

Securing Compliance with Disarmament Treaties: Carrots, Sticks, and the Case of North Korea



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Securing disarmament from an unwilling state is one of the most difficult yet important tasks in the world. In general, there are two ways to achieve this: through incentives or through punishments. The effort to prevent North Korea (the Democratic People's Republic of Korea, or DPRK) from developing nuclear weapons in violation of its Nuclear Non-Proliferation Treaty obligations furnishes examples of bountiful incentives and threatened punishments. The DPRK has been promised two modern nuclear reactors, 500,000 tons of heavy oil annually, and full normalization of political and economic relations (amounting to a \$4 billion carrot at least!). Before this deal was reached, the DPRK was threatened with economic sanctions, further international isolation, and intimidating military maneuvers (the ominous stick).

The UN Security Council has been given the main responsibility for enforcing compliance with treaties to ban weapons of mass destruction, i.e., the Nuclear Non-Proliferation Treaty and the Biological and Chemical Weapons Conventions. In practice, other players, especially major powers acting individually (such as the United States) and certain international organizations (such as the International Atomic Energy Agency) play important roles in the compliance game. This essay surveys the international systems of enforcement for these treaties and then describes in detail the case of the DPRK. An analysis of the actions and results reveals lessons for the future of international compliance and control efforts.

The International Control of Disarmament

The United Nations is the world's foremost body for the development, implementation, and enforcement of international law, including the laws of disarmament. In fact, the creators of the United Nations fifty years ago envisioned that the organization would have an even larger and more central role in disarmament. The founders foresaw the establishment of a coordinated and comprehensive system for the regulation of armaments under the

UN. Plans for such a system were to be formulated by the Security Council, with the help of its Military Staff Committee, and the resulting rules were to be enforced by the council.

Cold War paralysis of the council put a halt to the development of such plans. A series of bodies, successively further removed from the council, were created to negotiate disarmament in a piecemeal rather than a comprehensive fashion. Today's Conference on Disarmament is the successor body to more than a half dozen earlier UN disarmament-negotiating bodies. Still, the concept of disarmament "under strict and effective international control" remains alive and is reiterated as an ultimate goal in the majority of treaties signed since 1945. Now that the Cold War is over, it is worthwhile to revisit the plans developed in the early years of the UN for the international control over weapons of mass destruction and to reexamine the adequacy of the compliance provisions in the disarmament treaties signed over the past thirty years. It is realistic to hope that through the gradual, painstaking, step-by-step process and learning experience, we are now moving back to the interconnected comprehensive system envisioned by the UN in its early days.

Less than two months after the UN Charter was signed in June 1945, the world received a rude awakening to the devastating power of atomic weapons. The two atomic bombs that flattened Hiroshima and Nagasaki left a legacy with which we are still trying to cope today. World leaders and delegates to the new organization considered it first priority to establish international means to control this new and awesome power. The first resolution of the General Assembly (held in London in 1946), following a summit declaration and a Security Council mandate on the topic, created the UN's Atomic Energy Commission.

The Baruch Plan, presented by the United States at the first meeting of the Atomic Energy Commission, sought the creation of an International Atomic Development Authority entrusted with all phases of the development and use of atomic energy. The United States was willing to give up its monopoly on atomic power and disarm itself to ensure that such power would be used only for peaceful purposes. This admirable display of generosity and internationalism was the result of a belief that strong and forceful international control was possible. The authority was to have the freedom to inspect all nations. The Security Council was to administer punishment on nations that infringed on the rights of the authority. Furthermore, the United States delegate, Bernard Baruch, insisted that the veto could not be invoked for resolutions on violations of the future international agreement on atomic energy.

The Soviet Union could not agree to this loss of power. The United States, unable to make significant progress on nuclear control and disarmament, later sought a much less ambitious organization as a practical step. The International Atomic Energy Agency (IAEA) was proposed by

President Eisenhower in his “Atoms for Peace” speech of 3 December 1953. The agency’s statute was negotiated with eventual Soviet backing, and it entered into force in 1957. The agency was created to supply nuclear assistance and materials to recipient states subject to a set of safeguards.

While the IAEA founders sought to distance the agency from the Security Council, they still included a provision in the statute that noncompliance problems would be referred to the Security Council. They were perhaps only dimly aware that in a future world, free from Cold War rivalry, these provisions would become vital. The IAEA was established as an independent intergovernmental organization within the UN system. When the Nuclear Non-Proliferation Treaty (NPT) was signed, some ten years after the IAEA statute, the agency was given the role of verifying that materials placed under the mandatory safeguards would not be diverted to further any military purpose.¹ Thus, the IAEA was not given the role of verifying all NPT commitments but only one aspect of it (i.e., the nondiversion of declared materials).

The precise modalities for inspection of nuclear sites are described in the safeguards agreements negotiated between each state party and the IAEA, based on a standard model agreement (INFCIRC/153). If inspectors discover inconsistencies with regard to material accountancy, these concerns are reported to the director general of the IAEA, who then briefs the IAEA Board of Governors. The statute provides that

the Board shall call upon the recipient State or States to remedy forthwith any non-compliance which it finds to have occurred. The Board shall report the non-compliance to all members of the Security Council and the General Assembly of the United Nations. In the event of failure of the recipient to take fully corrective action within a reasonable time, the Board may take one or both of the following measures: direct curtailment or suspension of assistance being provided by the Agency or by a member, and call for the return of materials and equipment made available to the recipient member or group of members. The Agency may also, in accordance with Article XIX, suspend any non-complying member from the exercise of the privileges and rights of membership.²

We show in the next section how these provisions were applied in the DPRK case.

The IAEA safeguards system was also incorporated into other nuclear treaties (e.g., the three nuclear-weapons-free zone agreements: the 1967 Treaty of Tlatelolco, the 1985 Rarotonga Treaty, and the 1996 Perindaaba Treaty, which cover Latin America, the South Pacific, and Africa, respectively). It also served as the standard model for establishing control and compliance mechanisms for nonnuclear treaties. When nations negotiated the 1993 Chemical Weapons Convention (CWC), the IAEA—as the first international organization with an on-site inspection system—was the prototype for

the Organization for the Prohibition of Chemical Weapons (OPCW). The CWC included some of the same compliance provisions as the IAEA, mostly in Article XII.³ Its executive council, analogous to the IAEA Board of Governors, could “request the [noncomplying] State Party to take measures to redress the situation within a specified period of time.”⁴ The Conference of States Parties of the CWC, which included all states party (like the IAEA’s General Conference), could “restrict or suspend the State Party’s rights and privileges under this Convention.”⁵ In cases of particular gravity, it was to bring the issue to the UN General Assembly and the Security Council. While the OPCW could recommend to states that “collective measures” (i.e., sanctions) be applied, it was recognized that only the Security Council has the right to require states to undertake such measures. Ultimately, the Security Council is the enforcer for both the NPT and the CWC.

