Volume 2 | Issue 3 | Article ID 1869 | Mar 01, 2004

Ending the North Korean Nuclear Crisis

Task Force on U.S. Korea Policy

Ending the North Korean Nuclear Crisis

A Proposal by the Task Force on U.S. Korea Policy, Selig S. Harrison, Chairman

Cosponsored by The Center for International Policy
The Center for East Asian Studies, University of Chicago
This report represents the consensus of the Task Force members. All members do not necessarily endorse all aspects of this report. Members participated in their personal capacities, not as representatives of their organizations.

Foreword
On March 1, 2003, the Task Force on U.S. Korea Policy published a detailed, 32-page report that analyzed recent developments in both North Korea and South Korea and discussed U.S. policy options in the Korean peninsula against the background of broader U.S. regional interests in Northeast Asia. The report presented recommendations embracing a wide range of key issues, including the resolution of the nuclear crisis with North Korea, the resumption of negotiations to limit or end North Korean missile development and the replacement of the 1953 Korean War Armistice with a peace treaty.

This second report focuses solely on the nuclear issue, updating and enlarging upon the earlier
recommendations made by the Task Force.

The Task Force met three times in connection with the formulation of the first report (November 20 and December 5, 2002, and January 9, 2003) and reconvened in a day-long meeting on May 28, 2004, initiating a process of consultation and debate that continued until a final consensus was reached on November 10, 2004.

The Task Force is co-sponsored by the Center for International Policy and the Center for East Asian Studies of the University of Chicago. Funding for the second report was provided by the
Ford Foundation and the Center for East Asian Studies of the University of Chicago.

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Key Findings and Recommendations

The Greater Urgency of the Plutonium Threat
"*The central issue that has emerged in the negotiations to date is whether to focus initially on what is, demonstrably, an already-existent plutonium program that is actively producing fissile material or to address at the outset both the known plutonium program and a suspected program for enriching uranium about which little is known.*"

"*The Task Force recommends that the United States should give priority to dealing with the clear and present threat posed by the plutonium program.*" *(p. 8)*

Does a Weapons-Grade Uranium Enrichment Program Exist?
"*No evidence has yet been presented publicly to justify the conclusion that facilities capable of producing high-enriched, weapons-grade uranium exist in North Korea. No such evidence has been made available to the U.S. Congress or to other states participating in the sixnation negotiations. At the same time, the Task Force finds that the evidence so far available does suggest the existence of a pilot or experimental program...*"

"*Given the greater urgency of the threat posed by the plutonium program, the start of the negotiation process should no longer be delayed by the continuation of the stalemate that has resulted from attempting to compel North Korean acknowledgement of a weapons-grade uranium enrichment program...Whether a weapons-grade program exists...would be difficult to determine without North Korean cooperation as part of an agreed denuclearization process with intrusive inspections. The Task Force recommends, therefore, that the United States should give priority to dealing with the clear and present threat posed by the plutonium program and confront the uranium issue in the final stages of the process after greater trust has been developed through step-by-step mutual concessions.*" *(p.8)*

Getting the Plutonium Out of North Korea

The Task Force recommends a four-step proposal designed to achieve the complete, verifiable
and irreversible denuclearization of North Korea, starting with a freeze of its plutonium program accompanied by additional measures that reflect a "recognition of the urgency of
the threat posed by its possession of significant quantities of weapons-usable plutonium that could be transferred to third parties."

Calling for "the complete removal of all of this plutonium from North Korea in the first phase of denuclearization," the Task Force declared, "In order to get North Korea to take the extraordinary step of giving up its plutonium the United States, Japan, South Korea, China, and Russia should be prepared to offer significant economic and political incentives," including, "substantial bilateral and multilateral programs of assistance...valued collectively in accordance with an agreed price per kilogram" of plutonium. The Task Force pointed out that the 1994 nuclear freeze agreement with North Korea, known as the Agreed Framework, deferred the complete removal of the plutonium until the final phase of the denuclearization process. (p. 13)

THE FOUR-STEP DENUCLEARIZATION PROCESS

Preparatory Phase
Declaration of Denuclearization
North Korea would commit itself to the complete elimination of its "nuclear weapons programs," without the specific reference to its uranium enrichment facilities required in

https://doi.org/10.1017/S1557466004000324 Published online by Cambridge University Press

the June 24, 2004 U.S. denuclearization proposal.
The United States would pledge to respect North Korean sovereignty and commit itself to the goal of normalized relations and a tripartite peace treaty ending the Korean War (the United States, South Korea and North Korea.)
Conditional Security Assurances
North Korea would pledge not to initiate a military attack against the United States and would reaffirm its 1991 commitment not to attack South Korea...
The United States would pledge not to initiate a military attack against North Korea or to seek to undermine its government...
Step One: Eliminating the Post-1994 North Korean Plutonium Inventory
North Korea would permit the inspection access necessary for the International Atomic Energy Agency to determine how much plutonium has been reprocessed since the expulsion of the inspectors following the breakdown of the Agreed Framework in December, 2002; the sequestering of this plutonium and any spent fuel under international controls, and the shutdown of the Yongbyon reactor and reprocessing plant under international controls.

If North Korea agrees to surrender all of the plutonium found through the inspection process for shipment out of the country, the United States, South Korea, China, Japan and Russia would reciprocate with:
The resumption of shipments of the 500,000 tons of oil per year delivered under the Agreed Framework, which were cut off in December, 2002.
The exchange of liaison offices with North Korea by the United States and Japan as the first step toward fully normalized relations.
Bilateral and multilateral programs of assistance for the economic and social development of North Korea valued collectively in accordance with an agreed price per kilogram of the plutonium surrendered.
The Task Force does not specify how much should be offered in payment per kilogram. However, for illustrative purposes, it points out that if the plutonium inventory totals 40 kilograms, and if a price of $25 million per kilogram were agreed upon, the funds available for these assistance programs would total $1 billion. The Task Force also notes that South Korea and Japan had agreed to provide $4 billion and $1 billion respectively to construct light water reactors under the Agreed Framework, and that the United States spent $405,106,000 from 1995 through 2003 for oil shipments and for administrativesupport of the light water reactor project.

