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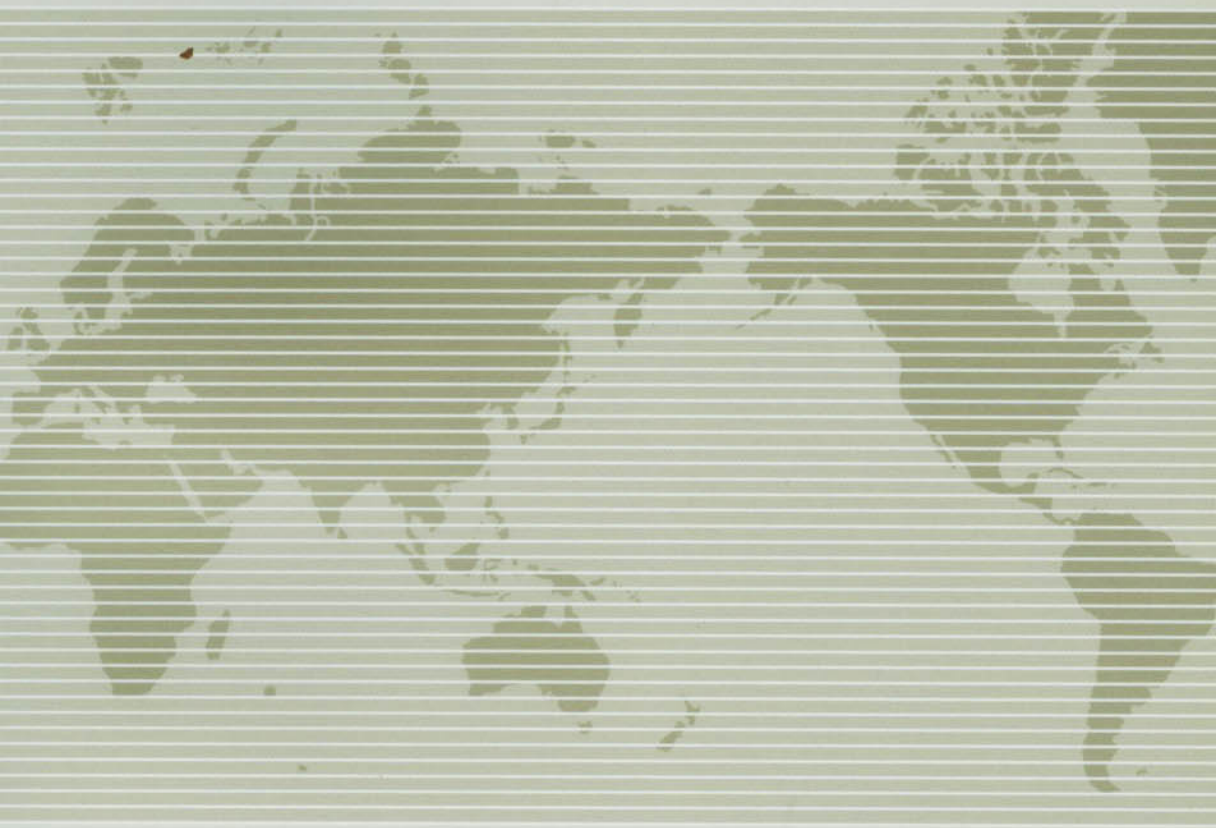

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The Undercurrents in the Chinese-Japanese Relations

Yoshifumi Nakai

Some argue that the Chinese-Japanese relations are suffering from the growing pains. The economy is fine, they contend, it is always the politics and politicians that fail. This paper finds more deep-rooted reasons why China and Japan do not get along too well. To China, Japan's strategic importance had shifted from that of a friend, to a mediator, and to a partner. To Japan, China used to be a successful showcase of the idea of peaceful transformation. No longer. Today's China is nervous about the idea of peaceful transformation. Today's Japan, on the other hand, is more divided than before about how to judge China's recent rise in international status.

Vol. 13, No. 2, 2004, pp. 1-22.

Introduction

Sino-Japanese relations have not improved in recent years, despite concerted efforts by both sides. Two distinct undercurrents, rather than the behaviors of current political leaders or the interpretation of history, dominate the political agenda of both governments. The decision-makers and the policy communities in China and Japan recognize that these two undercurrents can determine the future course of both bilateral relations and multilateral relations. The two governments differ, however, largely on how to respond to this challenge. The Chinese government fears that these undercurrents, if uncontrolled, could undermine the legitimacy of the present regime. The Japanese government, on the other hand, believes that these undercurrents, if properly promoted, can benefit both China and Japan.

The first undercurrent is the concept of "peaceful transformation" of the Chinese regime. The notion of peaceful regime transformation had been a remote possibility in China for a long time. The Tiananmen Square protest in 1989 and the collapse of the Soviet Union in 1991, however, made the possibility a reality: if not in China, then elsewhere. Events in Taiwan and Indonesia in 1996-1997 demonstrated that the peaceful regime transformation could happen in Asia, no matter how disorganized their processes were. Japan wholeheartedly welcomed these changes, while China reluctantly accepted the new reality with reservations and suspicion.

The second undercurrent is Japanese perceptions of the U.S.-China relationship. Since the beginning of official contacts with China in the early 1970s, both China and Japan saw their mutual relations in a broader international context. One of the most important contexts for both the Chinese and Japanese leaders was U.S. policy towards China. Due to the divided nature of Japanese perceptions of the bilateral U.S.-China relationship, this paper argues Japanese policy towards China is likely to remain cautious

and conservative in nature.

The Unfolding of "Peaceful Transformation"

The unfolding of the concept of peaceful transformation must be considered from two perspectives: the evolution within China and the Japanese approach to China.

The Evolution of The Concept of Peaceful Transformation within China

During the Mao era, the concept of peaceful transformation had little meaning. To Mao, transformation can only result from revolution. The process of transformation could be violent, like the Cultural Revolution, or just massive, like the Great Leap Forward. Old Mao was an impatient man who favored shortcuts, however heavy the costs. When his subordinates restored order in the Chinese countryside by retarding the "socialist transformation," following the series of disastrous campaigns during 1958-1959, Mao was furious and mercilessly discarded those leaders.

Premier Zhou Enlai's proposal to initiate "Four Modernizations" in 1975 broke the ice. Mao was dying and so was Zhou, whose proposal did not detail the methods for modernization. By that time, however, it was obvious that Mao's revolution had failed to create a communist paradise for the majority of the Chinese people. The Chinese people were tired and disillusioned. Both Hua Guofeng, Mao's designated successor, and the Gang of Four, Mao's protégés including his wife, failed to grasp that only a few stubborn supporters of Mao's ideal wanted to continue the Cultural Revolution.