The 1972 Biological Weapons Convention (BWC) does not include any mention of sanctions or collective measures, but it does provide that any state party “may lodge a complaint with the Security Council” (Article VI). Given the problems of the Soviet veto, the United States did not even table a resolution when it alleged that the Soviets were violating the BWC by developing biological weapons in Sverdlovsk in the mid-1970s. The convention does include the positive security assurance that each state party is obliged to provide assistance to any state party “which has been exposed to danger as a result of violation of the Convention” (Article VII). The CWC provides for a similar security assurance, in the form of protection against chemical attack if any party is threatened or is a victim of such attack.

While the IAEA statute does not include security assurances, the Security Council has endorsed such assurances. In Resolution 255 (1968), the three NPT Depositary states (the United Kingdom, the United States, and the Soviet Union [now the Russian Federation]) offered to provide assistance in the event of nuclear threats or attacks, a positive security assurance. In Resolution 984 (1995), adopted in the run-up to the 1995 NPT Review and Extension conference, the Security Council gave further support to such commitments. It also noted “with appreciation” the negative security assurances, in which some nuclear weapons states promised not to use nuclear weapons against non-nuclear weapons states that are NPT parties. Furthermore, at the summit meeting of the Security Council on 31 January 1992, the council stated that “the proliferation of all weapons of mass destruction constitutes a threat to international peace and security.” This statement has important legal consequences, since the Security Council is obliged to act to remove threats to the peace.

While disarmament treaties and resolutions provide the legal background for the implementation of disarmament, it is in practice that the reality of international commitments is demonstrated. The actions taken for and against the DPRK make a good case study of how international arms control regimes, especially the nuclear nonproliferation regime, work in

practice. The various organizations in the UN system worked together to uphold the NPT, one of the pillars of modern arms control. In addition, a new international organization, the Korean Peninsula Energy Development Organization (KEDO), was established to implement the final settlement. However, the case does reveal that there is a long way to go before a strong international system for compliance is established.

The Case of North Korea: A Descriptive Account

Above all, the cases of Iraq and DPRK have demonstrated the close, prompt and effective liaison and interaction which exists between the IAEA and the UN in accordance with the IAEA Statute and the relationship agreement with the UN. The Security Council has looked to the IAEA as the nuclear inspection arm of the UN system and the Agency has looked to the Council as the body politically responsible for the implementation of nuclear arms control measures.⁶

—*IAEA Director General Hans Blix to the
IAEA General Conference, 1994*

The DPRK began a small nuclear research program in 1962 with Soviet assistance. When construction of a more substantial 5 megawatt (MWe) reactor was begun in 1980 (again with Soviet help), a few eyebrows were raised in the West and other parts of the world. The Soviet Union, which had been aligned with the West on nuclear nonproliferation questions through most of the Cold War, applied pressure on the DPRK to become a party to the NPT. The DPRK yielded by signing the treaty on 12 December 1985. Thus began the tug-of-war between the international community and the DPRK over its treaty commitments.

In accordance with Article III of the NPT, the DPRK was required to conclude a safeguards agreement with the IAEA within eighteen months after NPT ratification. Until a safeguards agreement was adopted, inspections could not begin. The DPRK resisted, and an extension of another eighteen-month period was granted by the IAEA Board of Governors. In 1988, after this deadline had passed, the DPRK stipulated that its signature on a safeguards agreement was to be conditional on the removal of the U.S. nuclear armory from South Korea (Republic of Korea, or ROK). In 1990, when the Soviet Union recognized the ROK, the DPRK foreign ministry released a blunt memorandum saying that such recognition would force it to protect itself with nuclear weapons. The DPRK denied it had a nuclear weapons program and continued to insist that it was acting in good faith with its treaty obligations. By making links between its nuclear program and broader issues, however, the DPRK opened the way for the international community to use various carrots and sticks to coax the DPRK into compromise, if not full compliance.

As Soviet foreign policy under Gorbachev moved away from a united communist front and toward internationalism, the DPRK became increasingly isolated. Kim Il Sung traveled to China in September 1990 to ask Chinese officials for new economic aid. He was told that China could no longer underwrite North Korea's stagnant economy.⁷ This rejection forced the aging dictator to initiate dialogue with the ROK and to look to the rest of the world for trade opportunities. In a conciliatory move designed to abate long-standing communist fears, the South Korean president announced in late 1991 that all U.S. tactical nuclear weapons had been withdrawn from his country.

The two Koreas joined the UN at the same time in late 1991. This event must have been a nightmare for DPRK propagandists, since the nation had fought a bloody war against the "imperialist" UN and had yet to come to a final settlement with this traditional "belligerent" enemy that was perpetuating the artificial division of Korea.

Back in Vienna, the IAEA Board of Governors was still waiting for the DPRK to sign a comprehensive safeguards agreement. The board began to apply pressure by passing a resolution on 12 September 1991 urging the DPRK to sign. The DPRK finally complied on 30 January 1992, almost five years after the original deadline. The situation seemed hopeful, however, since international opinion and pressure appeared to have influenced the behavior of one of a handful of remaining communist regimes and one of the world's major nuclear proliferation concerns.

The DPRK supplied the IAEA with a declaration of its nuclear materials and facilities, as required in the safeguards agreement. Some facilities previously unknown were listed, but not all the facilities the agency would later declare relevant to the nuclear program were included. The IAEA director-general, Hans Blix, headed a preinspection visit to the Nyongbyon nuclear complex on 11–16 May 1992. The IAEA visitors examined what was found to be a huge reprocessing plant, which was 80 percent complete and which the DPRK had reported as merely a "radiochemical laboratory" (RCL). The plant was already capable of producing small quantities of weapons-grade plutonium from spent fuel removed from the 5 MWe reactor. After further inspections, the IAEA found clear "inconsistencies" between the DPRK's declaration on reprocessed plutonium and the results of analyses of samples of recovered plutonium, waste uranium, and other reprocessing wastes. The analyses indicated that there had been more reprocessing campaigns than had been reported to the agency. It appeared that the North Korean officials had deliberately falsified information in their declarations. Furthermore, high-resolution images from U.S. satellites were shown to the board of governors about this time, providing further proof of DPRK noncompliance. When confronted with this photographic evidence at a meeting of the board of governors, the North Korean representatives were visibly disturbed. It is believed that North Korea was relying

on two of its nationals within the IAEA secretariat (one of whom was at the high P-4 level) to guide it in its attempt to foil agency inspections. But the international community could now see that U.S. claims of an undeclared nuclear weapons program were now backed up by impartial international determinations.