Upon conclusion of the proposed aid agreement, North Korea would initiate steps to rejoin the Nuclear Non-Proliferation Treaty and permit the resumption of the IAEA inspection access cut off in December, 2002.

Step Two: Plutonium Cleanout

North Korea would agree to surrender the remainder of its plutonium inventory, including pre-1994 plutonium reprocessed prior to the Agreed Framework.
The United States would end the remaining U.S. economic sanctions against Pyongyang and would encourage the World Bank and the Asian Development Bank to move toward North Korean membership in these institutions. This would require the removal of North Korea from the U.S. List of State Sponsors of Terrorism.

Step Three: Eliminating the Plutonium Weapons Infrastructure
North Korea would open previously-barred waste and storage sites and other plutonium-related facilities to a level of inspection acceptable to the IAEA.
The United States would initiate talks with

https://doi.org/10.1017/S1557466004000324 Published online by Cambridge University Press

North Korea to set the stage for the elevation of their liaison offices in Pyongyang and Washington to the status of embassies.
The United States would declare its readiness to keep open the option of completing one or both of the two light water reactors promised under the Agreed Framework, as South Korea and Japan have urged.

Step Four: Elimination of Weapons-Grade Uranium Enrichment

If North Korea permits the unimpeded inspection access necessary to determine what, if any, weapons-grade uranium enrichment facilities exist, and takes the comprehensive measures necessary to eliminate any such facilities, the United States would:
Establish full diplomatic relations, upgrading its liaison office in Pyongyang to an Embassy.
Authorize Exxon-Mobil to pursue a natural gas pipeline to South Korea that would cross North Korea.
Open negotiations on a tripartite peace treaty ending the Korean War.

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The nuclear crisis with North Korea has become progressively more serious since the Task Force on U.S. Korea Policy published its first report in March, 2003.1 Six-party negotiations in Beijing (the United States, South Korea, North Korea, Japan, China and Russia) have so far failed to stop North Korea from moving ahead with its effort to develop nuclear weapons. The Task Force has decided, therefore, to assess the key issues that have emerged in the negotiations and to present detailed recommendations for a comprehensive settlement with North Korea designed to end its nuclear weapons program completely, verifiably and irreversibly.

The Task Force commends the Bush Administration for taking a constructive first step toward a settlement with its June 24, 2004, denuclearization proposal to North Korea and urges the Administration to build on this beginning by taking the initiative to shape the terms of a workable settlement. While adhering to the goals defined in the proposal, the Administration should review its strategy for reaching agreement with North Korea after considering the suggestions that have since been made by its negotiating partners, notably South Korea, together with the new proposals embodied in the Task Force recommendations.

Discussing the nuclear crisis in its initial report, the Task Force delivered a grim warning: that the breakdown of the 1994 Agreed Framework in December, 2002, followed by the expulsion of International Atomic Energy Agency inspectors from the Yongbyon nuclear complex, had left North Korea free to reprocess plutonium from the 8,000 fuel rods at the Yongbyon reactor. There is "a danger that North Korea could produce sufficient plutonium for four to six nuclear weapons within six to

https://doi.org/10.1017/S1557466004000324 Published online by Cambridge University Press

eight months from the fuel rods that have been in storage under the 1994 accord,"the report declared. "Getting them out of the country, as envisaged in the accord, and getting inspectors and monitoring equipment back in, should be the top U.S. priority," especially given "the possibility of transfers of fissile material to third parties."

This warning has been vindicated during subsequent months by mounting evidence that North Korea has succeeded in reprocessing some or all of the fuel rods. North Korea has stated that in 2003 it reprocessed all 8,000 rods and used the extracted plutonium to "strengthen its deterrent." During a visit by a private U.S. delegation to the Yongbyon nuclear center on January 8, 2004, Dr. Siegfried Hecker, former Director of the Los Alamos National Laboratory, found that the 8,000 rods were, indeed, no longer in the storage pool where they had been kept under international Atomic Energy Agency controls since 1994.

The delegation was then permitted to inspect the operations of the Yongbyon reprocessing facility—the first time it had been shown in operation to any Americans, official or unofficial. North Korean scientists also showed Hecker what they asserted to be 200 grams of plutonium metal. Hecker, who participated in the Task Force discussions, did not have the technical means at hand to verify the authenticity of the plutonium metal. He was not able to ascertain whether or not North Korea had reprocessed all of the fuel rods and had actually built nuclear devices. However, he concluded that North Korea did possess the necessary technical skills, facilities and capacity to have reprocessed all the spent fuel rods and to have produced weapons-usable plutonium metal.2

The Hecker visit underlined the central issue that has emerged in the negotiations to date: whether to focus initially on what is, demonstrably, an already-existent plutonium program that is actively producing fissile material or to address at the outset both the known North Korean plutonium program and a suspected program for enriching uranium about which little is known.

Despite its denials that such a program exists, there is clear evidence that North Korea has attempted to purchase key components needed for uranium enrichment to weapons-grade. However, it is unclear in most cases whether these purchases have materialized and, if so, in what quantities.3 No evidence has yet been presented publicly to justify the conclusion that facilities capable of producing highenriched, weapons-grade uranium exist in North Korea. No such evidence has been made available to the U.S. Congress or to other states participating in the six-nation negotiations.

