UCL Université catholique de Louvain

Faculté des sciences économiques, sociales, politiques et de communication (ESPO)
Ecole des Sciences Politiques et Sociales (PSAD)

The Six-Party Talks

Analysis of an International Negotiation

Travail réalisé par
Alessandro Gagaridis

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Elena Aoun et Valérie Rosoux

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Introduction

The aim of this paper is to analyze the Six-Party Talks (SPT) on the North Korean nuclear issue by applying the main theoretical approaches to international negotiations, in order to explain their outcome and identify the main factors that have determined it. The Talks took place in Beijing between 2003 and 2009, and they involved six countries: the United States, North and South Korea, China, Japan and Russia[1].

The underlying hypothesis is that each framework has some degree of explicative power, as it highlights a different aspect of the negotiations; but that some approaches (namely the structural and strategic ones) are most suited to clarify the case of the SPT. As such, the various theories will be applied, using their most appropriate concepts to examine the Talks. In case of particular difficulties

[1] Some acronyms will be used to refer to these states: the United States as US, North and South Korea as DPRK (Democratic People's Republic of Korea) and RoK (Republic of Korea) respectively, and China as PRC (People's Republic of China).

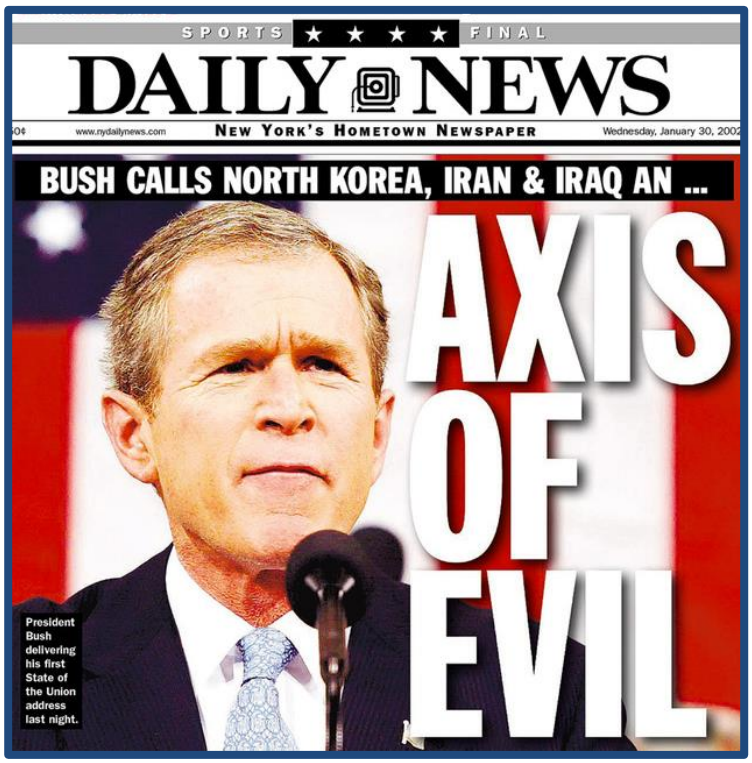
in employing one of them, reasons will be provided to illustrate the problem. Finally, it will be indicated to what extent a given approach is relevant in explaining the SPT.

A final remark to be made is that, due to reasons of clarity and efficacity, the focus will be on the United States and North Korea; by the moment that, given their prominent role in the historical development of the nuclear issue, they were undoubtedly the most important actors involved in the SPT. As far as the others are concerned, China and South Korea had a somehow sensible role; the former by diplomatically engaging the DPRK and by hosting the Talks[2], the latter by acting as a sort of mediator between Pyongyang and Washington[3]. Still, their possibilities were restrained by more pressing factors concerning the US-DPRK relations. Finally, Japan simply advocated for a diplomatic settlement, while Russia was essentially a passive player.

Historical context

In the early 90s, North Korea was found responsible of not complying with the terms of the Nuclear Non-Proliferation Treaty (NPT), of which it was part. The situation was solved in 1994 thanks to a deal between the DPRK and the US, known as the Agreed Framework[4]. Under its terms, Pyongyang had to close and dismantle its old nuclear reactors, remain a member of the NPT and accept international inspections from the IAEA[5]; thus renouncing to have nuclear weapons. In exchange, Washington committed itself to assist the North Koreans in the construction of light water reactors (LWR), which are far less susceptible to be used to produce weapon-grade fissile material, and to provide them with alternative energy sources (namely heavy oil) until the completion of the formers. But the actions of the DPRK continued raising concerns; in 1998, it conducted a missile test; and in

[2] See, among others, Pollack 2011, 168 and Bechtol 2009, 29-30.
[3] See Lim 2012.
[4] For the full text of the Agreed Framework, see Lim 2012, 382 to 385.
[5] International Atomic Energy Agency