The NPT Withdrawal Notice of 1993

The IAEA then requested access to two undeclared sites, which were believed to contain nuclear waste products from the clandestine production of plutonium. When the DPRK refused, Director-General Blix, on 11 February 1993, invoked a clause in the safeguards agreement to make an unprecedented request for a “special inspection.” The DPRK challenged the validity of the request, alleging that it was based on evidence given to the IAEA by a particular member (i.e., the United States) and that using such input was not provided for in the safeguards agreement. The DPRK accused the director-general of being a pawn in the hands of the United States and using biased “intelligence information fabricated by the United States . . . a belligerent party vis-à-vis the DPRK.”⁸

The IAEA Board of Governors backed the director-general by demanding⁹ that the DPRK respond “positively and without delay” to the inspection request. The DPRK, seeing itself forced into a corner, then made the dramatic announcement on 12 March 1993 that it was withdrawing from the NPT.¹⁰ As reasons, it cited the IAEA demands for special inspections and the joint U.S.-ROK military maneuvers (Team Spirit). Many states questioned the validity of the reasons, i.e., whether these were indeed “extraordinary events [which] jeopardized the supreme interests of the country,” as required by the treaty. However, in accordance with the NPT (Article X), withdrawal was to take effect three months after notice was given to all NPT parties and to the UN Security Council, in this case 12 June 1993.

As the clock was ticking, an alarmed international community engaged in tremendous public and behind-the-scenes activity, under the constant attention of the media. The IAEA board of governors declared on 1 April 1993 that the DPRK was in noncompliance with its safeguards agreement (which was still in effect) and, as required by Article XII.C of the Statute and Article 19 of the safeguards agreement, it reported the matter to the UN Security Council and General Assembly.¹¹ The vote in the board was twenty-eight for, two against (China and Libya), and four abstaining (India, Pakistan, Syria, and Vietnam).

The issue was then formally placed before the UN. The Security Council called on the DPRK “to comply with its Safeguards Agreement with the IAEA as specified by the IAEA Board of Governor’s resolution of 25 February 1993.”¹² The document also urged all member states to

encourage the DPRK to respond positively. China and Pakistan abstained, but there were no negative votes. A DPRK representative at the council meeting defended his country's action as a measure required for self-defense. There was no mention or threat of sanctions in the resolution.

Senior-level U.S.-DPRK talks devoted exclusively to the nuclear issue were held at the U.S. mission to the UN in New York from 2 to 11 June. On 11 June, the DPRK announced it had "suspended the effectuation of its withdrawal" from the NPT. This was, no doubt, a positive development, but the DPRK claimed that it still had the right of withdrawal at any moment without giving advance warning. The DPRK also argued that the suspension gave it a "special status," under which it had the right to determine which parts of the treaty were binding on it. The DPRK insisted that because of this special status, it had the right to nullify the agency's right to perform special inspections and that the DPRK only needed to maintain the continuity of safeguards already in place. As a result, IAEA inspectors were permitted to carry out some, but not all, of their inspections and only at declared sites.

On 1 November 1993, the UN General Assembly, disregarding the DPRK's claim of special status, voted 140 to 1 (DPRK), with 9 abstentions, to call on the DPRK to fulfill its NPT obligations. Impatient U.S. senators called on the administration to reintroduce tactical nuclear missiles into the ROK.¹³

On 21 March 1994, the Board of Governors passed another resolution finding the DPRK to be in further noncompliance, because there were a number of procedures the inspectors were not allowed to perform. Again, the DPRK claimed to have a "special status" that limited the nature of what the inspectors could do. The agency, however, never acknowledged this "special status."

Tensions increased to a new height when the DPRK shut down the Nyonbyon reactor to unload its core. Refueling was planned for 4 May 1994. U.S. defense secretary William Perry told the National Press Club that the spent fuel in the reactor would contain enough plutonium for four to five nuclear bombs.¹⁴ The IAEA inspectors were aware that if refueling was completed without samples having been taken, the IAEA would be unable to maintain material accountancy to determine how much plutonium had been extracted in previous campaigns. Blix, in a frantic effort to prevent the refueling, turned to the Security Council. The council, aware that removal of the fuel had been accelerated, urged the DPRK to preserve evidence required for material accountancy. U.S. secretary of state Warren Christopher sent a message to Chinese foreign minister Qian Qichan asking Beijing to use its influence to aid in the situation.

If refueling were completed, the agency would be unable to determine how much fuel had been withdrawn in earlier reprocessing campaigns, making it impossible to determine whether or not the DPRK had obtained a

substantial amount of unseparated weapons-grade plutonium. Despite strenuous objections, the DPRK proceeded with its shutdown and fuel exchange in the absence of IAEA inspectors. It was against this background that the Clinton administration sought global economic sanctions against the DPRK. Negotiations between the DPRK and the IAEA broke down completely in June 1994. On 10 June, the IAEA played its sole coercive compliance card by withdrawing the one substantial benefit it had to offer: technical assistance. In paragraph 6 of its resolution,¹⁵ the Board of Governors “decides, in conformity with the provisions of Article XII.C of the Statute, to suspend non-medical assistance to the Democratic People’s Republic of Korea.”¹⁶

This was not a great blow to the DPRK or to its nuclear program, but coming at such a sensitive time, it resulted in a swift negative reaction. Three days later, the DPRK withdrew its membership in the IAEA and placed a ban on inspectors in its territory. Two inspectors were, however, allowed to remain for a brief period.

UN Sanctions Considered in 1994

The DPRK realized the potential for sanctions even when it announced its decision to withdraw from the NPT. It accused the United States of “plans to charge the DPRK with ‘non-implementation of the special inspection’ and [to] take the matter to the Security Council of the United Nations so as to impose ‘collective sanctions’ on the DPRK.”¹⁷ The DPRK was not unfamiliar with punitive Security Council action, as it had been the target of the UN’s first collective military measures in the Korean War (1950–1953).

By June 1994, the United States was “hell bent,” in the oft-repeated words of the DPRK, on imposing sanctions. On 2 June 1994, the Clinton administration called for global economic sanctions against the DPRK. Included in the first round would be to declare an arms embargo and halt to UN aid (including support for a big industrial project on the Tumen River) and to reduce the size of DPRK foreign missions and the number of nationals in international organizations. The second round, if necessary, would include a ban on financial transactions (including remittances from nationals in Japan) but not a full trade embargo.¹⁸

The United States, Japan, and South Korea issued a joint statement urging the UN to consider sanctions. Russia also supported the sanctions initiative. President Clinton was careful to insist that there was still a way for DPRK to avoid sanctions if it would comply with inspection requests. The Clinton administration also threatened that if the UN did not apply sanctions, the United States would do so on its own or in conjunction with its allies. The government of Japan drafted a ten-point package of sanctions against the DPRK.