Deng Xiaoping's first act after Mao's death in 1976 was to termi-

nate two of his revolutionary legacies: dictatorship and the Cultural Revolution. Deng replaced revolution with the pursuit of modernization as China's central goal. For the first time in the history of modern China, modernization became the theme for every Chinese communist to consider and practice. At the Twelfth Party Congress in 1982, Deng laid out the organizational foundation for China's modernization drive. Deng not only placed his trusted subordinates, Hu Yaobang and Zhao Ziyang, in the top Party and government positions, but also declared that the Party, with its full organizational capacity, must accomplish the Four Modernizations.

The change was equally dramatic on the diplomatic front. Mao had believed war with the Soviet Union was inevitable. China had prepared for the outbreak of such a war by organizing an anti-Soviet united front with the United States and Japan. Deng, however, did not consider such a war inevitable, believing China could and should avoid conflict as it could only accomplish modernization in a peaceful external environment. Since the Twelfth Party Congress in 1982, China ceased regarding any nation as an enemy. Chinese foreign policy since has then no longer sought wartime alliances or united fronts. China began to maximize its national interests in the relations with foreign countries.[1] In essence, under the leadership of Deng Xiaoping, China became an ordinary nation-state in terms of foreign policy.

The pursuit of peaceful environment and modernization has been a key Chinese policy objective since the 1980s. Deng's successors, Jiang Zemin and Hu Jintao, confirmed in the Party Congresses of 1997 and 2002 respectively, that they would follow the path set out in the early 1980s by the "great designer of the reform and openness policy." The acceptance of the concept of peaceful transformation therefore seems a logical consequence.

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[1] Tatsumi Okabe, *Chugoku no taigai senryaku (The External Strategy of China)* (Tokyo: Tokyo Daigaku Shuppankai, 2002), pp. 203-206.

China has thus far been very cautious in accepting the concept of peaceful transformation. There are at least three reasons why China remains so cautious and even nervous. Firstly, the Chinese government fears the association of the concept of peaceful transformation with democracy. Secondly, the Chinese government suspects that the progress of peaceful transformation will lead to chaos and confusion (*luan*). Thirdly, the Chinese government dreads the prospect of peaceful transformation allowing the merciless force of market economy to rule China. Under these circumstances, the Chinese leadership reasonably suspects the role of the government and the Communist Party will recede. The three aspects of peaceful transformation are considered below.

Democracy

The Chinese government has good reasons to fear the association between democracy and peaceful transformation. Soon after Deng made modernization a national goal, the first wave of a democratic reform movement erupted in Beijing. Wei Jingsheng and others contended in the large-character posters placed on the wall at Xidan that China needed democratic freedom in order to accomplish modernization. Wei and others argued that not only industry but also the government needed modernization. In 1978, Deng let them speak out, utilizing their voice to attack Hua Guofeng, the then head of the Party and the government. Once Hua lost most of his political influence in the Party, Deng arrested Wei and other democracy movement activists, imprisoning them in March 1979. It appeared Deng believed the association of modernization with democracy was dangerous.

Exactly ten years after the arrest of Wei and the others over the 1979 Democracy Wall Incident, a similar fundamental challenge to the government broke out in the Tiananmen Square, but on a much larger scale. Although the full details of the 1989 Tiananmen Square protest remain secret, the magnitude of shocks and threats

felt by the Chinese leadership, including Deng Xiaoping, were evident in the response.[2] Although some of the student leaders and workers were arrested, the government obviously could not detain all those who participated in the demonstrations. Deng and other Party elders suspected that western powers, especially the United States, had provoked the Chinese students to take such radical action. Deng and others believed the western powers were trying to topple the Chinese government by peaceful means; employing the propaganda of democracy.

In the aftermath of the Tiananmen Square protest, Deng and other conservative leaders repeatedly attacked the concept of peaceful transformation as a covert means to topple the Chinese communist rule. An anti-peaceful takeover (*fandui heping yanbian*) campaign became the new focus of Chinese politics. Earlier in the 1980s, Deng and other conservative leaders had warned of the danger of what they termed "bourgeois liberalization" and "spiritual pollution." To them, the Tiananmen Square protest was an embodiment of this danger. Immediately after the protest was quelled, Deng repeated his warning; this time with extreme urgency. Deng observed that the West had begun two new kinds of cold war: one against the whole Third World; and one against the remaining socialist countries. The western world was preparing a Third World War against the socialist countries, which the West would defeat and take over by peaceful means.[3]

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[2] Andrew J. Nathan and Perry Link (eds)., compiled by Zhang Liang, *The Tiananmen Papers* (New York: Public Affairs, 2001). Some scholars doubt the authenticity of this document.

[3] Deng Xiaoping, "Jianchi shehui zhuyi, fangzi heping yanbian (Uphold socialism, prevent peaceful takeover)," *Deng Xiaoping Wenxuan (Selected Works of Deng Xiaoping),* Vol. 3 (Beijing: Renmin Chubanshe, 1993). pp. 344-346.

Chaos

Deng and other party conservatives found other dangers associated with the concept of peaceful transformation: confusion and chaos. They believed chaos would certainly bring down the regime. Deng and his allies were all victims of the vicious Cultural Revolution. They firmly believed that Mao's attack on the Party leaders and the subsequent destruction of the Party organizations had caused the "Ten Years of Disaster," the newly accepted definition of the Cultural Revolution. They personally witnessed the blind violence of the Red Guards and the senseless fratricide among the contending political factions. Once the Party lost control, Deng and others contended, civil war, factional struggles, mass violence, and chaos would follow.

To make the matter worse, the events unfolding in the Soviet Union in late 1991 illustrated the destructive force of chaos. Deng and other conservative leaders in China regarded the Soviet leader Gorbachev's policy of "reform and openness" with suspicion. They thought that Gorbachev had conceded too much, too quickly to the demands of the Russian public. They were afraid that the Soviet Union was taking the dangerous path of peaceful transformation.

The worst fears of the Chinese leadership were realized by the end of 1991. The Moscow coup by the conservatives in August failed badly and a new leader, Boris Yeltsin, emerged from the turmoil. The legitimacy of the Soviet Communist Party quickly crumbled and Yeltsin disbanded the Party in December without serious resistance. Although chaos continued, the Soviet Communist Party failed to reappear. The Soviet military offered only feeble resistance to the change, while the Russian public made no effort to rescue the Party. It became clear that the Soviet Communist Party had completely lost popular support.