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the following years suspicions grew that it was pursuing a secret Highly Enriched Uranium (HEU) program, which is meant to produce fissile material for nuclear warheads. The situation become tense in the aftermath of the 9/11 attacks: the George W. Bush administration became determined to fight terrorism and weapon of mass destruction (WMD) proliferation in the world, if necessary through the use of military force. In this context, the President openly named North Korea as a member of the "axis of evil" that threatened America[6] (due to its links with terrorist organizations and its possession of WMD[7]) and also stated that the DPRK was a target for "regime change" and "preemptive attack"[8]; and the administration even released a document referring to the possible use of American nuclear weapons in case of a contingency in Korea[9]. But this hawkish approach was likely counterproductive, as it made North Korea feel threatened; thus pushing it to develop nuclear weapons as a measure to ensure its survival. Subsequent declaration by Bush that North Korea would not be attacked[10] did not change the situation. In October 2002, the US openly expressed its suspicion that the DPRK had an active HEU and was therefore violating the 1994 deal, and demanded its elimination[11]. Apparently, Pyongyang admitted its existence, claiming it needed nuclear weapons to defend itself from the US, especially following the administration's recent

[6] He did so in his State of the Union speech in January 2002. Among other sources, see Lim 2012, 288.
[7] Even if its nuclear weapons program was still ongoing at the time, the DPRK already possessed chemical and biological weapons; and as mentioned above it was suspected of seeking to obtain nuclear warheads.
[8] Lim 2012, 288-289.
[9] It was the Nuclear Posture Review, see Pollack 2011, 131-132.
[10] Lim 2012, 296-297.
[11] The American envoy to Pyongyang clearly informed the regime about this. See Lim 2012, 332.

declarations[12]. Later, the regime also stated that the US were actually the first to have violated the Agreed Framework (the LWR had not yet been build, the US maintained a hostile stance instead of normalizing relations, and it did not provide any guarantee on the non-use of atomic weapons) and claimed its military nuclear program was necessary to defend itself from the American threat; all while affirming it was disposed to diplomatically settle the issue if the US recognized the sovereignty of the DPRK, if it provided an assurance of non-aggression and committed not to interfere with the North Korea's economic development[13]. There is uncertainty about the actual existence and the stage of development of Pyongyang's HEU at the time[14]; still, the situation degenerated, as the US stopped the heavy oil supply to the DPRK and the construction of LWR. Between December 2002 and January 2003, Pyongyang reacted by reopening its nuclear facilities, by expelling the IAEA inspectors, and by withdrawing from the NPT. In short, the Agreed Framework collapsed.

The first round of the SPT took place in August 2003, after Iraq had been invaded in March. The American intent was to form a five-versus-one coalition against North Korea to "force it to surrender by pressure and isolation"[15]. However, the Talks stalled as the five failed to form a united front, all while Pyongyang was making progress in its nuclear program. In February 2005, it declared itself a "nuclear-weapons state" saying it had developed nuclear weapons for self-defense purposes[16]. Amid suspicions that the DPRK would soon possess enough fissile material to produce more warheads[17], a Joint Statement was issued in September 2005 at the end of the fourth round of the Talks[18]. It was similar to the Agreed Framework, and its main points were the following. First, it stated the commitment of all participants to the denuclearization of the whole Korean Peninsula[19]. Second, the

[12] The admission was made by the First Vice Foreign Minister of North Korea. Among other sources, see Lim 2012, 336 and Bechtol 2009 (24) and 2011 (126), Moon 2008, 241.
[13] For a summarized version of the North Korean declaration, see Lim 2012, 342.
[14] See Lim 2012, 337 to 340. He reasonably evokes the analogy with Iraq, invaded on the basis of claims it had WMD that were never found.
[15] Lim 2012, 356.
[16] Lim 2012, 356.
[17] See Lim 2012, 358; who talks about "six to eight primitive nuclear bombs".
[18] For the full text, see Lim 2012, 390-391.
[19] This implied not only that the DPRK would renounce to its nuclear weapons program, but also that the US and the RoK pledged not to place such weapons on the latter's territory.

DPRK affirmed its right to exploit the nuclear power for civil purposes and the other parties accepted it and agreed to discuss the construction of LWR. Finally, Pyongyang and Washington affirmed to respect the sovereignty of the other and stated their will to coexist peacefully and normalize their relations. Its content indicates the US had abandoned its previous position of considering North Korea as the only responsible[20], and it represented a step toward a diplomatic solution. However, it was just a declaration, and not a binding agreement; moreover, the hardliners in Washington disliked it. As the US imposed economic sanctions on the DPRK, the Talks stalled again. Meanwhile, the situation in Iraq absorbed the energies of the American armed forces, leaving little room for a possible military action against Pyongyang; and this is a very important point: while continuing to attack the regime over the human rights issue and its aggressive stance, the hawks in Washington had to change their line to "regime change through non-military means"[21]. Then, the DPRK conducted its first nuclear test in October 2006; which, even if it was only a partial success of a small weapon, dramatically changed the situation. It was clear that the approach of the Bush administration, in spite of the importance it gave on fighting WMD proliferation, had completely failed in Korea. Also because of domestic reasons[22], the executive had to change its stance and accept direct talks with North Korea in the context of the Six-Party Talks, as an effort to improve the bilateral relations[23]. In January 2007, a US-DPRK bilateral meeting paved the way to a new declaration, known as Initial actions for the Implementation of the Joint Statement[24]. It was quite significant, as Pyongyang committed to close its nuclear facilities in exchange for the provision of heavy oil. While some concrete actions were enacted, the parties finally disagreed over the issue of verification, and the Talks fell again in a