The first and most obvious obstacle to passing a sanctions resolution in the Security Council was veto-carrying China. The Security Council

statement of 30 May deliberately omitted mention of sanctions in order to ensure the support of China. There were obvious reasons for China's opposition to sanctions. Sanctions were expected to have a debilitating and potentially destabilizing economic effect on China, especially in the region near the Tumen River. The region sees \$300 million in cross-border trade between China and DPRK, part of the \$735 million trade between the two countries.¹⁹ Sanctions would also have a debilitating effect on South Korea because, despite their official position as enemies, South Korea is the DPRK's third-largest trading partner.

China's opposition also came from a fear (shared by South Korea) that a faltering government in Pyongyang could destabilize the entire region. Both China and South Korea were concerned that thousands of people, fleeing a worsening situation in the DPRK, would flood across their borders, causing instability at home. South Korea, however, supported sanctions, despite the hazards.

Despite its strong public stance, Japan also expressed misgivings about sanctions. The DPRK had threatened to mete out a "deserving punishment" if Japan were to support economic sanctions. While the DPRK did not pose a serious military threat to Japan, there are 250,000 people of North Korean descent living in the country—many of them loyal to the Pyongyang regime—creating a very real danger of unrest, organized resistance, and even terrorism.²⁰

The United States wanted to get Japan to block North Koreans living in Japan from sending money to relatives in the DPRK. It has been estimated that between \$600 million and \$1.6 billion dollars is sent to the DPRK every year from Japan. Japan would have preferred a UN cover for these actions to avoid taking on the DPRK unilaterally. Another concern was that in the summer of 1994, the DPRK was testing the Rodong 1 missile that had a range of 1,000 kilometers (i.e., within striking distance of major cities in Japan) and could be fitted to carry a nuclear warhead.

As the pressure for Security Council sanctions increased, the threats of unilateral sanctions and military threats also grew in number. The U.S. House of Representatives, for example, voted 415 to 1 on a nonbinding resolution urging sanctions and the rescheduling of the Team Spirit military exercises.

The Agreed Framework

It was at this time of high-stakes confrontation that former U.S. president Jimmy Carter arrived on the stage with a visit to the DPRK. To the surprise of the Clinton administration, Carter announced on 16 June 1994 that he had come to an understanding with Kim Il Sung, claiming that sanctions were not necessary and that perhaps a second Korean war had been avoided.

This provided the impetus for the United States to do an about-face and pursue new possibilities of negotiation. That is, since the stick approach was fraught with difficulties, it would serve U.S. interests to try the carrot.

The United States had made vague offers to the DPRK before. As early as January 1992, officials under President Bush told the DPRK that “North Korea could participate in the Asian economic miracle if it would drop its nuclear ambitions.”²¹ In November 1993, the United States first mentioned that it might be willing to offer diplomatic and economic concessions in addition to canceling the Team Spirit military exercises. It would agree to this only if the DPRK were willing to cooperate with IAEA inspectors and to resume talks with South Korea over mutual nuclear inspections, as agreed in their 1992 Joint Declaration for the Denuclearization of the Korean Peninsula.²² The United States and the DPRK agreed to start talks on 8 July 1994.

Kim Il Sung died three weeks after Jimmy Carter’s announcement. This event delayed both the negotiations for a detailed accord that were to begin the day he died and a proposed DPRK/ROK summit. The world wondered what would be the policy of the new regime. U.S. and DPRK representatives met in Geneva on 5 August for formal negotiations. One week later, an announcement was made that a tentative agreement had been reached on the provision of light-water reactors and diplomatic recognition. No agreement had been made, however, on the safe storage of the fuel rods or with regard to the two sites where the IAEA had been refused access.

A further round of senior-level talks began in Geneva on 23 September. At these talks the DPRK insisted on payment of \$2 billion in compensation for discontinuing the nuclear program and insisted that South Korean reactors were unacceptable. This problem also resurfaced later and was eventually resolved when the term *American-designed* reactors was substituted.

Having seen the effectiveness of a show of military force in getting Haitian dictators to step down the week before, the United States decided to demonstrate that it still carried a big stick. It deployed a battle group to the Sea of Japan. The new commander of the Pacific Fleet said the move was intended to send a message to the DPRK and to boost the U.S. stance in the talks. The State Department denied any connection. North Korea warned that “military threats will never make us give in on our principles,”²³ and the talks were suspended until 4 October.

The two chief negotiators in Geneva—Chung Won-shik, the DPRK’s first vice-minister of foreign affairs, and Robert L. Gallucci, U.S. assistant secretary of state—were able to reach an agreement on 21 October 1994. To permit both parties to move within the agreement, the document was titled an “Agreed Framework” and was considered by the United

States an executive agreement rather than a treaty, since the latter requires the consent (by a two-thirds majority) of the Senate.

The Agreed Framework describes actions to be taken “for the resolution of the [Korean] nuclear issue.” A summary follows:

- I. (1) The DPRK’s graphite-moderated reactors will be replaced with light-water reactors (LWR), power plants that pose less of a proliferation risk. The United States will organize a consortium to finance the LWR project (within six months). While the United States is arranging for the supply contract, the IAEA will not be allowed to perform new ad hoc or routine inspections.
 (2) The United States agrees to make arrangements to offset the energy that will be lost as a result of the freezing of the nuclear program. The United States will arrange for the provision of as much as five hundred thousand tons of heavy oil annually.
 (3) The DPRK, once guaranteed the LWR and interim energy alternatives, will freeze its nuclear reactors and related facilities (including the RCL) under supervision of the IAEA. It will only begin to dismantle their reactors when the LWR project is complete. The spent fuel from the 5 MW reactor will be stored safely and disposed of in a manner that does not involve reprocessing in the DPRK.
- II. The United States and the DPRK will move towards full normalization of political and economic relations, including the reduction of trade and investment barriers.
- III. Both sides will work toward peace and security on the Korean Peninsula. The United States will provide formal assurances against the use of their nuclear weapons.
- IV. Both sides will work toward strengthening the Non-Proliferation Treaty (NPT) and the DPRK will remain a party to that treaty. IAEA inspections are to be limited at sites not subject to the freeze. Only after a significant portion of the LWR is completed may the IAEA conduct special inspections of the two sites to which the DPRK had refused access.²⁴

The IAEA Board of Governors supported the Agreed Framework in general, although many delegates had reservations about the fact that some inspections would not take place for at least five years. But the director-general of the IAEA, Hans Blix, took an optimistic view: “The US-DPRK Geneva Agreed Framework appears to foresee a vital, prolonged and extensive role for the Agency.”²⁵

The UN Security Council also gave its approval. In a presidential statement²⁶ on 4 November 1994, it “notes with satisfaction” the Agreed Framework “as a positive step.” The statement further reads: “[The Security Council] also notes the DPRK’s decision to come into full compliance with the IAEA-DPRK Safeguards Agreement . . . and notes with approval the DPRK decision in the Agreed Framework to freeze its graphite-moderated reactors and related facilities, which is a voluntary measure beyond what is required by the Treaty and the IAEA-DPRK Safeguards Agreement.” The

Security Council requested that the IAEA take all steps it might deem necessary as a consequence of the Agreed Framework to monitor the freeze of the specified facilities, noting that verification activities with respect to such a voluntary measure are within the scope of the safeguards agreement.²⁷

The Agreed Framework was, in the end, a document negotiated between the DPRK and the United States and was viewed as a bilateral agreement between Pyongyang and Washington. But the United States made commitments that required the generosity of others. Only 10–20 percent of the aid is to come directly from the United States. The main providers, the ROK and Japan, together with the United States, created the Korean Peninsula Energy Development Organization on 9 March 1995. Other nations, including Australia and Canada, also joined the new international organization and made pledges of financial support.