The Chinese leaders are still learning the lessons from the collapse of the Soviet Communist Party, on which there are still many publications today. Thus far, the Chinese leaders had learned two kinds of lesson. Firstly, Gorbachev-style political liberalization was dangerous. China should be cautious about introducing free elections and press freedom, as no matter how limited the introduction, elections and freedom of press would ultimately hurt the Party. Secondly, political or economic chaos will inevitably damage the Party. In both cases, the influence of the Party would go into gradual decline, as critical changes occurred incrementally and peacefully. The Party must therefore suppress any attempt to bring peaceful transformation in China.

Market Economy

The Chinese communist's fear of a market economy is understandable. Mao Zedong tried to erase every trace of it from China in the 1950s. To Mao, the capitalist economy meant the poor and turbulent China of pre-1949, the corrupted Nationalist government of Chiang Kai-shek in Taiwan, and the powerful but vulnerable society in the United States. Mao declared in the 1960s that America's threat to China was nothing but a "paper tiger" of which China should not be afraid. At the same time, Mao ensured the development of an effective nuclear deterrent to enable China to strike back if attacked.

Deng Xiaoping, a pragmatist *par excellence*, also recognized the powerful force of a market economy. Once he and his boss, Liu Shaoqi, allowed some of the poorest regions to partially revive the market economy in the early 1960s, not only did agricultural production rise, but also the "household responsibility system" quickly spread across China. In the late 1970s he tried a new venture, establishing four "Special Economic Zones (SEZ)" in southern China: three in Guangdong near Hong Kong and one in Fujian near Taiwan. In those SEZs, the full range of market

activities were permitted and foreign direct investment welcomed. Those foreign ventures in SEZs would enjoy tax breaks and free management.

Contrary to Deng's expectations, the SEZs made little profit until the early 1990s. There was strong opposition to the SEZs in China. The majority of the communist cadres at that time thought the introduction of market force into China would destroy the foundation of Chinese socialist rule. Some cadres argued such a venture was "selling out the motherland." Other cadres proposed building a fence around the "new concessions (*zujie*)," to prevent the "vicious force of the market economy from spreading to the Chinese countryside and polluting the socialist spirits of the nearby villagers."[4] The negligence and resistance of the local Party cadres against the market economy intensified after the Tiananmen Square protest. Deng had to visit SEZs again and encourage further opening to foreign direct investment and reform. In early 1992, twelve years after the inauguration of the SEZ and less than three years after the Tiananmen Square protest, Deng visited two of the most promising SEZs in Guangdong, Shenzhen and Zhuhai.

Deng's 1992 "southern trip" placed the highest priority on economic development. "If you could not think of the way to develop," Deng ordered, "change your brain." As Deng guaranteed further reform in protecting foreign ventures in China, foreign capital from Southeast Asia, Taiwan, Japan, and the United States began to flow into China, mostly in Guangdong. This area effectively became the test ground for various market economy operations in China. The communist cadres in Guangdong greatly appreciated Deng's new initiative, which gave them what they sought: business freedom and the encouragement to make money on their own initiative.[5] The Hong Kong-style economy, with the high-risk

[4] Xiu Jiatun, *Xiu Jiatun Xianggang huiyilu (Memoir of Hong Kong),* Vol. 1 (Taibei: Lianhebao, 1993), p. 23.

high-return ventures, the seeking of quick returns from frequent transactions, and a series of under-the-table deals, quickly spread in Guangdong and was soon emulated elsewhere. Deng unleashed the powerful force of the market economy and retired from politics soon afterwards. Deng handed down the task of transforming the Chinese socialist economy into a more open and competitive semi-arket economy to his handpicked successor, Zhu Rongji. Deng died in February 1997.

The Fourteenth Party Congress in 1992 established a "socialist market economy" as the Party goal. While Jiang Zemin and other party elders argued over the meaning of "socialist market economy," Vice-Premier Zhu Rongji began the detailed work of economic reform. He cleared away the mutual debts among the state owned large-scale enterprises, streamlined China's banking system, and devalued the Chinese currency Yuan by over 50% in 1994. Following these reforms, China's economy began to grow quickly.

The Asian Financial Crisis in 1997 reminded the new Chinese leadership of Jiang Zemin that the global market economy, and the global financial system in particular, involved much risk. Fortunately, in 1997 China was not yet a member of global financial network. The only foreign currency into which the Chinese Yuan could be converted was Hong Kong Dollars. China's backwardness saved it from the global attack of mobile hedge funds.

The other outcome of the Asian Financial Crisis in 1997 had a lasting impact on the Chinese leadership. The crisis led to the collapse of the Suharto regime in Indonesia, which only a few years before had appeared stable. The Indonesian people were apparently unperturbed by their largely undemocratic government.

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[5] Ezra Vogel, *One Step Ahead in China: Guangdong Under Reform* (Cambridge: Harvard University Press, 1989), pp. 313-337.

The lesson was clear to the Chinese leaders: economic mismanagement could ruin their country. In the age of "globalization," control of the national economy would be increasingly difficult. The Chinese leaders decided that despite enormous difficulties to be faced, China must find a way to live with the global economy, or risk remaining undeveloped and isolated. China accelerated its efforts to join the WTO.

The Japanese Approach towards China

The Chinese leadership tended to emphasize the negative aspect of peaceful transformation. In the Chinese political context, peaceful transformation can lead to demands for democracy, chaos, and a triumph of market economy over socialism. The fear of peaceful transformation seems to be deeply rooted in the Chinese leaders' personal experiences.

In contrast to their Chinese counterparts, Japanese leaders implicitly believe in the concept of peaceful transformation. The concept of peaceful transformation has been the starting point and the core assumption of the Japanese policy towards China. No Japanese leaders have ever seriously doubted the validity of the concept. For example, those early promoters of the cordial Chinese-Japanese relations, such as Takasaki Tatsunosuke and Okazaki Kaheita, believed that improved economic ties with China would eventually lead to improved political relations between Communist China and capitalist Japan. After the long interruption caused by the Cultural Revolution, Tanaka Kakuei and Ohira Masayoshi revived this line of argument. Since Tanaka and Ohira, every Japanese Prime Minister has followed the same path.

The majority of Japanese opinion leaders believe that the economy is more effective than politics in changing China. As long as the economy is working well, they opine, Japan should avoid meddling in Chinese politics. A stable neighbor, no matter

how undemocratic it is, serves Japanese interests. The powerful Japanese business lobby agrees that politics does not help business.

There are at least three phases or modes of operation within the Japanese approach to China. These three different approaches share the common assumption that China can change for the better through the process of peaceful economic development. These approaches differ in the way Japan designates its own role in that peaceful transformation. The three approaches are examined below.