At the same time, the Task Force finds that the evidence so far available does suggest the existence of a pilot or experimental enrichment program and strong North Korean interest in obtaining enrichment technology.

The assumption that North Korea does have a secret program to develop uranium-based nuclear weapons rests primarily on intelligence findings pointing to possible Pakistan- North Korean nuclear cooperation. Recent revelations of the nuclear black market activities of the ousted director of Pakistan's nuclear program, Dr. A.Q. Khan, have reinforced suspicions of such cooperation. However, how much technology and equipment, if any, has been supplied, and the level of sophistication involved, remain unclear. Dr. Khan has not

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discussed the facts publicly, and no foreign access to Dr. Khan has been permitted. China, which has been briefed by Pakistani officials and has its own information sources, has publicly expressed skepticism that a weaponsgrade enrichment program exists.

Whether a weapons-grade enrichment program does exist—and if so, how close it is to producing weapons-grade fissile material in significant quantities—would be difficult to determine without North Korean cooperation as part of an agreed denuclearization process with intrusive inspections. The Task Force recommends, therefore, that the United States should give priority to dealing with the clear and present threat posed by the plutoniumprogram and confront the uranium issue in the final stages of the process after greater trust has been developed through step-by-step mutual concessions.

The denuclearization process should be structured to establish definitively whether a weapons-grade uranium enrichment program exists and, if so, to eliminate it. The declared goals of the process should be formulated at the outset in a way that implicitly embraces the uranium issue and leaves adequate scope for dealing with it effectively. Given the greater urgency of the threat posed by the plutonium program, however, the start of the process should no longer be delayed by a continuation of the stalemate that has resulted from attempting to compel North Korean acknowledgment of a weapons-grade uranium enrichment program.

In a formal proposal presented to North Korea on June 24, 2004, in Beijing, the United States outlined a six-stage denuclearization process. North Korea would be required at the outset to acknowledge that a weapons-grade uranium enrichment program exists and to make specific commitments providing for its elimination in a denuclearization agreement.

Following is an abridged version of the proposal drawn from Congressional testimony4:

1.The DPRK would make a unilateral declaration pledging to "dismantle all of its nuclear programs"

2."Upon acceptance of the DPRK declaration, the parties would:
a. provide provisional multilateral security assurances, which would become more enduring as the process proceeded
b. begin a study to determine the energy requirements of the DPRK and how to meet them by non-nuclear energy programs
c. begin a discussion of steps necessary to lift remaining economic sanctions on the DPRK, and on the steps necessary for the removal of the DPRK from the List of State Sponsors of Terrorism."

3. Based on the DPRK declaration, "the parties would then conclude a detailed implementation agreement providing for the supervised disabling, dismantling, and elimination" of all DPRK nuclear programs, the removal of all nuclear weapons and weapons components, centrifuge and other nuclear parts, fissile material and fuel rods; and a long-term monitoring program.

"To be credible, and for the programs to get underway," the declaration and the agreement would have to include "the uranium enrichment program, and existing weapons, as well as the plutonium program."

4. Upon conclusion of this agreement, "non-U.S. parties would provide heavy fuel oil to the DPRK."

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5. Implementation of the agreement would begin with a three-month preparatory period in which the DPRK would:
d. provide a complete listing of all nuclear activities
e. cease operations of these activities
f. "permit the securing of all fissile material and the monitoring of fuel rods"
g. "permit the publicly disclosed and observable disablement of all nuclear weapons/weapons components and key centrifuge parts"

These steps would be subject to "international verification."

6. After the dismantlement is completed, "lasting benefits to the DPRK" would result from the energy survey and the discussions on ending sanctions and the removal of the DPRK from the terrorist list.

Even after dismantlement, however, a "wholly transformed relationship with the United States" would follow only if the DPRK "changes its behavior on human rights," addresses the "issues underlying" its inclusion on the terrorist list, eliminates chemical and biological weapons programs, "puts an end to the proliferation of missiles and missilerelated technology, and adopts a less provocative conventional force disposition."

The Task Force welcomes the June 24 initiative as a starting point for negotiations but feels that the U.S. proposal in its present form does not provide a realistic basis for successful negotiations. The proposal fails to take into account the deep distrust existing between the United States and North Korea and thus the need for simultaneous steps in which the two sides, in tandem, each make concessions of sufficient importance to the other to reduce distrust and facilitate compromise. In its present form, the proposal places the burden on North Korea to make major concessions first without a corresponding assurance of reciprocity by the United States.

The U.S. Proposal

For example, Stage One envisages a unilateral North Korean declaration, pledging complete denuclearization, that would set the stage for conclusion of a detailed agreement in Stage Three providing for the "supervised disabling, dismantling, and elimination of all nuclear programs," including the suspected uranium enrichment program.

To get North Korea to make a denuclearization pledge, the Task Force believes, the declaration should be more symmetrical, coupling a pledge by North Korea to eliminate nuclear weapons programs and fissile material with a simultaneous pledge by the other powers concerned that affirms respect for North Korea's sovereignty and explicitly rules out a military first strike or an economic embargo. The Task Force agrees that an acceptable settlement with North Korea must eventually bring about all of the detailed denuclearization measures spelled out in Stage Three, including the elimination of weapons-grade uranium enrichment capabilities if they exist.

However, given the existing level of distrust between Washington and Pyongyang, North Korea is unlikely to commit itself to these measures in advance without reciprocal commitments by the other parties to the settlement. It must be induced to take them in the step-by-step fashion outlined in this report, with quid pro quos along the way. Moreover, in contrast to the precision and magnitude of the North Korean concessions detailed in the proposed agreement, the rewards offered in return would be minimal: an undefined provisional

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security assurance; "discussions" on long-term energy assistance and removal from the terrorist list, with no hint of possible action; and short-term oil shipments of unspecified size, primarily from South Korea and other "non-U.S. parties."