The DPRK is still pushing for more concessions by finding fault with details of the accord. For the time being, however, the Agreed Framework is being implemented. DPRK-KEDO talks are being held to plan the detailed implementation of the accord and to smooth out differences and difficulties. Meanwhile, the IAEA has verified that the DPRK has indeed frozen the relevant parts of its nuclear program.

The Case of North Korea: An Analysis

Evaluating the Deal

The jury is still out on the question of the ultimate success of the Agreed Framework. To succeed, the carrot approach must overcome many challenges. Will the DPRK fulfill its obligations on time? Will it renounce forever its nuclear weapons ambitions and give up any chance of building a clandestine nuclear program? Will the United States be able to keep its consortium together and manage to wrangle out the billions needed to fulfill the promises made in the agreement? Can the DPRK's appetite for more carrots be satiated?

Only time can supply the answers to these questions. But this new experience in nuclear preventive diplomacy is worthy of detailed study and analysis. There are lessons to be learned about international behavior in the post-Cold War world. It would seem from the DPRK experience (as well as the Haitian one) that offering the carrot while wielding the stick is an effective approach.

And it certainly builds suspense. The United States went to the brink of imposing sanctions but never followed through. There could very well have been a showdown with China in the Security Council on a draft sanctions resolution. The DPRK warned that the imposition of sanctions would

be equivalent to a declaration of war. The United States also flexed its military muscle, sending a battalion of Patriot missiles to the ROK and announcing renewed joint U.S.-ROK military exercises. The DPRK declared itself to be in a state of "semi-war." Then a former U.S. president, Jimmy Carter, stepped in at the right time to head off an economic and perhaps military confrontation. A somewhat embarrassed Clinton administration decided to seize the opportunity and begin formal talks. The United States lowered its club and held out the carrot. A wide-ranging agreement was signed promising across-the-board cooperation.

The Clinton administration has received standard condemnation from some quarters about "dealing with the enemy." Others worry that the negotiating strategy "rewarded bad behavior and encouraged other potential proliferators such as Iran, Algeria, Syria or Libya to do the same."²⁸ Still others are concerned that by agreeing to pursue a bilateral approach the United States had sidelined the international organizations responsible for ensuring compliance (i.e. the IAEA and the Security Council).

These arguments and concerns need to be addressed for the specific case of DPRK, because they are also relevant for any situation in which incentives are offered as a "reward" for promises of treaty compliance. The first point can be easily refuted. The DPRK is hardly an enemy. Rather it is a very isolated state, which only recently joined the UN. It is reasonable to expect that it will gradually open up to outside trade and undergo transformation toward a more open society, as has taken place in most of the former communist world. The attitude toward the DPRK should be more akin to dealing with a violator of an international treaty. Firm but considered treatment is called for.

The second concern, of rewarding bad behavior, is a more serious one. In the real world of international politics, deals that are struck are never ideal. It would have been best if the DPRK had unilaterally renounced the nuclear option. On the grounds of international law, however, no one could deny the DPRK its sovereign right to withdraw from the NPT. Neither could the nation be legally prohibited from developing nuclear weapons once it had withdrawn. Offering rewards to the DPRK for good behavior was a realistic route to heading off a major proliferation problem. This does mean that the international community will have to be careful not to allow Iran, Syria, or Libya to come to the point where they could withdraw from the NPT regime, as the DPRK threatened, with a nuclear weapons program well in progress. However, these other potential proliferators are in no way guaranteed to receive the benefits given the DPRK. Rather, the ominous stick waved at the DPRK could be applied in their case. The Arab states have only to look at the Iraqi experience to see how such a stick has been used.

Is it wise to send mixed signals? Should the carrot and the stick be used simultaneously? The breakthrough occurred at the point when the

United States was seriously working for sanctions in the Security Council. One could argue that the United States made a clever use of the carrot and the stick in its bargaining strategy: President Clinton offered both economic and diplomatic sticks and carrots. At all times, the Pentagon was weighing options for strengthening the U.S. military presence in South Korea.

The last concern, that the United States sidelined the responsible international organizations, is worthy of detailed consideration. It may be that it was inevitable. The DPRK insisted that the “nuclear problem” could be solved only through DPRK-U.S. talks.²⁹ The United States assumed a great responsibility in coordinating funding between reluctant suppliers and a finicky receiver. It required the clout of a superpower to ask the ROK and Japan to supply the billions required to buy peace. The United States also had the oil to act as a lubricant, so to speak, to make the deal work. The DPRK wanted to make absolutely sure that it would not lose out economically by freezing what was its nuclear power program as well as its nuclear weapons program.

The question to ask is, if not the United States, then who? It could be argued that if the United States had not been willing, the IAEA could have been given the leadership role (perhaps through the person of its director-general) throughout the negotiations, instead of just in the early stages. In such a case, it would have been unrealistic for the DPRK to attempt to bargain for such a favorable deal from a poorer IAEA. It might very well have settled for less. In May 1992, at the time of the IAEA’s initial inspections, the DPRK made it clear to the director-general that it would be willing to consider giving up part of its nuclear program for foreign nuclear assistance. The IAEA was willing to consider this avenue; its press release dated 15 May 1992 states that “another route to nuclear power is being considered, consisting of light water reactor technology and enriched uranium fuel, if a secure supply can be obtained.”³⁰ But this promising avenue was not explored by the IAEA since the DPRK insisted in dealing only with the United States, which of course had more to offer. (Besides, the IAEA was, according to the DPRK, just a pawn of the United States.)

Had the IAEA pursued negotiations with the DPRK, it is possible, but not certain, that it could have made offers of aid, but it is unlikely that it would have been anywhere as large as that offered by the United States. Any large aid packages would have required careful and close coordination with the primary donor countries (the ROK and Japan), and the United States was in a better position to maintain such coordination and leadership in the negotiations. The United States was also in a better position to offer incentives itself. The IAEA’s ability to offer a valuable carrot or wield a threatening stick on its own is rather unsubstantial. Its only real stick would be to cut off the technical assistance it provides. This, however, was not a significant threat to the DPRK. Furthermore, the IAEA statute, unlike

the later Chemical Weapons Convention, does not include provisions for the IAEA board to recommend that states undertake sanctions against violators. The statute only provides that the IAEA may report noncompliance to members of the UN Security Council and the General Assembly.