"Japan as a Friend" Approach

This approach became dominant in Japan following Deng Xiaoping's visit in 1978, during which he met Emperor Hirohito. Deng also traveled to the United States, after which he became TIME magazine "Man of the Year." Deng, like Mao Zedong, did not raise the question of history, but rather tried to draw a line under it. Deng did not look like a brutal communist and he seemed to be sincerely working to improve Chinese people's livelihood. As relations between China and Japan have become more cordial, Japan avoided raising complicated issues such as Taiwan and democracy in China. In return, China shelved the territorial dispute over Senkaku Islands (*Diaoyutai*) and would not seek to prosecute the Japanese Emperor for war crimes. Past miseries should be forgotten and thoughts focused on the future. Both sides agreed to bear in mind these arrangements, although official documents reveal only a vague and brief outline. The Chinese and Japanese publics knew nothing of the deals.

This approach constituted the foundation and the backbone of the Japanese Official Development Assistance (ODA) at that time, commencing an enormous flow of governmental loans and aid into China. The Japanese government explained to the Japanese

taxpayers that ODA would help modernize China, and eventually, benefit both Japan and China alike through the stability and prosperity. The Chinese leadership, on the other hand, regarded economic assistance from Japan as part of the war reparations, although this was never mentioned publicly. Socialist China publicly portrayed itself as sufficiently benevolent to forgive past Japanese wrongdoings. The Chinese government maintained this fiction to justify normalization of relations with their former enemy. The majority of the Chinese people continue to believe that China sacrificed vast sums in war reparations from Japan.

It was crucial that the Japanese Ministry of Foreign Affairs, and not the other powerful ministries such as the Ministry of Finance or the Ministry of International Trade and Industry managed the ODA program. Only the Ministry of Foreign Affairs knew all the details of the deals and could therefore effectively manage the deals as intended by the political leaders of China and Japan. Japan also retained the option of using ODA as a tool of diplomacy. This approach was dominant throughout the 1980s. Japanese leaders suspected that China under Hu Yaobang and Zhao Ziyang, two prominent reformers, was going through the process of peaceful transformation from the authoritarian regime to a form of liberal democracy. This optimistic scenario for peaceful transformation abruptly ceased in June 1989, after which Japan could not aid a nation whose leaders killed their own people with little hesitation. Japan therefore needed a new approach.

"Japan as a Mediator" Approach

Prime Minister Kaifu Toshiki's state visit to China in August 1991 marked the beginning of a new approach. The Japanese leaders redefined their new role as a mediator between China and the western countries, primarily the United States. The Japanese leaders knew that Deng and other conservative leaders in Beijing

desperately needed economic assistance from abroad in order to keep the economy growing. The Japanese politicians also understood that they could not return to their former relations with China. The Japanese voters would certainly despise such a move and would not support those politicians who supported a brutal neighboring regime.

The Japanese government, the Ministry of Foreign Affairs in particular, thought that the role of a mediator was appropriate for Japan to play in the post-Tiananmen Square circumstances. A mediator was necessary to avoid the direct confrontation between China and the now-outraged western powers, or China would again close its borders, as it had during the Cultural Revolution, and would likely remain a poor and isolated country. If that happened, the Japanese leaders contended, the chance for China to transform itself, hopefully to a less-repressive regime, would be lost for good. Japan, as a close neighbor and beneficiary of China's peaceful transformation thus far, was bound to prevent this scenario from occurring. China enthusiastically received Prime Minister Kaifu, who certainly gave what China desperately wanted: the lifting of the economic sanctions. It was, however, the symbolic effect of the visit China most appreciated. Kaifu was the first head of the state from the western countries to visit China after the Tiananmen Square protest. Italy and Great Britain soon followed. Having seen the West lift sanctions, Deng Xiaoping began his southern tour to the SEZs in January 1992.

Japanese diplomacy scored a rare point against China. During his trip, Prime Minister Kaifu announced that the Japanese government would consider giving ODA to certain countries based on four qualifications. The Four Principles of Japanese ODA included an article that clearly prohibited giving economic assistance to undemocratic countries. Another article prohibited giving aid to the countries developing or attempting to develop nuclear weapons. The Japanese government succeeded in tying a political goal to

economic assistance. Japan could do so because it was now acting as a mediator who must behave objectively. Japan justified the restriction of ODA as part of setting objective standards.

The success of this approach appeared to be confirmed when Japanese Emperor Akihito visited China in September 1992, by which time almost all the sanctions against China had been lifted. The Chinese economy started growing again due to the foreign direct investment. Both Chinese and Japanese leaders were pleased to put behind them the recent turbulence in their relations. Sun Pinghua, a long time Japan expert in the Chinese Foreign Service, mentioned privately that China would not open the old "checkbook of history" again.

The demise of this mediator approach, however, had already begun. Once China succeeded in re-establishing cordial relations with western countries, it no longer required a mediator. China established diplomatic relations with Ukraine, Belarus, and Israel in January 1992, and with South Korea in August 1992. Communist Party chief Jiang Zemin met U.S. President Bill Clinton in November 1993. The U.S. government played down the importance of this meeting, insisting it was an unofficial encounter between leaders participating in the Seattle APEC meeting. Chinese official newspapers, however, printed huge pictures on the front page of a smiling Mr. Jiang shaking hands with Mr. Clinton, under the headline "First Summit Meeting in Seattle."

Japan's role as mediator weakened further in the mid-1990s. In order to mediate between China and the United States, Japan had to preserve neutrality by standing somewhere in between the two sides. China may have doubted Japan's neutrality even before the "China Threat" argument broke out in the United States. The publication of a controversial book by a group of young Chinese, "China Can Say No" in 1996, proved a watershed. The young writers argued that the United States, not China, was the real

threat to world peace. China should not trust Japan, they continued, because in times of crises Japan would inevitably side with the United States.

Perhaps the final blow to the mediator approach came in 1996, when Prime Minister Hashimoto and President Clinton agreed to "reinterpret" the U.S.-Japan security pact. Japan and the United States justified the reinterpretation as necessary measures to prepare for the "unexpected events" in the "surrounding areas" of Japan. In contrast, China took it as a preparation for a joint intervention in Taiwanese affairs. Although Japan played no part in the Taiwan Strait Crisis of March 1996, the Chinese government clearly believed that Japan had sided with the United States.