The fact that the United States would not participate in the oil shipments offered in Stage Four signals to North Korea that a nuclear settlement would not in itself lead to normalized relations. Yet it is the promise of normalization and of an end to a perceived U.S. threat to its survival that make a settlement attractive to North Korea. North Korea is not likely to move toward complete denuclearization, the Task Force believes, unless the United States is prepared to match North Korean concessions with reciprocal steps toward the normalization of political and economic relations and toward a tripartite peace treaty ending the Korean War (the United States, North Korea and South Korea). The June 24 U.S. proposal holds out the hope for a "wholly transformed relationship" with the United States only if North Korea "changes its behavior on human rights," eliminates chemical and biological weapons programs, puts an end to the proliferation of "missiles and missile-related technology," and adopts a "less provocative conventional force disposition."

The Task Force agrees that human rights, chemical and biological weapons, missiles and conventional arms control are all issues that should be on the negotiating agenda with North Korea. But progress on these issues should not be a precondition for normalization. On the contrary, they are more likely to be resolved in a climate of improved relations than in one dominated by mutual suspicion. South Korea accepted this view in a proposal of its own spelled out most fully on June 24, in which the normalization of U.S. and Japanese relations with North Korea would take place once the nuclear issue is resolved.

To integrate the negotiations on a nuclear settlement with broader movement toward improved relations, the Task Force urges that separate bilateral negotiations between the United States and North Korea should be broadened and further developed in conjunction with the existing multilateral negotiating format. Beijing, Tokyo, Moscow and Seoul have all made clear that they would welcome a bilateral U.S.-North Korean dialogue and that they favor a step-by-step approach to a settlement addressed initially to plutonium.

The U.S. proposal contrasted sharply with the more limited and loosely-defined North Korean offer to freeze its plutonium program, made behind closed doors in the August, 2003, and June, 2004 rounds of six-party negotiations and spelled out publicly most fully in discussions with the Task Force Chairman5 and with Task Force member Donald P. Gregg during their visits to Pyongyang in April and July, 2004, respectively.

In its opening offer at the six-party talks, North Korea defined a freeze as limited to the shutdown of the five-megawatt reactor and reprocessing plant at Yongbyon under international inspection. However, depending on what the United States is prepared to do in return, Vice Foreign Minister Kim Gye Gwan told the Task Force Chairman that North Korea might also permit the inspections necessary to determine how much plutonium has been reprocessed from the 8,000 fuel rods removed from storage in December, 2002 and the sequestering of this plutonium and any spent fuel under international controls, in addition to the shutdown of the Yongbyon reactor and reprocessing plant under international inspection. This would be the "first step" in a continuing process that would lead to

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denuclearization in stages, keyed to progress toward improved relations with the United States. The period of the freeze, and the nature and timing of these subsequent stages, have not been specified.

Among the U.S. quid pro quos suggested by North Korea for the shutdown of the reactor and reprocessing plant are the resumption of oil shipments and energy aid sufficient to compensate for the 2000 megawatts of electric power capacity promised in the Agreed Framework.

The North Korean Proposal

The U.S. and North Korean proposals both call for a freeze of the production of new weaponsusable plutonium during the initial preparatory phase of the denuclearization process. But the U.S. proposal goes beyond a freeze during a three-month preparatory period. It provides not only for the sequestering of existing plutonium under international controls but, more important, for the "supervised disablement" of all North Korean nuclear weapons and weapons components, including any centrifuge facilities related to the suspected weapons-grade enrichment program.

By contrast, the South Korean proposal allows a preparatory period of six months, not three months, that would be limited to a freeze, without the additional "disablement" proviso. Like the U.S. proposal, it calls for a North Korean pledge, prior to the start of the freeze, to dismantle "all" nuclear weapons-related programs, and for unspecified measures to begin dismantlement within the preparatory period. But it would not require North Korea to acknowledge or reveal its suspected weapons-grade uranium capabilities during the preparatory phase.

Significantly, the South Korean proposal would not restrict energy aid to non-nuclear energy programs, as the U.S. proposal does, thus leaving the door open for a continuation of the suspended Korean Energy Development Organization (KEDO) program to build the two civilian light water reactors envisaged in the Agreed Framework. A more fundamental difference between the South Korean and U.S. proposals is that the South Korean proposal would reward North Korea for denuclearization by stepping up progress toward the normalization of U.S. and Japanese relations with Pyongyang, while the U.S. proposal would specifically condition normalization on further North Korean concessions unrelated to denuclearization.

Deputy Foreign Minister Lee Soo Hyuck outlined six steps in an unpublished "Concept Paper" presented at the start of negotiations on June 24:

1. North Korea would make a declaration pledging to "dismantle all nuclear programs in a thorough and transparent manner subject to international verification."
2. As the first step toward dismantlement, North Korea and the other parties in the Beijing Negotiations would negotiate an agreement providing for a six month freeze of its nuclear programs. During this six month period, it would "declare all of its nuclear programs, cease operation of these programs, seal nuclear materials and facilities and put them under international verification." The dismantlement would begin "within the six months of the freeze."
3. At the beginning of the freeze, the other parties would give North Korea security assurances, affirming that they "have no intention to attack, invade or seek regime change," and that they would provide "more enduring" assurances once the dismantlement is completed.
4. During the freeze period, the other parties would provide heavy fuel oil and increased

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humanitarian assistance to North Korea and would "launch a study project to determine its energy requirements."
5. The United States and North Korea would begin a dialogue "soon" on terrorism and economic sanctions "for the purpose of eventually lifting the sanctions."
6. The parties would agree to "make efforts to remove obstacles on the way toward normalization of diplomatic relations and significantly improve the environment for economic cooperation between North Korea and the international community."