[20] Lim 2012, 358.
[21] Lim 2012, 358.
[22] Namely, the crushing defeat in the November 2006 mid-term elections.
[23] Lim 2012, 359 and 371.
[24] See Moon 2008, 249. It should be noted that many other statements were issued, but the one that have been mentioned are the most important.

deadlock after December 2008. In the end, the DPRK conducted another nuclear test in May 2009; following the international condemnation, it decided to abandon the SPT[25].

So, the negotiation finally failed, since the nuclear issue not solved, proliferation was not avoided, and the regional security situation worsened. The only success is that an open war was avoided, but in reality this is largely an apparent accomplishment: in fact (as it will be shown) this is not much due to Talks but rather to the particular power distribution existing in that moment.

Behavioral approach

The behavioral approach is one of the most difficult to apply when analyzing the SPT. But at the same time, it is likely the less effective framework to explain this negotiation.

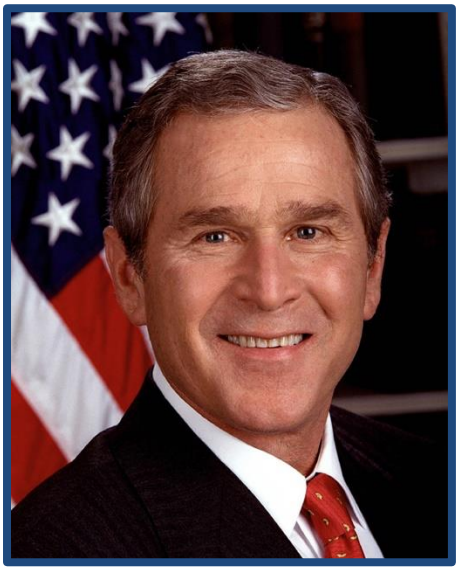
The difficulty in applying the behavioral theory to the Talks has multiple reasons. First, they involved representatives from six countries; and this would demand a consistent effort to properly evaluate the specific personal traits of each of them. Second, the delegates were not the same throughout the whole negotiations process; which would require studying the traits of an even greater number of individuals. Third, as the SPT took place during a period of several years, applying this approach would entail to examine the transformations in the negotiators' attitude, perceptions, emotions, psychology etc. over a long time. Fourth, since the representatives were not Heads of State or Government, it is extremely difficult to find sufficient and reliable information on their personality. For all these reasons, conducting a behavioral-based analysis is very hard (if not impossible) in the case of the Six-Party Talks.

But at the same time, this approach is not particularly relevant when examining this negotiation. As a matter of fact, the Talks were marked by a strategic attitude of the involved actors and by a series

[25] Bercovitch & Oishi 2010, 57 and 66.

of structural constraints that left very little room for the personal initiatives and the creativity of the individual negotiators. Due to these factors, the behavioral theory has little explicative power when analyzing the SPT.

Still, it is possible to make some observations. In particular, the mindset of the US President George W. Bush and the North Korean leader Kim Jong-li may have affected the negotiation, even if they never personally participated to the Talks.



George W. Bush. Credits: www.rickety.us/2010/07/george-w-bush-on-religion/

Kim Jong-li. Credits: www.dailymail.co.uk/news/article-2825495/Former-bodyguard-Kim-Jong-il-reveals-staff-constantly-feared-decapitated-one-advisor-jailed-life-using-ash-tray-Jong-dangerous.html

For what concerns the former, he openly expressed his personal distaste for the DPRK and for Kim, calling him "dangerous person", "failed dictator", "tyrant", "spoiled child" and even "pigmy"[26]. Moreover, Bush was influenced by a political culture (to be examined later) that was naturally hostile to North Korea, and this certainly influenced his perception of it. Regarding Kim[27], it has been observed that he adopted a "hermitic lifestyle"[28], that he disliked talking with the media and that he used to discuss state affairs only in private with people belonging to his inner circle. All of this "increased his isolation from reality" and "created an environment for decision making that did not fully take into consideration the variety of interests of society and realities of the world"[29]. Consequently, it is reasonable to suppose that his view of the US was affected by perceptual

[26] See Lim 2012, 303; but also Moon 2008, 240.
[27] For more details, see Park *et al.* 2012, 193 to 197; Pollack 2011, 124-125.
[28] Park *et al.* 2012, 195.
[29] Park *et al.* 2012, 195.

biases that resulted into a hostile attitude toward the Americans; indeed, Lim concludes that Kim distrusted and feared the US[30]. To make an overall assessment of the two characters, one may affirm that they both correspond to the "red" type of negotiator; as they acted aggressively, sought their country's self-interest, and did not care about the position of the other. So, it is likely that their viewpoint has affected the negotiators actually conducting the Talks, thus undermining the possibilities of a positive outcome.