"Japan as a Partner" Approach

Jiang Zemin's official visit to the United States in November 1997 marked another turning point. Neither China nor the United States required a mediator. In 1997, China and the United States agreed to "work toward the strategic partnership." To the United States, the strategic partnership with China was, at best, a distant goal. To China, and to Jiang Zemin in particular, however, the partnership with the United States was the most important component of Chinese foreign policy. General Secretary Jiang seemed to be convinced that the partnership with the United States had become a reality when President Clinton exclusively visited China in June 1998 without stopping over in either South Korea or Japan.

Once again, Japan needed to find a new approach to China. General Secretary Jiang's visit to Japan in 1998 turned into a disaster. Mr. Jiang, unlike his predecessors, refused to shelve the old issue of history. Mr. Jiang also appeared uninterested in suppressing anti-Japan propaganda. On the contrary, he seemed to be encouraging "patriotic sentiment" among the Chinese public.

From this juncture, the "Japan as a partner" approach was perhaps the only one remaining. In this approach, Japan is one of China's existing partners, with some of whom China shares special interests. For example, the United States and China share security interests in the UN Security Council and on Taiwan. Japan can be an important partner of China in trade, investment, and cultural exchange, but little more. Japan will have to compete with other partners in those areas.

Japan's Views on The U.S.-China Relationship[6]

There are three distinct Japanese views of the US-China relationship. Each view interprets the nature of China differently and proposes a different policy response. These views reflect the social, economic, and cultural divisions of Japanese society.

The First View: China Remains a Threat

The proponents of this view believe that the majority of US citizens still do not trust China. Japan and South Korea are "real" partners of the US, while China and Russia are not. To the proponents of this view, it is only a matter of time before China emerges as a "strategic competitor" to the US; the pre-9/11 definition used by the Bush Administration. At that point, US policy makers will have to confront the threat posed by China with renewed urgency. Until then, this view contends, it is politically unwise to provoke China. Dealing with this powerful contender, the US must exercise extra caution. The US should be ready to

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[6] The more detailed analysis of this topic can be seen in Yoshi Nakai, "Japan's views toward the U.S.-China relationship: Where have all the China threats gone?," in Jane Skanderup (ed.), Toward a Stronger Foundation for the U.S., Japan, and China Relations, *The CSIS Pacific Forum Internet publication, Issues & Insights*, Vol. 04-06.

face a stronger China and, at the same time, should take time to counter any China threats.

There are three variations of this view. Firstly, there are people who are pro-US and anti-China. They believe that the liberal democracy of the West, including Japan, and the oriental despotism of China cannot be reconciled. Japan must natural ally with the US. In this argument there lies an identifiable trace of Samuel Huntington's "Clash of Civilizations" thesis. One of the most vocal advocates of this view, Yayama Taro, a long time political correspondent and the Director of the Japan Forum on International Relations, stresses the importance of shared values and morals. The European Union (EU) was able to absorb their eastern neighbors, Yayama indicates, once Eastern Europe abandoned communism. According to Yayama, however, the security dialogues in Asia will never work, despite the geographical proximity of Asian nations because Japan shares no spiritual tie (*seishin no kizuna*) with China, South Korea, and North Korea.[7]

The second group holding a "China remains a threat" view claim to represent a more "realistic" standpoint. The key issue to this group is not values or spirit, but the vital interests of Japan as a nation, i.e. national security. Asian security experts and security-defense circles in Japan commonly espouse this philosophy. Murai Tomohide, a professor at the National Defense University and one of the advocates of the "China Threat" argument, claims that the most important national interest is the security of the people. In order to defend this vital national interest, i.e. the lives of Japanese people, the Japanese government should not worry about the economic cost. The vital national interest (security) and non-vital interest (economy) should not be confused.[8]

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[7] Yayama Taro, "There is no equilateral triangle diplomacy among Japan, the US, and China (Nichibeichu no seisannkakukei gaiko ha nai)," *The Japan Forum on International Relations Bulletin,* Vol. 11, No. 3 (Summer 2004).

Although the present danger comes mostly from North Korea, proponents of this view believe that China is a potential threat to stability in the Asia-Pacific region. North Korea's military capability is limited. Medium range North Korean ballistic missiles could reach Japan and, if armed with either nuclear or chemical warheads, could certainly damage Japan. Counter measures, such as the Japanese version of a National Missile Defence (NMD), are expensive but possible. A Chinese threat, however, forms quite a different challenge. The Chinese is huge and growing rapidly, complete with nuclear weapons and inter-continental delivery systems. China also intends to build a blue water navy. China could cause Japan many problems.

There is a third group of the "China remains a threat" view. Unlike the first group, the advocates of this view believe that China and the US can cooperate and even strike a deal over security. It is Japan, this view argues, that is likely to be left behind. Both the U.S. and China would not hesitate to employ a tactical maneuver and a temporary measure for emergencies, for example, the 2001 action program against global terrorist activities. If their vital security interests are violated, both China and the US would take action unilaterally. Taiwan is such a case.

The Second View: A China Threat Is Old-fashioned

Those who hold the second view believe that the China threat argument is passé: the US no longer considers China a threat. Soon after 9/11, the Bush Administration made a strategic decision to abandon the containment of China. Since then, the US has been content with Chinese cooperation and has been helping China's modernization program, the "peaceful rise (*heping jueqi*)." China no longer poses threats but provides opportunities.

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[8] Murai Tomohide, "Threats of North Korea," *East Asia,* No. 441, March 2004. p. 3.

According to this view, both China and the US changed their policies toward each other in 2001. The US shifted its policy toward China from that of "competitor" to that of "partner," first in June, immediately after the US reconnaissance plane crash incident on Hainan Island, and more definitely in September, following the 9/11 incident. For its part, this view suggests, China has decided to open further its domestic market to foreign investors and started to commit itself more aggressively to multi-lateral arrangements, such as the UN, APEC, and ASEAN. China's return to the WTO and the US support for the move in 2001 was a watershed.

The commercial sector is often the most sensitive to such changes. Omae Kenichi, a popular business consultant, is the most famous representative of this view. He traveled extensively in China during 2001 and compiled a TV series, the "China Impact." His book became a best seller. He characterizes the China market as full of risks, similar to that of the "Wild West" in 19th century America. It is, however, now open enough for Japanese companies to invest. Judging from the huge potential of the China market and Chinese government support for the reform-and-openness policy, he argues Japanese companies must invest in China, or be left out. There is no third choice. It is a "participate or perish" situation.