The South Korean Proposal

The Task Force believes that the South Korean proposal offers a realistic basis for successfully pursuing renewed negotiations with North Korea. As a minimum objective, the new Administration should seek to initiate a denuclearization process based on the South Korean proposal that would start with a freeze.

At the same time, the group believes that greater recognition should be given to the urgency of the threat posed by North Korea's possession of significant quantities of weapons-usable plutonium that could be transferred to third parties. The group urges the adoption of a more ambitious, sharply-focused strategy designed to achieve the complete removal of all of this plutonium from North Korea in the first phase of denuclearization. The achievement of this goal, which would greatly enhance U.S. security, was deferred in the Agreed Framework until the final phase of the process.

In order to get North Korea to take the extraordinary step of giving up its plutonium, the United States, Japan, South Korea, China and Russia should be prepared to offer significant economic and political incentives going beyond the unspecified amount of heavy fuel oil and "increased humanitarian assistance" that would be provided under the South Korean freeze proposal.

The group proposes a phased, four-step process, detailed below, that would lead to complete denuclearization, including the dismantlement of any weapons-grade uranium enrichment facilities.
Preparatory Phase

The four-step proposal would be presented in full at the outset of negotiations. However, the steps would be negotiated one at a time. Before negotiating on Step One, the United States and North Korea would join in a Declaration of Denuclearization.

North Korea would commit itself to the goal of the complete elimination of its "nuclear weapons programs," including all fissile material in whatever form. If North Korea is unwilling to accept more explicit language that specifically refers to weapons-grade enrichment facilities, the United States, along with the others in the six-party talks, would make publicly clear their understanding that such facilities are covered.

The United States would declare its respect for North Korean sovereignty and commit itself in the Declaration to the goal of normalized relations and a tripartite peace treaty ending the Korean War (the United States, South Korea and North Korea.)

Each side would provide the other with an explicit conditional security assurance. The United States would pledge not to initiate a military attack against North Korea or to seek to undermine its government. This pledge would remain effective both during negotiations on the four steps and thereafter, provided that North Korea abides by the terms of the agreements negotiated.

North Korea would pledge not to initiate a military attack against the United States. This pledge would remain effective both during

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negotiations on the four steps and thereafter, provided that the United States abides by the terms of the agreements negotiated. In addition, North Korea would reaffirm its 1991 commitment not to attack South Korea, and would pledge not to transfer fissile material to third parties under any circumstances, with immediate effect during the period of transition to complete denuclearization proposed in Steps Two, Three and Four.

Following the exchange of conditional security assurances, negotiations would begin on Step One.

Recommendations

Step One:

Eliminating the Post-1994 North Korean Plutonium Inventory

The extent of the plutonium already reprocessed by North Korea both before the conclusion of the Agreed Framework in 1994 and subsequent to its breakdown in 2002 is a subject of dispute among nuclear scientists and intelligence agencies. However, there is a general consensus that the total amount of weapons-usable plutonium in North Korea's possession does not exceed 40 kilograms, i.e. enough for five, or at most, six fission -type (as distinct from fusion) nuclear weapons, depending on the grade of plutonium, the weapon design and the desired explosive yield.

Step One would deal with what is by far the largest portion of this accumulation, the plutonium reprocessed since the breakdown of the Agreed Framework in December, 2002.

North Korea would be required to permit the inspection access necessary for the IAEA to determine how much plutonium has been reprocessed from the 8,000 fuel rods; the sequestering of this plutonium and any spent fuel under international controls, and the shutdown of the Yongbyon reactor and reprocessing plant under international controls.

Based upon the quantum of the post-1994 plutonium stockpile, the United States, Japan, South Korea, China and Russia would provide substantial economic and political incentives to North Korea if it is willing to surrender all of this plutonium for disposal out of the country:

First, the resumption of shipments of the 500,000 tons of oil per year promised in the Agreed Framework, which were cut off in December, 2002.

Second, the establishment of liaison offices in Pyongyang and Washington, and Pyongyang and Tokyo, as the first step toward fully normalized relations.

Third, based on the quantum of the stockpile surrendered, the five parties would compensate North Korea with substantial bilateral and multilateral programs of assistance for its economic and social development valued collectively in accordance with an agreed price per kilogram. For example, assuming 40 kilograms at $25 million per kilogram, the funds available for these programs would be $1 billion. No direct cash payments to North Korea would be involved.

(The Task Force does not specify how much would be offered in payment per kilogram. However, it notes that South Korea and Japan had agreed to provide $4 billion and $1 billion respectively to construct light water reactors under the 1994 Agreed Framework, and that the United States did spend $405,106,000 from 1995 through 2003 for oil shipments and administrative support of KEDO in return for the freeze.)

North Korea would decide on the priorities in this assistance package. As examples of the assistance programs envisaged by the Task Force, such aid could relate to:

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Long-term food security
Irrigation and agricultural modernization
Short-term energy security, including continued heavy oil shipments and the integration
of the North Korean electricity grid with South Korean and/or Chinese and
Russian electricity networks
Long-term energy security, including oil and gas prospecting and natural gas pipeline links with Russia
Rehabilitation of hospitals, clinics, and other public health facilities
Modernization of the economic infrastructure, including harbors, ports, railroads and the electrical grid

An agreement fixing the valuation of the aid package, the timetable for resumption of the oil shipments and their duration, and the establishment of liaison offices would be established prior to the surrender of the plutonium by North Korea.

North Korea would make a formal pledge in this agreement not to transfer any fissile material
out of North Korea pending the implementation of Steps One, Two, Three and Four,
and would initiate steps to rejoin the Non-Proliferation Treaty (NPT) and permit the resumption of International Atomic Energy Agency (IAEA) inspection access.