In the Security Council, it is doubtful that without U.S. leadership any sanctions would have been imposed. However, even with strong U.S. leadership, it is quite possible that a sanctions resolution would have been vetoed.

It is impossible to judge the likelihood of success of an alternative and imaginary scenario, such as the one in which leadership was provided by such international organizations as the UN and the IAEA. The IAEA played the lead role only up to the point of U.S.-DPRK talks, and the UN role was only supportive. After that, its influence waned. Privately, IAEA delegates and staff had some misgivings. They were unhappy that IAEA inspectors were barred for possibly five years or more from carrying out their full inspection mandate as well as special inspections they had sought. Nevertheless, that was the concession they were called upon to make in the final bargain.

The UN would have been the center for a political storm had the other compliance route (sanctions and military strikes) been taken. In the end, both the UN and the IAEA endorsed the settlement.

The Motives of the DPRK

To choose between the carrot and stick approaches, an understanding of what motivates the target country is essential. This means ascertaining not only the country's reasons for noncompliance but also determining what would constitute useful inducements and punishments. As it turns out, the motives that led the DPRK to initiate a nuclear weapons program are the same as those that allowed it to be receptive to the carrots and sticks that seemed to have made them cease their noncompliance. These were security, economic, and political concerns.

Security concerns. First and foremost, it was security concerns that prompted the DPRK leadership to develop nuclear weapons technology. The Korean War has ended, but there is still a tense standoff along the 150-mile demilitarized zone. The United States has heightened this security concern by posing a nuclear threat and engaging in Team Spirit military maneuvers.

Alexandre Mansourov suggests four security concerns that prompted Kim Il Sung to embark on his nuclear program:³¹

1. The bombing of Hiroshima and Nagasaki had an indelible impact on the dictator as a young man. He fought the Japanese for fifteen

- years and lost on every occasion. The United States, however, seemed to have defeated the Japanese with just two bombs.
2. Kim Il Sung realized how seriously the United States had considered using nuclear weapons against the DPRK in the Korean War.
 3. Kim Il Sung felt that the Soviet Union had abandoned Cuba in the Cuban missile crisis and felt the DPRK had to defend itself; this point was reinforced when the Soviets recognized the ROK in 1990.
 4. In the 1970s, the DPRK discovered that the ROK was developing a nuclear weapons capability. The United States managed to persuade South Korea to abandon this program, but only by introducing tactical nuclear weapons to the ROK and initiating the Team Spirit military exercises.

The most obvious carrot to offer under these circumstances would be one that addresses the security concerns. Andrew Mack has been arguing for years that the United States should offer a package that addresses security concerns rather than economic problems. He suggests that the United States offer “an unconditional US commitment that it would not use nuclear weapons against the North . . . permanent cancellation of the provocative Team Spirit exercises; and a unilateral and verifiable commitment by the South that it would not seek to acquire an offensive military superiority over the North.”³² This carrot was offered in the first Geneva talks in June 1993 as a result of the DPRK threat to pull out of the NPT. The United States pledged not to use or threaten use of nuclear weapons against the DPRK. This was also incorporated into the Agreed Framework.

The Russian foreign intelligence service believes that by the time of the first IAEA inspection in May 1992, the DPRK government had already decided to abandon the military part of the nuclear program due to economic, financial, and scientific problems.³³ Abandoned or not, the threat of future nuclear capability was real, and Kim Il Sung became interested in what concessions he could get for this nuclear program. Nuclear weapons would give the DPRK considerable leverage in negotiations. They would make the DPRK the only power in the region, other than China, to possess the “ultimate” weapons. But there is evidence that the DPRK’s chief motivations after the end of the Cold War were driven not by military factors but by economic ones.

Economic factors. The DPRK wanted to have a secure energy source. A nuclear energy program offered such a possibility. When the DPRK was considering abandoning its nuclear program, it sought compensation. The alternative of the LWRs was appealing because they would produce a great deal more power (a total of 2,000 MWe) than the graphite-moderated reactors (5, 50, and 200 MWe reactors in construction). The DPRK suggested

this swap of reactors when Hans Blix was in the DPRK on the IAEA's preinspection visit in May 1992. LWRs were offered in the second round of high-level U.S.-DPRK talks in Geneva in 1993 and became the focus of the Agreed Framework.

Another motivation was general economic assistance. Kim Il Sung traveled to China in September 1990 to ask Chinese officials for new economic aid and was refused assistance. This rejection forced the elderly dictator to begin mending fences with the ROK and to look to the rest of the world for trade opportunities. Large-scale economic assistance was offered in the Agreed Framework.

It is ironic, however, that the economic assistance so eagerly sought by the communist regime may possibly be the cause of its downfall. Western aid would bring with it information about life outside North Korea. Foreign goods would raise the standard of living. Of particular concern was any assistance from South Korea. In 1995, the DPRK walked out of bilateral negotiations in Berlin when the United States insisted that the light-water reactors be of South Korean design. The DPRK negotiators said that the design was "untested and unsafe." It is more likely, however, that the real reason is pride, as well as fear that the people of the DPRK would see evidence that the ROK was technologically superior. "In the process, they would discover that they had been systematically lied to for decades."³⁴

Political normalization. The DPRK, like many countries, wanted to command greater respect from the international community. Nuclear weapons would provide such power. With nuclear weapons, the DPRK could stand shoulder to shoulder with more powerful nations. Any replacement for nuclear weapons would have to increase the country's political stance in a world in which it was becoming increasingly isolated. An important carrot for the DPRK was diplomatic recognition from the United States and other countries. Besides, this might also serve to hamper the good relations between the United States and the ROK.

The negotiations themselves gave the DPRK some credibility. The United States was acknowledging that it considered the DPRK worthy of its concentrated attention. This gave the Kim regime legitimacy as a significant regional power.