As China enjoys an economic boom, it is unsurprising that major Japanese companies and business leaders are so eager to participate. The most influential advocate of this view, however, is Prime Minister Koizumi. At the Boao Forum in April 2002, Mr. Koizumi declared:

> Some see the economic development of China as a threat. I do not. I believe that its dynamic economic development presents challenges as well as opportunity for Japan. I believe a rising economic tide and expansion of the market in China will stimulate competition and will prove to be a tremendous opportunity for the world

economy as a whole.[9]

It is worth noting the absence of the often-quoted Japanese Prime Minister's hawkish attitude towards China. The word "challenges" may indicate unsolved problems, such as the Prime Minister's visits to Yasukuni Shrine and historical issues.

The Third View: It Is The US That Threatens

The third view considers that it is the US, and not China, that poses a greater threat. In this view, the post 9/11 Bush Administration is extremely dangerous. It can take unilateral action that ignores regional stability. It can form a new "Coalition of the Willing," while disregarding existing security frameworks. One possible scenario is the strategic alliance between China and the US. Once this happens, Japan is likely to be omitted. In order to avoid that fate, Japan must formulate coalitions with China, as well as with other Asian neighbors.

The most influential version of this view comes from the noted economist Morishima Michio, who observed that the Japanese economy has been in such a miserable shape since the 1980s that there is little prospect for recovery. Morishima argues that Japan simply missed a chance to initiate a "Thatcher-like" reform and now, with a dwindling population and increasing competition, must work hard for its very survival. The only hope for Japan is the formulation of the North East Asia Community.

Morishima, a long time London resident as a professor at the London School of Economics, models some of his ideas on the experiences of the EU, which he claims Asia can emulate. For example, although China and Japan fought a war in living memory, so did France and Germany. As Morishima points out,

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[9] http://www.mofa.go.jp/region/asia-paci/china/boao0204/speech.html.

however, this theory faces the formidable problem of deep-rooted Japanese public sentiment favoring the US and despising China.[10]

Conclusion

In conclusion, this complicated issue produces several general observations:

1. A form of peaceful transformation is occurring in China. The exact nature of the transformation remains unclear;
2. China and Japan tend to take different approaches toward the concept of peaceful transformation. China emphasizes the negative influence of transformation, while Japan supports the concept because it is peaceful;
3. As a form of peaceful transformation progresses in China, Japan's role in the Chinese-Japanese relations recedes; and
4. The divided nature of Japan's view toward the U.S.-Chinese relations effectively precludes the formulation of an integrated policy toward China.

The complex matrix of multiple relationships constrains the development of Sino-Japanese relations, but a simple "zero-sum" approach is unlikely to improve overall relations.

[10] Morishima Michio, *Naze Nihon ha botsuraku suruka* (*Why Japan declines?*) (Iwanami, 1999).

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*Sino-centrism and the New Bush Administration**

Jason U. Manosevitz

The new Bush Administration will define in greater detail the foreign policies of the previous administration with little variation in overall approach. Modification of existing policies will occur, but only at the margins. The war in Iraq and the 'Bush Doctrine,'[1] specifically WMD proliferation and early detection of anti-American terrorist cells, will demand much of America's military resources and diplomatic energy, for at least the first two to three years of the new administration. Major Northeast Asian issues, such as North Korea's nuclear weapon development program and China-Taiwan relations will bring the U.S. and China into close contact, however, economic issues will dominate day-to-day American-Sino relations. Other significant regional developments, such as Japan's incremental strategic adjustment and declining

* The views expressed here are my own and do not represent any institution to which the author may belong.

[1] *The National Security Strategy of the United States of America*, September 2002.

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possibilities of a genuine reconciliation process between North and South Korea, indirectly affect American-Sino relations, though these changes have considerable meaning for them individually. China's effort to establish closer economic relations with Latin America is emerging as an issue in American-Sino relations, as the United States responds to China's growing consumption of resources. Rising American levels of debt and increases in Chinese exports will result in greater pressure on the U.S. economy causing sharper and more frequent efforts by the U.S. to persuade China to revalue the Yuan and voluntarily curb its exports. At present, American and Chinese foreign policy orbits intersect on only a few issues. These issues, however, are significant for international politics. In sum, the new Bush Administration and Sino-centrism will have mild effects on each other directly.

Sino-centrism and the New Bush Administration: An Initial Review

Policy analysis often falls into two disappointing categories. Either the analysis gives such bland reasons for expecting continuity that it hardly seems worth reading or it paints such fanciful 'shock' scenarios that it cannot possibly relate to the real world. Both types fail to inform. This is because the analyst usually fails to adequately address the complexity of the situations analyzed, distill the pertinent issues to demonstrate which are susceptible to change and which are not, or neglects to make clear their operating assumptions. In analyzing the new Bush Administration and Sino-centrism, this paper offers analysis that rightly belongs in the middle — offering to inform on both continuity and change. This paper begins with an examination of what Sino-centrism is and what it means. It moves next to a brief discussion of opportunities and constraints facing the new Bush Administration. The purpose here is to unpack what is meant by

the new Bush Administration and Sino-centrism. This paper then focuses on the narrow band of issues around which U.S.-China relations revolve and analyzes significant developments in Northeast Asia, covering North Korea's nuclear weapon development, North and South Korea's reconciliation process, U.S.-China views on Taiwan, Japan's changing security policies, and economic issues between the U.S. and China.

We are living in a multi-polar world. Undoubtedly the United States plays a tremendous role in the national strategies of the world's major powers — China, France, Germany, Japan, Russia, and the United Kingdom — as well as many of the world's middle powers — like Australia, Canada, Italy, South Korea, and North Korea. Undeniably, these countries also play a role in the United States' national strategy and policy choices. A uni-polar world does not exist, and the United States is not a superpower. The United States does possess some tremendous assets and capabilities, but is insufficiently powerful to dominate the world alone. Indeed, American power and prestige will be greatly curtailed if it fails to manage its alliances properly. No state can completely disregard the international system for long and expect to survive well. The fact that some have more freedom to do so at times is neither novel nor interesting.

What is Sino-centrism?

Sino-centrism is a buzzword replacing the phrase 'rise of China.' It is meant to suggest that China has graduated from being a developing state to its 'rightful place' as a major power. It is a catch phrase for Chinese military, economic, and diplomatic policies designed to promote China's place in the world and persuade other states of China's relevance and importance in world affairs. Simultaneously, Sino-centrism also means that

China, as engaged in the institutional organizations of the international community, incorporates the wishes and expectations of other states in designing some of its policies. China's interests, just like any other state participating in multilateral institutions, are to use organizational rules and norms to its benefit, change those that it does not like, and create new ones when it can.

Sino-centrism — Military Threat or Hype?