The specific content of the aid package, the valuation of specific programs and how they would be administered would be negotiated subsequently with North Korea. In the case of energy aid, the Korean Energy Development Organization (KEDO) would be a possible conduit for external funds and the administrator of agreed programs. No funds would be
made available directly to North Korea to avoid possible diversion to military purposes.
The destination of the plutonium for storage or destruction would be decided by the five parties. Russia would be a possibility, given the U.S. involvement in monitoring Russian nuclear facilities as part of the Nunn-Lugar program.

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If the incentives are sufficient and are responsive to North Korea's priorities as it defines
them, the Task Force believes that Pyongyang may prove willing to surrender all of the post-1994 plutonium in Step One. However, the United States should consider a fallback position
in the event that North Korea should balk at giving up all of it.

A significant proposal considered seriously but not adopted by the Task Force would be to offer cash payment for the plutonium surrendered on a sliding scale, with the compensation
per kilogram increasing in accordance with the amount surrendered, as an incentive
to North Korea to offer as much up front as possible. Supporters of this proposal cited a precedent in the 1994 deal with Russia in which the United States agreed to pay Moscow $10 billion to convert 500 tons of high-enriched uranium to low-enriched uranium for use in U.S. light water reactors. Many members objected that cash payments could be diverted to military purposes. In another version of this proposal, the funds generated would be used for aid programs on the same basis as in the Step One proposal above that the Task Force did adopt. Although the group did not reach a consensus in support of either version of the "buyout" approach, the Task Force recommends that it be given consideration in the event of an impasse with Pyongyang.

Step Two:

Plutonium Cleanout

https://doi.org/10.1017/S1557466004000324 Published online by Cambridge University Press

North Korea would agree to eliminate the remainder of its plutonium inventory not covered in Step One. This would include plutonium reprocessed prior to the Agreed Framework; additional plutonium contained in unreprocessed fuel rods that has accumulated in the five megawatt reactor at Yongbyon since the breakdown of the Agreed Framework; any other plutonium in unreprocessed fuel rods from previous reactor operations, and plutonium that exists in any other potentially weapons-usable form.

For safety reasons, it would be desirable to have North Korea reprocess the fuel rods under international inspection and surrender the plutonium for shipment by the United States, rather than have the fuel rods themselves shipped. Compensation would be provided for this plutonium on the same basis as in Step One and the five parties to the accord would share the cost of reprocessing.

In tandem with North Korea's verifiable fulfillment of its obligations under Step Two, the United States would reciprocate in two ways. First, it would end remaining economic sanctions against Pyongyang. Second, it would encourage the World Bank and the Asian Development Bank to move toward North Korean membership in these institutions. This would require the removal of North Korea from the U.S. List of State Sponsors of Terrorism.

North Korea would provide the United States and/or the International Atomic Energy Agency (IAEA) with all necessary records and access to its plutonium facilities—including previously-barred waste and storage sites—to verify that all plutonium is eliminated and that all facilities have been identified so they can be decommissioned and decontaminated.

Step Three:

Eliminating the Plutonium Nuclear Weapons Infrastructure

This step requires very stringent and intrusive monitoring and on-site inspection and, therefore, must have full cooperation from North Korea. The five parties would jointly fund the safe, secure, and environmentally acceptable elimination of the North Korean plutonium infrastructure. The elimination of the infrastructure would be conducted under IAEA inspection and be open to future on-site international monitoring. David Albright, president of the Institute of Science and International Security and a Task Force member, has made detailed proposals for appropriate verification that the Task Force endorsed (http://www.isisonline.org/dprkverification.html).

To reciprocate for North Korea's cooperation in Step Three, especially for opening previously-barred waste and storage sites to a level of inspection acceptable to the IAEA, the United States would take two steps. First, it would initiate talks with North Korea to set the stage for the elevation of its liaison office in Pyongyang to the status of an Embassy. Second, it would declare its readiness to keep open the option of completing one or both of the two light water reactors promised under the Agreed Framework, by supporting action in KEDO that would continue the suspension of the reactor project, in place of the previous U.S. efforts to cancel it.

Upon the completion of Step Three, North Korea would have fulfilled many of the same obligations it accepted under the Agreed Framework, which provided for dismantlement of its plutonium infrastructure. The United States, South Korea and Japan, however, would not have completed the construction of the two light water reactors for North

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Korea, which had been envisaged in return for freezing its nuclear plutonium program.
South Korea has spent $800 million on preparing the site for the two reactors at Kumho, and
South Korean companies have been awarded $2.3 billion in contracts for completion of the project. Japan has spent $400 million. Construction work was suspended by KEDO until December 1, 2004, when the future of the project was scheduled to be reveiwed.

The Task Force recommends that KEDO should continue to suspend, not discontinue, the reactor project, so that it can be periodically reassessed in the context of progress in the denuclearization process and of changes in North Korea-U.S. and North Korea-South Korea relations. Meanwhile, to make use of the infrastructure already developed at the Kumho site, a non-nuclear thermal power plant could be built there. When and if a light water reactor is built, external assistance should be provided only if North Korea agrees to conditions that would preclude its use for nuclear weapons. These conditions would include a commitment to lease its nuclear fuel from commercial nuclear suppliers and to rule out capabilities for plutonium reprocessing and uranium enrichment to weapons-grade.

For Pyongyang, getting at least one of the reactors up and running is a political priority, if only because the Agreed Framework bore the personal imprint of Kim Il Sung and Kim Jong Il. Equally important, since Japan and South Korea both have large civilian nuclear programs, North Korea regards nuclear power as a technological status symbol. Like Tokyo and Seoul, Pyongyang wants nuclear power in its energy mix to reduce dependence on petroleum.
Still another factor is that North Korea has a force of 7,500 nuclear personnel, many of them trained in Russia, who have been in a state of limbo since the 1994 accord and are awaiting new jobs when the KEDO nuclear complex at Kumho is completed.