In short, the behavioral approach remains extremely challenging to apply and it offers limited explicative power regarding the outcome of the SPT, due to the particular nature of this negotiation and to the constrains that affected it; that will be examined later.

Cultural Approach

A second approach that can be applied is the cultural one; but again, applying it implies a series of challenges to overcome.

The first problem concerns how to distinguish a "culture" from the other. As a matter of fact, despite some generic similarities (the US and Russia being both "Western" and the other parties being "Eastern"), each state participating in the Talks has its cultural specificities that differentiate it from the others. Conducting a detailed examination of so many cultures, each with its specificities, would be a difficult endeavor; which limits the ease of applying the cultural approach. As such, and also because of their prominent role in the SPT, the focus will be on the US and the DPRK. Moreover, as in the case of behavioral theories, the structural frame of the negotiations and the strategic attitude of the actors limited the impact of cultural factors; thus reducing the explicative power of this approach.

[30] See Lim 2012, 304. The author also notes that Kim wanted to normalize the relations with Washington.

Still, it is possible to assess the role of some cultural aspects, notably in shaping Pyongyang's position. Without attempting to classify its culture using Hofstede's model (as doing so would be open to risks of biased judgments), some considerations can be made. In this context, it is important to stress the role of the *Juche* ideology[31], the official state doctrine of the DPRK. It is characterized by a marked anti-American sentiment and represents the basis of the country's culture. Without entering into the details, what is relevant is that *Juche* translates into three political objectives: military self-defense, political self-rule and economic self-subsistence[32]. Taking this into consideration, it appears clear why Pyongyang insisted on demanding to Washington for guarantees of non-aggression, sovereignty recognition, and non-interference in its economic development: there is practically a coincidence between the objectives set by *Juche* and North Korea's demands. Moreover, this ideology helps understanding why Pyongyang wanted the nuclear weapons; as they are the best way to assure the achievement of such objectives (they ensure deterrence and are a tool for bargaining, since they can be "exchanged" for economic aid). Another relevant aspect of this doctrine is the emphasis on the armed forces: the most recent form of *Juche* resulted in the "Military-First" policy (*Songun*); and the military is indeed the fundamental core of the North Korean society. This also contributes in explaining why the DPRK launched a nuclear program and adopted a hard stance in the negotiations; as atomic weapons have a great military and symbolic importance.

North Korean propaganda poster against the US. Credits: https://hnonline.sk/galeria/7956-pozrite-sa-na-nove-plagaty-kimovej-propagandy/4ba9db75ce864ddbdaa98a9caeb036cc

[31] For more details on Juche and its consequences, see Park *et al.* 2012, chapters 1 and 5.
[32] See Park *et al.* 2012, 17.

As far as the US are concerned, culture also had some impact, notably regarding how the DPRK is perceived. In the specific, the political and mediatic discourse in America created an image of North Korea as an "evil" state, an inhuman and warmongering dictatorship that threatens the US, a member of the "axis of evil" and an "outpost of tyranny"[33]; all while failing to consider Pyongyang's point of view (namely that it felt menaced by Washington and was seeking to develop nuclear weapons to defend itself). This is particularly the case for the political culture of the Neoconservative Republicans, who were particularly influent during the Bush administration. As such, the Americans adopted a hawkish stance with the North Koreans, which proved to be counterproductive, as it had the only effect of "pushing them to adopt a hostile position toward the West and thus destroying any possibility of engaging constructively with Pyongyang"[34].

The previous considerations show that, while the cultural approach is useful in explaining the hostility between the US and the DPRK, it does not allow to understand the outcome of the Talks; therefore, other theories are needed to fully elucidate this negotiation case.

[33] Park *et al.* 2012, 237.
[34] Park *et al.* 2012, 240. For more details on the impact of the American cultural perspective on the North Korean nuclear issue, see Park *et al.* 2012, chapters 7 and 9.

Processual approach

The processual framework also presents some difficulties in being applied to the SPT, and is not the one that allows to better understand this case-study.