China's dramatic increases in military spending, acquisition of advanced weaponry, and moderate reorganization of its forces in the 1990s signaled the growth of a volatile military threat to some.[2] They were alarmed by year in and year out increases in Chinese military spending, which grew from approximately US$11.3 billion in 1991 to US$51.0 billion in 2003. They cast the drop in the number of troops under arms from approximately 3 million to 2.25 million in the same time-frame and the dip in the number of submarines from 93 in 1991 to around 69 in 2003 as China rapidly began modernizing its forces.[3] This force modernization was producing a more lethal, rapid, and dangerous military, which had the potential to upset regional stability. Consistent evidence that China was stockpiling missiles across the Taiwan Straights, developing long-range missiles capable of hitting U.S. bases in Japan, and increasing the size of its navy has been regularly employed to prove China was aiming to reach some imagined tipping point, after which China would militarily retake Taiwan and possibly embark on adventurism. These concerns have not been realized.

Others have taken a much broader view of China's military.[4]

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[2] Dennis Roy, "Hegemon on the Horizon" China's Threat to East Asian Security, *International Security*, Vol. 19, No. 1 (Summer 1994).

[3] *The Military Balance*, The International Institute for Strategic Studies (various years).

They recognized that China's military development *could* affect the regional balance of power, but not necessarily that it *would*. The broader global strategic balance of power would not change automatically by China's transformation. This analysis pointed out that China had not used its military power to settle any of its border disputes with Brunei, Japan, Malaysia, North Korea, the Philippines, Taiwan, Tajikistan, Russia, or Vietnam. Equally important, this view asserted that China was, in terms of readiness and technology, many years behind the United States' military and historically not prone to adventurism. America's display of military technology and strategy in the 1991 Gulf War and in the Kosovo conflict, some argued, struck deep into the minds of Chinese military planners. Indeed, this may have prompted China to declare its intentions to seek a cooperative rather than a competitive relationship with the United States.

Presently, China is continuing to develop the weapons it wants to engage in coercive diplomacy with Taiwan. In addition to stockpiling rockets and missiles, China is developing more robust sea capabilities and information to mount an effect military strategy against Taiwan, though some argue that China has a long way to go before it will possess the naval capabilities it needs for dealing with Taiwan.[5] At the same time, China is also going to great lengths to reassure ASEAN states as well as the United States that it is not seeking to be a revisionist power.

Sino-Centrism — Economic Boom or Bust?

For several years, many analysts have taken to calling China the world's 'factory' and the hottest new economic market. There are

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[4] David Shambaugh, "China's Military Views the World: Ambivalent Security," *International Security,* Vol. 24, No. 3.

[5] Michael A. Glosny, "Strangulation form the Sea? A PRC Submarine Block of Taiwan," *International Security,* Vol. 28, No. 4.

no doubts that China's imports and exports have grown tremendously. China today is perhaps the 6th or 7th largest economy in the world and has sustained GDP growth rates between 8 to 9% over the past 10 years. These dramatic trends are due to China's self-promotion as being plentiful in cheap labor. Multinational corporations from industrial and semi-industrial states have reasoned that they must 'get into' China or risk sacrificing significant profits. This 'China fever' is similar to the one caught by those in the 1930s that marveled at China's explosion in foreign trade, which grew from about 1.7% of world trade in 1911 to 2.2% in 1931.[6] The amazing similarity between then and now is that although China is producing tremendous quantities of goods, conducting independent research, and developing new, technologically advanced goods, it still lags behind many other industrial states. To combat this, China is seeking more joint development projects and attempting to dissuade states from merely shifting production facilities to China. As of yet, China is not innovating technologically.

China has benefited from increased economic deals with ASEAN states, South Korea, Japan, the United States, and European nations. These states share a common concern of Chinese corruption or market mismanagement. This concern is especially acute among ASEAN states, which are shifting their economic profiles to reflect a greater emphasis on China. To assuage this concern, ASEAN states are simultaneously seeking reassurance from China that it will not attempt to dominate them even as they increase their trade, production, and investment risks with China. China, for its part, is responding to these issues. Chinese Premier Wen Jiabao's recent signing of an accord with ASEAN states that addresses many ASEAN state fears is a prime example, showing not only the significance of China's increased economic stature, but also

[6] Fredrick V. Field, "China's Foreign Trade," *Far Eastern Survey,* Vol. 4, No. 5 (March 1935).

China's willingness to reassure those with whom it does business.[7]

China's economy has made itself felt in several other ways in the last few years. For a decade, China has been an oil importer, which has helped, but not caused, oil prices to rise. China's massive consumption of commodities such as steel, plywood, and concrete has also raised prices and strained production. Part of China's strategy with its economy has been to manage its pace to prevent 'overheating' but few steps have been taken to curb consumption. Also significant for China's overall economic policies — particularly trade — is the shift to a cautious embrace of international rules and regulations. The best example of this is China's recent accession to the WTO and activities with ASEAN and APEC.

Sino-Centrism — China's Diplomacy

Diplomatically, Sino-centrism refers to a collection of polices by which China demonstrates legitimacy in the world. These policies are designed to create and store soft power capital for China. They are also designed to cast China's political philosophy and government rule as acceptable to the international community. At least in modern times, political Sino-centrism began to take shape as China broke with the Soviet Union in 1965 and started to lead the Non-Aligned Movement among Third World countries. Although China maintained a belief in itself as a major power in the world, others saw it as less so. Even as today's China took over the United Nation's Security Council seat from Taiwan, China's role and legitimacy in international politics has been difficult to judge. American engagement of China in the 1980s to increase pressure on the Soviet Union elevated China's stature in the world. China's international political position, however, waned with the

[7] Jane Perlez, "Chinese Premier Signs Trade Pact at Southeast Asian Summit," *New York Times,* Nov. 30, 2004.

fall of the Soviet Union and the United States' seemingly lack of strategic interest in China during the 1990s. In the post-Tiananmen Square crackdown era, China has aimed to polish the image of its form of government and human rights record.

There are those who view China's diplomacy, especially in Asia, as an effort to limit American influence in the region — a form of reverse containment. There is a concern in such a zero-sum game that states engaging China are actually 'tilting' toward it and away from the United States. A good example, of course, is American concern that South Korea is looking increasingly toward China as the strategic pole most important for its survival. What such analysis fails to recognize, of course, is that South Korean engagement of China was not only promoted by the U.S. during the 1970s and 1980s but that South Korean engagement of China helps secure Chinese acceptance of established international norms. South Korea's engagement is less of a tilt toward China than an obvious, if late, recognition that China is important to South Korea's national security. Conversely, South Korea has also vigorously opposed Chinese attempts to re-write Korean history and has moved to re-ignite economic relations with Taiwan.