Step Four:

Elimination of Weapons-Grade Uranium Enrichment

If North Korea does possess weapons-grade uranium enrichment facilities, they will not be given up lightly. The United States should be prepared to make its own most important concessions in return for definitive North Korean action to resolve this issue. If North Korea permits the full, unimpeded inspection access necessary to determine what, if any, weaponsgrade enrichment facilities exist, and takes the comprehensive measures necessary to eliminate any such facilities, the United States would take these steps:

First, the liaison offices established under Step One would be replaced by an Embassy and the establishment of full diplomatic relations.
Second, the United States would authorize Exxon-Mobil to explore with North Korea, South Korea, Russia and international aid institutions the development of a natural gas pipeline that would originate in the Exxon-Mobil Sakhalin-I concession in Russia and would cross through Russia andNorth Korea enroute to its principal market in South Korea. The Sakhalin pipelinewould have a profound economic impact on North Korea, since Pyongyang wouldreceive substantial annual transit fees and could rely on regular gas supplies from thepipeline for power plants and fertilizer plants.

Finally, the United States would open negotiations with North Korea and South Korea on a tripartite peace treaty ending the Korean War, which Pyongyang regards as an inseparable accompaniment to a meaningful normalization of relations.

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These steps would be taken side by side with North Korean actions to share its records and open up any related facilities not yet inspected for intrusive inspection. Together, North Korea, the United States and the IAEA would design a long-term monitoring/verification regime designed to provide the transparency and cooperation required to verify the absence of undeclared nuclear materials and weapons activities of any kind. This step would require the full application of the IAEA Additional Protocol.6 It would require trust and full cooperation from the host country. Such trust will exist at this stage, most members of the Task Force agree, if all of the U.S. compensatory measures recommended in Steps One through Four have been taken.

Given greater trust, the Task Force points out, the United States would find it easier than in earlier years to negotiate an agreement with North Korea that would end its development of long-range missiles capable of delivering nuclear, chemical or biological weapons to U.S. territory. Similarly, Japan and South Korea would find it easier to negotiate agreements with Pyongyang that would head off the escalating competitive development of short-range and medium-range missiles. The Clinton Administration made significant progress toward negotiating an agreement to end missile exports and long-range missile development. These negotiations should be resumed on the basis of the recommendations in the initial Task Force report.

The South Korean Nuclear Program

The importance of the Additional Protocol, with its newly-stringent inspection requirements, was graphically demonstrated by the revelations in September, 2004, that South Korea had conducted secret experiments relating to uranium enrichment and plutonium reprocessing, some as recently as four years ago. It was South Korea's decision to become one of the first states to accept the Additional Protocol that led to these revelations.

The fact that Seoul had conducted a shortlived covert plutonium-based nuclear weapons program during the Park Chung Hee military regime has long been known. Since the termination of this program under U.S. pressure in 1975, South Korea has been a trusted adherent of the global non-proliferation regime. The recent revelations of secret experiments, in violation of the 1991 North-South Agreement and of IAEA commitments, suggest that latent support for a nuclear weapons option persists within the South Korean nuclear establishment. However limited these experiments were, they have vitiated confidence in South Korea's non-proliferation bona fides both in North Korea and in the broader international community, and have underscored the inseparability of non-proliferation enforcement efforts embracing North Korea and South Korea alike.

South Korea is to be commended for its decision to make a clean breast of its failure to live up to all of its IAEA obligations and for its continuing cooperation with enforcement of the Additional Protocol. The Task Force emphasizes that North Korea, too, will have to be brought under the discipline of the Additional Protocol, but not until the final stages of the denuclearization process.

South Korea accepts full transparency as partof a broader pattern of normal relations with the international community. North Korea can be held to the same standard only when its relations with the international community are normalized in conjunction with the denuclearization process.

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Beyond the Nuclear Issue While focusing on the nuclear crisis, the Task Force notes that significant economic reforms have been initiated in North Korea since its last report. The group emphasized that the continuation of the reform process would gradually loosen up North Korea's rigid, totalitarian system, setting in motion a long-term process of political liberalization in which human rights abuses would be reduced.

Against this background, economic assistance and the normalization of relations between Washington and Pyongyang, including a peace treaty, would not only be critical to a resolution of the nuclear crisis but would also promote peaceful, evolutionary progress toward a more open society in North Korea. Policies designed to pressure and isolate the Kim Jong Il regime would, conversely, strengthen hard-line elements opposed to reform and would reinforce repression.

James E. Goodby

I support the main thrust of the Task Force report. However, a better approach than seeking a formal agreement at the outset would be to agree on a statement of common goals and to adopt the model the Bush administration relied on to eliminate Libya's nuclear programs. The administration has favorably cited this model as a basis for making diplomatic progress in North Korea.

The essence of the Libya model is to proceed through "reciprocal unilateral measures"- independent
actions taken by parties to the negotiations to reach their shared objectives. A formal agreement
is not a requirement. This process leaves to each participant some discretion in what it actually
does. It is the model the Bush administration preferred in the case of Russia, as well as Libya. North Korea's nuclear programs are more advanced than Libya's and piecemeal dismantlement may be the only practical way to proceed.

What reciprocal unilateral measures might be involved? The discussions in the six-party talks suggest the following steps, over time:

North Korea would:

1) dismantle all its nuclear facilities and place constraints on its missile programs, agreeing to monitoring measures;
2) acknowledge and end all technical programs that could be used to enrich uranium; 3) withdraw
troops from the Demilitarized Zone and reduce its forces.