Session of the Six Party Talks. Source: https://cdainstitute.ca/gridlock-on-the-korean-peninsula-is-there-a-way-out/

The main problem in using this approach to examine the Talks is that it is very difficult to identify the six stages of negotiation that it commonly considers. The principal reason is that the SPT took place over the years and included several rounds, some of which were also divided in sub-phases. Consequently, as it often happens, the six steps are not clearly definable, because they tend to overlap and be repeated various times. Indeed, each round can be seen as a repetition of each stage. Still, it is possible to divide the Talks in two "periods"; one concerning the definition of the general principles upon which to solve the nuclear issue, and the other focusing on defining the details so to reach a definitive solution. In this optic, the former can be seen as a long "macro phase" preparing the latter; differently said, the first "period" would consist in the Preliminary / Information / Argumentation stages of the second "period", which would represent the Adjustment-reconstruction phase of the Talks as a whole.

So, one can distinguish the following main phases for the two "periods":

- First "period"; which spanned from the beginning of the negotiation (August 2003) to the issue of the September 2005 Joint Statement:
    - Preparation-diagnosis: The stage preceding the actual negotiation, which in this case covers essentially the period leading to the crisis and the events that brought to the decision to attempt a diplomatic settlement; especially those between the definitive collapse of the Agreed Framework in January 2003 and the beginning of the Talks in August of the same year.
    - Preliminary / Information / Argumentation: This "aggregated" phase encompasses the first three rounds, taking place between August 2003 and June 2004. During this period, the parties expressed their positions, their commitment to denuclearization, and discussed a possible solution; but without reaching a deal.
    - Adjustment-reconstruction / Formation: This stage corresponds to the fourth round, between July and September 2005; as it was concluded with the Joint Statement that expresses the general commitments of the parties.
- Second "period"; ranging from the end of the first until the DPRK's decision to abandon the Talks (May 2009): as mentioned above, this "period" is the Adjustment-reconstruction stage of the overall SPT process, whose previous stages where exhausted during the first "period". Despite the January 2007 agreement could be considered as a partial Formation phase (since it included some concrete, yet limited, implementation measures) the second "period" was generally marked by efforts to reach a final agreement, but the negotiation ended up stalling and a definitive settlement was never reached; also because the DPRK's nuclear test in October 2006 showed that the Talks had failed in their fundamental objective of preventing nuclear proliferation. So, this stage never resulted into a complete Formation phase.

On this basis, it is possible to better seize the results of the SPT process, which (especially during the first "period") "has somehow managed to define the issues, objectives, goals and procedures to be tackled, addressed and pursued by the member states"[35]. Still, while this is not a result to be downplayed, the negotiation failed to produce a final agreement. In the logic of the processual framework, the reason can be found in the concept of "toughness dilemma". As a matter of fact, both the US and the DPRK adopted a hardline stance since the beginning[36], with the former threatening military actions and the latter denouncing America's aggressiveness. Consequently, the tough line of one party fueled the hostility of the other, thus making an agreement more difficult. In this regard, it is interesting to note the declaration of a high-ranking North Korean official: "we will reciprocate good will with good will and a hardline with a hardline"[37]. As both committed themselves to a rigid and hostile stance, Washington and Pyongyang failed to start a constructive process conducting to a negotiated settlement.

Still, the effectiveness of this framework in explaining the outcome of the Talks is limited; as they were influenced by strategic and structural factors that were extremely difficult to overcome and that ultimately led to the failure of the SPT.

Structural approach

The structural perspective represents a powerful analytical framework to understand the outcome of the SPT.

As a matter of fact, the failure of the Talks can be largely attributed to the specific power distribution in the Peninsula in the period during which they took place. The previous historical contextualization

[35] Bercovitch & Oishi 2010, 66.
[36] Among others, see Pollack 2011, 144.
[37] Statement by Kim Young-nam, President of the Presidium of the Supreme People's Assembly of North Korea. See Lim 2012, 352.

section showed that the nuclear issue reemerged following a down-turning spiral of mistrust that deteriorated the US-DPRK relations. On the one hand, the Americans suspected the North Korean regime of violating the non-proliferation norms and the 1994 Agreed Framework by conducting a secret HEU program to produce nuclear weapons. Such accusations became particularly strong during the Bush administration, notably when it established its Doctrine consisting in eliminating threats to the US national security by the unilateral use of military force in the wake of the 9/11 attacks. On the other hand, Pyongyang accused Washington of menacing its security, citing the very declarations of the US executive to justify its quest for nuclear weapons; and demanding guarantees that it would not be object of American interferences, notably an armed attack. On this basis, it is clear that the two parties were facing a typical security dilemma, where the increased security of one is considered as a threat by the other, thus causing it to arm and triggering an action-reaction mechanism that ultimately results in less security for both parties. In this specific case, the prospect of a nuclear-armed North Korea was seen as a threat in Washington, one that demanded a hard stance against the regime and even justified a possible armed intervention. On its part, the DPRK regarded America's military power and its presence in the Korean peninsula as a menace to its security, which led it to pursue an atomic weapons program.