By the time the decision was made to withdraw from the NPT, the DPRK had decided that it wanted to negotiate with the United States alone. In addressing the UN General Assembly on 1 November 1993, the representative for the DPRK stated, "The lesson we have learned after all our efforts to resolve the nuclear issue on the Korean Peninsula proves that talks between the DPRK and the United States are the only way to resolve the issue, in view of its origin as well as its political and military character. Because of their unfair acts, the IAEA Secretariat and the Board of Governors

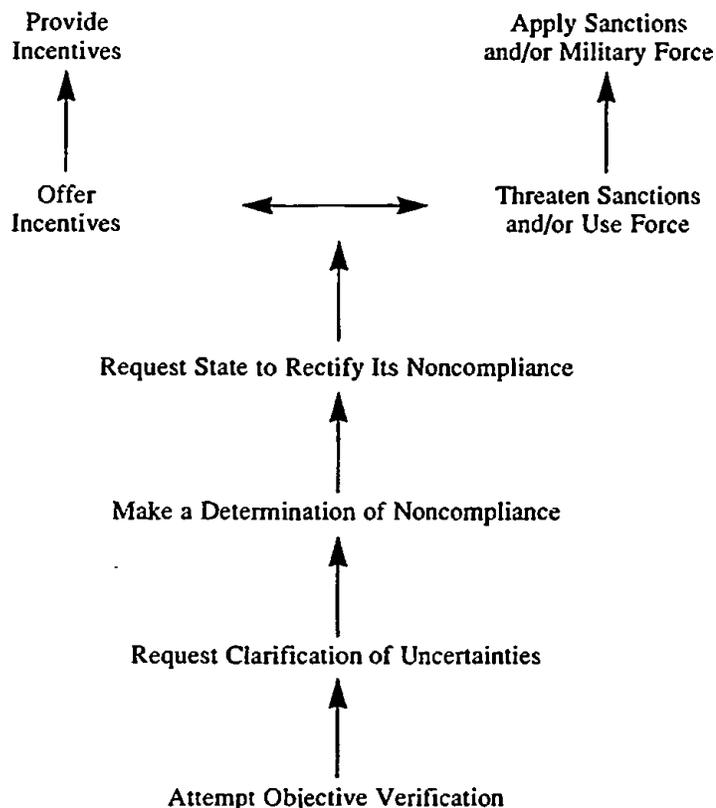
are no longer qualified to deal with our nuclear issue.” In the Agreed Framework, the two sides agreed to “move toward full normalization of political and economic relations.” This included, as a first step, the opening of liaison offices.

In contrast to the many incentives, how were the two threats (military attack and sanctions) viewed by the DPRK? The DPRK probably knew that there were many problems for the West associated with both. It was doubtful that the United States, for domestic and international reasons, could commit itself to a war. Similarly, it would have had difficulties applying meaningful sanctions against the DPRK. Because of its isolation, the DPRK was fairly well protected from these outside pressures. Andrew Mack wrote, “the Kim regime may well believe, and with good reason, that it can survive sanctions without either too much hardship or political cost to itself—at least for as long as it takes to build a modest arsenal of nuclear weapons.”³⁵ There was so little contact with the outside world and the regime was so in control of all aspects of the lives of its populace that nations were concerned that sanctions would have little effect. The DPRK is dedicated to a policy known as *Juche*, which is based on the cult of personality of Kim Il Sung and his son Kim Jong Il and the belief that the DPRK can be completely self-sufficient. Recent experience with sanctions in Iraq and Libya only underscored the notion that centralized regimes can withstand sanctions for considerable lengths of time. Given the valid concerns over the use of sanctions, one has to wonder if sanctions were considered a feasible stick, at least in the short term. By contrast, once the DPRK had bitten into the large carrot and had become dependent on the bountiful incentives, it would be possible to exert control by managing and even denying these benefits, were compliance not forthcoming.

The Compliance Ladder

The DPRK story exemplifies an important process: the typical progression of steps to promote and ensure treaty compliance. This “compliance ladder” is illustrated schematically in Figure 1. At the first stage (bottom rung of the ladder), the DPRK was encouraged to assume the obligations of the NPT by signing the treaty in 1985. Even if the DPRK had not signed the treaty, there exist widely accepted norms of behavior that would have constrained the DPRK, at least to the extent that it would have had to keep its nuclear weapons program secret. Once the treaty was signed, enforcement was much easier from the legal point of view. Gradually mounting international pressure was brought to bear on the DPRK to sign a safeguards agreement and thus allow international inspections.³⁶ After six years and much coaxing, such an agreement was signed and the required declarations regarding nuclear materials and equipment were made. The first few IAEA

Figure 1 The Treaty Compliance Ladder, Illustrating the Progression of Steps Typically Taken by the International Community to Ensure Compliance with a Treaty



inspections in 1992 revealed “inconsistencies” between the DPRK’s declarations and the results of samples taken. IAEA requests for access to additional material and sites were denied repeatedly. The director-general engaged in several months of diplomacy to gain access, but discussions with the DPRK minister of atomic energy floundered. The director-general threatened to inform the Board of Governors of DPRK “noncompliance” with its safeguards agreement on 19 March 1993 and, upon receiving a negative reply, followed through with his threat. The Board of Governors confirmed the judgment and, in accordance with the IAEA Statute, informed UN members on 1 April 1993.³⁷ This sort of international judgment is an important step in the compliance ladder because it forms the basis for subsequent concerted international action.

The Security Council and the General Assembly passed resolutions expressing “concern” regarding DPRK noncompliance and urged the DPRK to comply. In DPRK-U.S. negotiations, some carrots were extended, but when talks bogged down in late 1993, the United States threatened sanctions. As the DPRK began removing materials from the reactor in May 1994, thus jeopardizing any chance to accurately quantify the diversion of

plutonium, the United States became firm in its call for global economic sanctions. This meant climbing up one branch of the compliance ladder. The IAEA withdrew technical aid to the DPRK on 10 June 1994. The DPRK responded three days later by withdrawing from the agency. The call for global sanctions and military action heightened.

Many obstacles were foreseen in the passage and implementation of such sanctions. No one could be sure how the DPRK would respond. Once the confrontational route had been taken there was a real possibility, based on DPRK statements, that a standoff could result in war. Therefore, in light of the encouraging results of the Carter visit, the United States shifted emphasis from sanctions and military buildup to diplomacy and incentives. This meant climbing down the sanctions branch of the compliance ladder and proceeding up the incentives branch, even though the threat of the former approach remained. The Agreed Framework included bountiful incentives.

As matters now stand, the United States is firmly committed to pursuing the peaceful cooperative route, in spite of an obstinate attitude on the part of the DPRK. The United States has incurred the burden of having occasionally to "sweeten the pot" as well as keep its allies (who are paying the greatest share) on its side. This is the burden of leadership.

The Korean Peninsula Energy Development Organization was the consortium created to make good on the U.S. pledges in the Agreed Framework. The need for KEDO, considered an international organization under international law, shows that even after the Cold War, the lone superpower needs a multilateral framework. While the DPRK insisted in negotiations on dealing only with the United States, this was not possible in the implementation. The contributors to the incentive program needed to have their say ("no taxation without representation"). KEDO allows disputes among parties as well as with the DPRK to be settled in negotiations. It also has the benefit that it allows officials from the ROK and the DPRK to sit at the same negotiating table.

