a result

of its belligerent actions or penalties for violating agreements and missing deadlines.

The U.S. should work closely with South Korea and Japan to ensure that their policies toward North Korea are in sync to leverage North Korean compliance with its denuclearization commitments more effectively. South Korean President Lee Myung-bak's principled engagement strategy is consistent with U.S. and Japanese values and priorities, thus reducing Pyongyang's ability to play the three allies against each other.

The U.S. and its allies should define a road map for completing the second and third phases of the Six-Party Talks. The document should define the linkages between North Korea's denuclearization steps and benefits that other countries are willing to provide along with a timetable for compliance. Most important, the U.S. should not accept less than full North Korean compliance with current and future denuclearization obligations.

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