In this context, it is evident that structural factors (the distribution of power) played a central role in the negotiations. In the first place, this factor explains why the two powers, in spite of their mutual distrust and hostility, opted for dialogue. In fact, such a decision may appear strange, especially if one considers the tremendous military power of the US and the bellicose approach of the Bush administration against states that violated the norms on WMD proliferation. The reason why the Americans preferred to negotiate with the North Koreans instead of conducting a military action to overthrow the regime and solve the issue (following the principles of the Bush Doctrine as they had done against Iraq) is that it existed a balance of power between the US and the DPRK, even if it was a very particular one.

First of all, Pyongyang's armed forces (the Korean People's Army, KPA) are an adversary that should not be underestimated. At the time, the KPA was among the top five largest military in the world[38] and it disposed of massive quantities of equipment. Still, there are doubts over its training, combat readiness, the maintenance of its weaponry, and so on[39]. Anyway, in general and abstract terms, the US clearly possesses an overwhelming military advantage over the DPRK under all aspects. However, one must consider the specific strategic situation of the Korean theatre. As a matter of fact, most of the KPA was concentrated in a relatively narrow strip of territory located in the southern part of the country, between Pyongyang and the Demilitarized Zone (DMZ) which marks the border with the RoK: it is estimated that 65% of the KPA was deployed there in 1998, believed to have reached 70% in 2011[40]. This translated in what has been defined the "tyranny of proximity"[41]; meaning that, in case of escalation, the DPRK can quickly and violently attack its southern neighbor. In this regard, four inter-related factors make the situation even more worrisome: first, South Korea's capital and economic center, Seoul (which is also one of the world's largest cities) is located close to the border. Second, the North Korea's military deploys an impressive amount of artillery in proximity of the DMZ, meaning they can easily launch a devastating bombing on Seoul and other locations. Third, the DPRK is believed to possess considerable stock of biological and chemical weapons, which would raise even more the death

North Korean self-propelled artillery on parade. Credits: http://newsinfo.inquirer.net/891788/north-korea-marks-military-anniversary-with-firing-drill

[38] Bechtol 2011, 18 and 99. The former affirms they were the fifth largest armed forces, the second that they were the fourth.
[39] For more details, see Bechtol 2011, chapter 5.
[40] Bechtol 2011, 18-19.
[41] For more details, see Bechtol 2011, 18.

toll of a bombardment on Seoul or other cities. Fourth, the KPA operates a vast network of underground facilities along the border, and this makes the destruction of their weaponry a challenging endeavor. In short, these factors mean that in case of war the North Korea would be able to unleash a devastating attack on Seoul and turn the city into a "sea of flames"[42]; a scenario that estimates say would cause hundreds of thousands civilians victims[43]. More in general, an all-out war in Korea would be catastrophic, and a former US commander calculated that it would cause a million casualties including more than 50.000 dead or wounded US soldiers in the first 90 days, that it would cost America $100 billion and that it would provoke economic losses amounting to around a trillion dollars[44].

It is therefore clear that a military intervention was (and still is) extremely risky for Washington. As a result, it existed a balance of power in the Korean peninsula: the DPRK had the capability to impose unacceptable losses to the US (and the RoK), thus deterring it from using the armed force. In this context, the Americans had virtually no (acceptable) choice other than dialogue; in other words, their BATNA was very hazardous, and this explains why the Bush administration opted for a negotiating instead of reversing the North Korean regime *manu militari*. Moreover, there are other factors to consider. One is that the DPRK was supported by China, and the US did not want a conflict to escalate and involve the PRC as it had been the case in 1950. But most importantly, the military operations in Afghanistan and Iraq proved to be much more difficult than initially expected by the US government, which found itself stuck in complicated counter-insurgency campaigns that absorbed much of its energies and military resources; as well as rising strong criticism at home and abroad. As a result, the US could not launch an invasion of the DPRK, that (also because of the aforementioned factors)

[42] See Lim 2012. Page 290 affirms that the South Koreans believed that if the US attacked the DPRK the latter it "would immediately launch missile attacks to turn Seoul into a sea of fire"; while page 346 reports an article published by *The New York Times* in December 2002 saying that a military action would cause North Korea to "respond by turning Seoul into a "sea of flames" and bring a missile attack on Japan, and there is a danger of escalation to an all-out war".
[43] Bechtol 2011, 18-19.
[44] Bechtol 2011, 20.

would have been too costly and difficult to sustain [45] in both economic and political terms. Consequently, the Bush administration had no other choice than engaging in the SPT. In short, Pyongyang's position of *relative* strength (due to its ability to impose huge costs to the Americans in case of war) and Washington's *relative* weakness (as it was already militarily committed elsewhere) made a negotiation the only viable solution.