With an enormous flow of aid and assistance pouring into the DPRK through KEDO, the communist country will be unable to continue in its "splendid" isolation. Even if its leaders attempt to claim all the credit for the unprecedented influx of goods, the people are bound to gain more exposure to the outside world. Indeed, the DPRK will likely become dependent on this aid. As KEDO responds to the needs, if not the requests, of the DPRK, it will be in position to exert influence on the DPRK in much the same way as the carrot holder gains influence over the donkey. This new exposure and outside influence will be healthy for the DPRK. It may even lead to the peaceful unification of Korea. Just as the East German leaders were compelled to recognize the forces of change, leading to the rapid and unexpected fall of the Berlin Wall, the DPRK leaders could in time find themselves unable to prevent the momentum toward reunification. Indeed, the ROK recognized that the price for a nuclear deal was steep, but given

the hopes for reunification, the deal was an investment in its own future. Eventually, perhaps, the reactors would provide power to their own united Korea.

The alternative to the carrot is the stick. While sanctions are a mild form of the stick, some U.S. politicians called for the heavy stick of military measures. But that route is fraught with danger. Once a definitive threat is made, the threateners may find themselves forced to carry out the threat. If they cannot, they merely bluff—and suffer a loss of credibility. And if force is used as threatened, the outcome is almost always undesirable. Military measures rouse great and lasting animosity, risk escalating the situation, and lead to none of the long-term benefits of cooperation. The cardinal rule is that force should be used only as a last resort, after all other avenues have been pursued. This rule was maintained in the North Korean case, to the dismay of some right-wing U.S. politicians but to the benefit of international law and humanity.

Conclusion

While there are few communist dictatorships left in the world, one can be sure that there are many states that will in the future seek to violate international law and challenge international resolve. Violations will certainly extend to developing prohibited weaponry. The DPRK experience may be the first of many similar cases.

One must wonder, however, if the United States will always be able and willing to conduct bilateral negotiations and come to a bilateral settlement. Will the lone superpower be willing to supply the large carrot? We cannot take this for granted. Multilateral mechanisms must be strengthened. Current international organizations should be given greater capacity to offer incentives (carrots) and implement multilateral sanctions regimes (sticks). Perhaps the time has come to return to the comprehensive and collective system referred to in the UN Charter. We must begin to build the international institutions that will carry us safely through the twenty-first century. 🌐

Notes

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1. A review of the structures and functions is provided in table form in A. Walter Dorn and Ann Rolya, "The Organization for the Prohibition of Chemical Weapons and the IAEA: A Comparative Overview," *IAEA Bulletin* 3 (1993): 44.

2. Statute of the International Atomic Energy Agency, Article XII.C.
3. See A. Walter Dorn and Douglas Scott, "The Compliance Provisions in the Chemical Weapons Convention: A Summary and Analysis," Occasional Paper no. 2, Graduate Institute of International Studies, Programme for Strategic and International Studies (PSIS), Geneva, 1995.
4. Article VIII:36, Chemical Weapons Convention (CWC).
5. Article XII, CWC.
6. Statement to the thirty-eighth session of the general conference, cited in Programme for Promoting Nuclear Non-Proliferation, Newsbrief No. 27 (Southampton, U.K.: third quarter 1994), p. 29.
7. "Friendless in North Korea," *Globe and Mail*, 1 January 1992, p. A10.
8. Statement of the government of the Democratic People's Republic of Korea, 12 March 1993, attached as Annex 7, IAEA Doc. INFCIRC/419.
9. In Resolution GOV/2636, 25 February 1993.
10. Statement of the government of the Democratic People's Republic of Korea, 12 March 1993, included as Annex 7, IAEA Doc. INFCIRC/419.
11. BOG Resolution GOV/2645, 1 April 1993.
12. Security Council Resolution 825(1993), 11 May 1993.
13. Andrew Mack, "A Nuclear North Korea: The Choices Are Narrowing," *World Policy Journal* 11, no. 2 (summer 1994):27-35.
14. David Albright, "How Much Plutonium Does North Korea Have?" *Bulletin of the Atomic Scientists* (September-October 1994): 48.
15. Board Resolution GOV/2742, 10 June 1994.
16. IAEA Doc. GOV/2742, 10 June 1994.
17. Statement of the government of the Democratic People's Republic of Korea," 12 March 1993, attached to IAEA Doc. INFCIRC/419 as Annex 7.
18. Paul Lewis, "UN Sanctions Would Ban Arms Trade with North," *New York Times*, 16 June 1994, p. A12.
19. Patrick E. Tyler, "Hole in the Wall Around North Korea," *New York Times*, 27 June 1994, p. A4.
20. The DPRK had sponsored terrorist activities in the past, including assassinating South Korean cabinet ministers and blowing up a Korean Air Lines passenger jet.
21. Robert S. Greenberger, "Shattered Hopes," *Wall Street Journal*, 8 June 1994, p. A1.
22. R. Jeffrey Smith, "US Weighs N. Korean Incentives," *Washington Post*, 17 November 1993. A copy of the joint declaration and the "Agreement on Reconciliation, Non-Aggression and Exchanges and Cooperation Between the South and the North" can be found in UN Doc. CD/1147, 15 March 1992.
23. "US Warships Sail off North Korea. State Dept. Denies Any Link with Talks," *Washington Times*, 23 September 1994.
24. The Agreed Framework is summarized in the Newsbrief of the Programme for Promoting Nuclear Non-Proliferation 28:4. A Confidential Minute to the Agreed Framework was also signed, but its contents have been kept secret.
25. IAEA press release 94/45, 20 October 1994.
26. UN Doc. S/PRST/1994/64, 4 November 1994.
27. Security Council press release SC/5930, 4 November 1994.
28. "2 Experts Rap Clinton for Faith in N. Korea," *Washington Times*, 19 July 1994.
29. INFCIRC/422, 19 October 1993, p. 2. It is ironic, however, that the DPRK would often use the IAEA as a medium to convey their demands to the United States and the UN.

30. IAEA press release 92/25, 15 May 1992.

31. Alexandre Mansourov, "The Origins, Evolution and Future of the North Korea Nuclear Program," *Korea and World Affairs* 19, no. 1 (spring 1995):40–66.

32. Mack, "A Nuclear North Korea," p. 34.

33. Mansourov, "The Origins, Evolution and Future of the North Korea Nuclear Program," p. 66.

34. Mack, "A Nuclear North Korea," p. 32.

35. Ibid.

36. The IAEA does not verify the NPT; rather, it verifies only one aspect of the commitment made under the NPT—the nondiversion of declared materials from peaceful purposes. This is an essential prerequisite of treaty verification but not a comprehensive undertaking.

37. An extensive official account of the developments up to this point are given in the IAEA director-general's report, IAEA Doc. INFCIRC/419, 8 April 1993. This report was also reproduced in UN Docs. A/48/133 and S/25556, 12 April 1993. The report includes twelve annexes, including relevant IAEA resolutions and the correspondence with the DPRK.