The United States would:

1) reduce its deployment of troops on the Korean Peninsula, as it is now doing;2) provide security assurances;
3) eliminate remaining trade barriers; normalize diplomatic relations with North Korea; 4) provide energy and economic aid.

South Korea would: 1) implement the economic assistance it has promised to North Korea for ending its nuclear programs; 2) initiate confidence- building measures to lower tensions on
the peninsula.

Japan would: 1) provide North Korea with promised reparations; 2) take actions to foster economic development in North Korea. China and Russia could undertake additional
measures in response to North Korea's decision to dismantle its nuclear facilities.

If a denuclearized Korean Peninsula is accepted as a common strategic objective, Kim Jong Il should be able to begin the process by taking some significant action, while reciprocal unilateral actions by other participants would

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keep the ball rolling toward achievement of the goal. By forming a permanent oversight group at the earliest possible date, the parties would maintain pressure and help build momentum for the negotiations.

James F. Grant

I support the Task Force's recommendations for negotiations as a way to further probe and test Pyongyang's intentions. However, this paper and its proposed negotiating strategy are based on the assumption, which I question, that North Korea can be convinced to negotiate in earnest concerning its nuclear weapons capability at this time if we approach them in a reassuring manner, and provide them with sufficient material incentives and security pledges.

I do not believe that Pyongyang presently is willing to negotiate away a nuclear "posture" (declaratory or real) that has given them their only real leverage in dealing with the outside world and provides them with the possibility of a "poison pill" that in their minds might ward off invasion by the US and others. My assessment is that North Korean leaders will continue to present us with a "neither confirm nor deny stance" concerning their nuclear posture.

They may make some small tactical moves to gain some material benefits and split the forces arrayed against them. However, ultimately I believe they will frustrate our efforts and avoid clear resolution of this issue any time in the foreseeable future.

Notes of Dissent

We need to continue to search for ways to engage North Korea in serious negotiations, while maintaining a strong military posture in North East Asia as well. While we might conceivably make progress in getting North Korea to agree to conditions related to non-proliferation/non-export of weapons of mass destruction, I think we need to be prepared for an extended period without clear resolution of the fundamental issue of North Korean possession of a nuclear weapons capability.

Katharine H.S. Moon

Regarding Step One, I firmly agree that the United States and the four other parties to the six-party process must be ready and willing to offer significant economic and humanitarian assistance in recognition of and response to North Korea's steps to relinquish its post-1994 stockpile of plutonium. However, I object to the price per/kilogram of plutonium scheme that would match assistance funds for the plutonium surrendered for the following reasons:
1. It could be construed by North Korea as an opportunity to haggle, stretch out the bargaining process, and engage in tit-for-tat tactics.
2. It would set an undesirable precedent for other states with active nuclear ambitions.
3. It would be subject to severe criticism within the U.S. public that North Korea's violation of the Agreed Framework is being rewarded systematically, and therefore would not be politically viable.
4. It would conflate and confuse payment for illicit goods with economic assistance that meets real human needs, such as those mentioned on page 15. For the same reasons, I object to the explicit buyout suggestions.

Ambassador Donald P. Gregg and Joel S. Wit endorsed this statement.

Amb. Charles L. Pritchard

I join with Katharine Moon's Note of Dissent in objecting to an explicit monetary buy out of North Korea's post-1994 stockpile of plutonium.

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https://doi.org/10.1017/S1557466004000324 Published online by Cambridge University Press

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https://doi.org/10.1017/S1557466004000324 Published online by Cambridge University Press

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Siegfried Hecker, former Director of the Los Alamos National Laboratory, participated in the Task Force discussions as a consultant

Notes

1. Turning Point in Korea: New Dangers and New Opportunities for the United States, published by the Center for International Policy and the Center for East Asian Studies, University of Chicago, 35 pp.

2. Siegfried S. Hecker, testimony before the Senate Foreign Relations Committee, January 21, 2004

3. For the most authoritative publicly available discussions of the intelligence findings related to North Korea's suspected weapons-grade uranium enrichment facility, see North Korea's Weapons Programmes: A Net Assessment, International Institute for Strategic Studies, London, January, 2004, and Jonathan Pollack, "The United States, North Korea and the End of the Agreed Framework," Naval War College Review, Summer, 2003

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4. "Dealing with North Korea's Nuclear Programs," Statement by James A. Kelly, Assistant Secretary of State for East Asian and Pacific Affairs, Senate Foreign Relations Committee, July 15, 2004
5. The Financial Times, May 4, 2004, pp. 1 and 3.
6. South Korea signed the Additional Protocol on June 21, 1999.
The major provisions of the Protocol were summarized by the U.S. State Department as follows:

"The Model Additional Protocol requires states to declare to the IAEA a number of nuclear and nuclear-related materials, and activities that, while they could be part of a peaceful nuclear program, would be required for a covert nuclear weapons program.

Specifically, the Protocol requires states to report exports of nuclear-related items controlled by the Nuclear Suppliers Group, confirm imports of such items, and report domestic manufacturing of key items. It also requires states to report exports, imports, and stockpiles of raw uranium and thorium that could be used as feed material for a covert nuclear program, and also report information related to uranium mines, uranium and thorium concentration camps, uses of buildings on the sites of safeguarded nuclear facilities, construction of new nuclear facilities, and certain nuclear-related research and development work not involving nuclear material..."

(U.S.-IAEA Additional Protocol, Susan F. Burk, Assistant Secretary for Nonproliferation, Acting, Testimony Before the Senate Foreign Relations Committee, Washington D.C., January 29, 2004)

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https://doi.org/10.1017/S1557466004000324 Published online by Cambridge University Press