But these very considerations also explain why a definitive and binding diplomatic settlement was not reached. The balance of power situation that has been described above lasted during the whole course of the Talks: the US was not in a position to use force against the North Korea; and the latter, while being capable to deter an intervention, was not strong enough to force the former to back down. Another proper observation related to power concerns the change in attitude of the Bush administration following the DPRK's first nuclear test in 2006: that event clearly showed that the regime had made progress toward the production of atomic weapons[46] (for primitive that they were), and this increased its power in the form of an even greater ability to impose unacceptable losses in case of war. As a result, Washington had no choice than softening its stance (also to reduce the risk of a conflict) and accept to conduct direct talks with Pyongyang on the sidelines of the SPT as well as starting to gradually lift sanctions against the North Korea[47]. Differently said, the test shifted the power balance in favor of the DPRK, but not so much to allow it to obtain a final agreement favorable to its position.

To conclude, in the context of the SPT, no party had the power to impose its will on the other; as a result, the negotiations stalled and no final agreement was concluded. It is true the Joint Statements were issued, but these were not binding deals and did not represent a final settlement of the issue; nor

[45] See, among others, Moon 2008, 245 and Park *et al.* 2012, 236. The latter affirms that "other foreign policy catastrophes engaging US military forces also contributed to a shift in Washington's approach to North Korea". In a note, the author explicitly says that he is referring to the wars in Afghanistan and Iraq.
[46] "As the six-party talks remained mired in disagreement over Pyongyang's illicit programs and details of what the agreement to dismantle should include, North Korea effectively ended any debate about whether or not they actually had nuclear weapons". Bechtol 2009, 34.
[47] For more details, see (among others) Bechtol 2009, 38 to 43.

did the measures implemented in 2008. So, this failure is essentially due to the fact that there was a particular yet equilibrated distribution of power, which made it impossible for both parties to prevail and force an agreement to its own advantage.

Strategic approach

Credits: www.ilgiornale.it/news/politica/vita-impossibile-chi-si-ribella-ai-regimi-ora-nord-corea-1462880.html

The strategic approach is, along with the structural one, the perspective that better explains the position of the main actors (the US and the DPRK) as well as the final outcome of the SPT. As a matter of fact, the negotiation can largely be understood by applying a simple model based on the game theory. But before, it is necessary to describe the objectives of the principal parties, who were both moved by strong security concerns.

The US was mainly worried about the danger of nuclear proliferation and about the regional instability in North-East Asia (NEA). In regard to the first aspect, the US wanted to avoid that a "rogue state" like North Korea could provide nuclear weapons to terrorists; as a matter of fact, countering the WMD proliferation had become a primary foreign policy objective of the Bush administration in the aftermath of the 9/11 attacks. More in general, the US wanted to avoid a nuclear-armed DPRK, because it would have represented a clear violation of the international non-

proliferation regime and because it would have also worsened the regional security environment; raising concerns in countries like Japan, South Korea and China[48].

As far as the DPRK is concerned, it essentially sought to obtain nuclear weapons in order to defend itself from an American military intervention, which it considered as the main threat to its security. Apart from the long-standing enmity with Washington, Pyongyang was particularly worried about its intentions following the 9/11 events. As noted, the Bush administration committed itself to fight WMD proliferation and to eliminate hostile regimes even by the use of the armed force. In this context, North Korea was included in the "axis of evil" and openly named as a possible target of American military actions[49]. This caused Pyongyang's regime to feel even more threatened, and therefore to seek an "insurance" on its own survival in the form of nuclear warheads; which, thanks to their terrific destructive power, represented the ultimate and most effective deterrence tool against the US.

In short, each power considered the other as a national security threat, and acted consequently. This is proven by the examination of the declarations of the two countries. In 2002, President Bush affirmed that "If Kim Jong-il wants peaceful relations, he should give up his nuclear program and pull back his conventional forces to the rear"[50]. On their part, the North Koreans stated that "the nuclear issue is a product of the hostile U.S. policy against our country" and criticized the Americans for labeling the DPRK as a member of the "axis of evil", for threatening it of attack, for having "unilaterally" abolished the Agreed Framework and for trying to internationalize the issue[51]. At the same time, as noted before, the regime declared that it was ready to reach an agreement on the basis of three conditions: "the U.S. recognition of the DPRK's sovereignty, the assurance of non-aggression, and no hindrance of economic development"[52]. This demonstrates that Pyongyang's fundamental

[48] In effect, the measures taken by Tokyo and Seoul to protect themselves from a possible North Korean nuclear attack have caused tensions with Beijing, who considers such acts as a threat to its national security.
[49] See again Lim 2012, 288-289.
[50] Quoted in Lim 2012, 333.
[51] See the statement by President Kim Young-nam. See Lim 2012, 352 and also the summarized North Korean statement of October 25 at page 342.
[52] Lim 2012, 342.

concern was to preserve its survival and grant its security; and in this logic the nuclear program represented not only the path to a more robust deterrence, but also a bargaining tool in negotiations[53], since the DPRK could exchange the renunciation to nuclear weapons with much-needed economic aid (as it had done with the 1994 Agreed Framework) and diplomatic normalization. Indeed, it appears that North Korea initiated its nuclear program for these very reasons[54].

In short, it appears evident that the DPRK and the US faced a security dilemma, and that they acted essentially to take insurances against an aggression from the other. This shows that the SPT can be seen as an example of distributive negotiation, since the main parties (Washington and Pyongyang) reasoned in a zero-sum logic. So, as the main objective of both was to achieve security, the strategy they applied during the Talks can be represented as a prisoner's dilemma; which is illustrated in the following table.

The strategy of the United States and North Korea as a prisoner's dilemma.		**North Korea**	
		Renounces to nuclear weapons	*Acquires nuclear weapons*
United States	*Withdraws its forces from Korea*	Both US and DPRK are safe	US unsafe; DPRK safe
	Keeps its forces in Korea	US safe; DPRK unsafe	Both US and DPRK unsafe

Basically, the DPRK could choose to arm itself with nuclear weapons or not; while the US could decide to maintain its military presence in Korea or to leave the area. Now, the best outcome would

[53] As Lim observes, "[i]t appeared clear to me that North Korea was keeping weapons of mass destruction and maintaining a strong military force because of their fear and distrust of the United States. It was clear that the North Koreans were using them as negotiation leverage". See Lim 2012, 305. See also Park *et al.* 2012, 197 to 203.
[54] Park *et al.* 2012, 199: following the verbal attacks and the threats of the Bush administration, "as a trump card for future bargaining or […] as a deterrent, they [the North Koreans] reportedly started the highly enriched uranium (HEU) program to produce materials for nuclear weapons".

be the one where Pyongyang renounces to its nuclear ambitions and Washington withdraws its forces; because in that case both powers (and the whole region) would be safe. But, since each party distrusts the other, they opted for more hawkish stances: the North Koreans, afraid of being vulnerable to an American intervention, decided to pursue the development of nuclear weapons; while the latter, worried of the menace from the DPRK, choose to keep a strong military presence in the region. Thinking only about their own security, both act in a "selfish" manner, and the result is that the final outcome is a sub-optimal one, as both powers are unsafe and the whole region is unstable. Naturally, the table simplifies a far more complex reality. The strategic choices that are presented are essentially long-term outcomes, as in the short term Pyongyang could not immediately obtain nuclear warheads and Washington could not fully remove its forces in Korea. Also, the model does not include the other participants to the Talks, since their role was secondary and because the core of the nuclear issue derived from the tense US-DPRK relation. Finally, it should be reminded that safety for the US meant also regional security in general, as it implies that South Korea, Japan and even China and Russia would not have had to worry about a nuclear threat from North Korea and / or the eventuality of a conflict in the Peninsula. Still, in spite of the simplifications, the table effectively illustrates the strategy adopted by the Washington and Pyongyang, and allows to understand the final outcome of the negotiation.

To conclude, this simple but effective model elucidates the strategic choices of the US and the DPRK, and allows to comprehend why the Talks failed in solving the nuclear issue. Acting on the basis of self-interest because of persisting mutual suspicion, both maintained a hardline stance during the negotiation, and therefore did not manage to reach a mutually-beneficial and effective settlement.

Conclusion

North Korean Pukkuksong-2 missile platforms on parade, 2017. *Credits: https://www.sbs.com.au/news/the-nuclear-option-what-a-war-with-north-korea-would-look-like*

The previous considerations show that the failure of the SPT in solving the North Korean nuclear issue is due to a series of factors that can be understood by applying the different theoretical approaches, each allowing to seize a certain aspect of the situation. However, some frameworks proved to be more difficult to employ than others; and most importantly their usefulness in examining this negotiation is variable. In particular, the structural and strategic theories resulted to be the most effective in comprehending the outcome of the negotiations. The specific power distribution of that period was the key factor in bringing the parties to the negotiation table; but it also had a significant impact in preventing them from reaching an agreement, since no one was strong enough to impose its will on the other and force it to accept a deal. The strategic approach, on its part, explains the strategy adopted by the two main actors (the US and the DPRK) and, on that basis, the final outcome of the Talks. As far as the other frameworks are concerned, they are mostly useful in explaining the deep mistrust between Washington and Pyongyang and why they did not manage to overcome it. The

personal view of the respective leaders (behavioral approach), the entanglement in a toughness dilemma (processual theory) and most importantly the rooted hostile attitude toward each other (cultural framework) led the two parties into adopting a hardline stance that they were not able to abandon. This made them unable to bypass the structural and strategic constraints so to adopt a more cooperative stance that would have favored a negotiated settlement; but this very fact demonstrates the determinant impact of the power distribution and of the strategic behavior of the parties on the ultimate failure of the Talks.

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Place Montesquieu, 1 bte L2.08.05, 1348 Louvain-la-Neuve, Belgique www.uclouvain.be/psad