Most recently, China's diplomacy has been one of reassurance, to everyone except Taiwan. China established the Shanghai Cooperation Organization to boost mutual understanding among its border states, announced a new security concept based on peaceful coexistence with the United States and Chinese neighbors, and focused energy on assuaging Southeast Asian states' fears that China is seeking to dominate them.[8] China has embarked on a modest but noticeable effort to move beyond Asia and gain a foothold in the Middle East, driven by its economic requirement for oil, not by some geopolitical imperative. With respect to Taiwan,

[8] Robert Sutter, "China's Recent Approach to Asia; Seeking Long-Term Gains," *NBR Analysis,* Vol. 13, No. 1 (March 2002).

however, China continues to issue threats that it will not tolerate an announcement of formal independence.

Sino-Centrism in Sum

In sum, China's diplomacy today is clearer and more direct than at most times during the Cold War. It repeatedly states its belief in non-interference in the domestic affairs of other states. China is engaging states multilaterally through international organizations and bilaterally to gain understanding of its own policies as well as to control the forces of its own economic development. Surprisingly, ASEAN states appear to be gaining the most influence in China's foreign policy, committing China to economic and security agreements.

What is the New Bush Administration?

Very clearly the new Bush Administration is a second term presidency. At the time of this writing, President Bush is in the process of replacing 9 of 15 cabinet positions in his administration and preparing a second term agenda. As a second term presidency, the new Bush Administration carries over a number of pre-established policies and has several decision-making advantages. Key positions for foreign policy remain unchanged; Donald Rumsfeld will continue as Secretary of Defense, Condoleezza Rice will move from National Security Advisor to Secretary of State, and Porter Goss has started work as the Director of the Central Intelligence Agency. Many of the personnel for second-tiered positions have yet to be announced and it will take some time before they are settled in place.

Moving in…

As a second term administration, the new Bush Administration enters office with far more experience than the first, not only about how Washington works but also about what they want to accomplish. Very high on their list of foreign policy agenda items will be to step up pressure on North Korea and Iran over nuclear proliferation issues. Such issues will, however, have to vie for attention as the administration enters the third, as yet undefined, phase of the Bush Doctrine. The first phase of these policies was of course the destruction of the Taliban in Afghanistan. The second phase was the forceful removal of Saddam Hussein. The next step will be some combination of reconstructing Iraq, pressure on Iran and North Korea, and countermeasures against smaller, anti-American terrorist cells.

There will, however, be more obstacles to implementing this new phase of the Bush Doctrine and any new policies under the idea of the 'war on terrorism.' Simply by virtue of being a second term president, President Bush's popular support is likely to decline, as will the public's willingness to accept new burdens and sacrifices. Recent polls demonstrate that support for President Bush's handling of the war in Iraq and the reasons for that war continues to decline.[9] This trend will continue barring a new terrorist attack on U.S. soil, in which case it is difficult to predict whether the Bush Administration would be blamed for ineptness or given a new mandate for action. Equally important, congressional support for the President and his foreign policies will decline, as even members of his own party find it advantageous for their own reelection goals to find fault with the President for either not doing the right thing or for not doing enough of it. The difficulty in getting the recent Intelligence Reform Act passed through the

[9] Adam Nagourney and Janet Elder, "Americans Show Clear Concerns on Bush Agenda," *The New York Times,* November 23, 2004.

Congress illustrates this phenomenon.

Leaving a Legacy

A key aspect of all second term administrations is the desire to establish a presidential legacy. For first term presidents, the primary focus is re-election. For second term presidents, it is on establishing their place in history. In part, President Bush's place in history is already secured for taking action immediately after 9/11, bringing down the Taliban, and overthrowing Saddam Hussein's regime. These were not policy initiatives the President carried with him into office. They are likely to be described as responses to circumstances not of the President's making. Thus, these events and policies are far too contentious to make a good legacy.

One possible candidate for the President's legacy is the Global Posture Review (GPR). The GPR is part of broader policy initiative to transform the U.S. military to meet American security needs in a post-Cold War era, which includes the repositioning of American troops stationed abroad. In testimony before the Senate Armed Services Committee, Defense Secretary Donald Rumsfeld has stressed that he intends to keep moving forward with the GPR, re-deploying American troops around the world to places where they are wanted, needed, and in position to cope with small groups of American enemies while still maintaining the ability to stare down large state militaries.[10] In one sense, this redeployment of troops creates a military 'fish-net,' in which an emerging threat to American or allied interests will quickly become entangled and surrounded. The overriding impediment to achieving this policy objective is, of course, military operations in and around Iraq. These operations require that in the short-term (6 to 8 months) the United States concentrate approximately 130,000-150,000

[10] Mark Mazzetti, "U.S. to Cut Number of Overseas Bases," *Los Angeles Times*, September 24, 2004.

troops in Iraq and at least 60,000 to 80,000 troops over the longer-term (8 to 16 months), even as more Iraq security forces are trained and put into the field.

The GPR has already changed the 1995 Nye Initiative to maintain 100,000 troops in Asia. One significant feature of this redeployment process has been the proposed reduction and redeployment of American troops in South Korea over the next four years. One aim of this move is to reduce the burden on Koreans and their long history of hosting American troops. By augmenting the remaining troops with more military capabilities, such as Patriot missiles, the United State aims to swap boots on the ground for greater firepower and technological capabilities that continue to deter North Korean military action. This move should allow South Korea to continue engaging North Korea in a political reconciliation process without jeopardizing security. Redeployment of American troops both in South Korea and in the region does not pose a greater threat to China, as this repositioning serves no specific strategic goal related to China.

Whether the GPR successfully becomes part of President Bush's legacy depends a great deal on how long Secretary Rumsfeld remains the Secretary of Defense. Rumsfled is both the chief architect and implementer of the GPR, which is not widely embraced by the military. With respect to American troops in South Korea, it is possible that some of the 12,500 troops scheduled for withdrawal by 2008 could end up staying in South Korea if either Rumsfeld resigns sometime in the next two years or if North Korea appears to grow more hostile.

The New Bush Administration and Sino-centrism: Narrow Orbits

The new Bush Administration and Sino-centrism will inevitably interact. As already outlined, Sino-centrism in China's foreign relations remains focused on the Asia-Pacific, and the new Bush Administration's foreign policy will focus on moving forward with the Bush Doctrine,[11] which include efforts to stem proliferation of nuclear, chemical, and biological weapons. China has played a mid-range role in President Bush's foreign policies, thus far, and only in a narrow range of issues. The United States has predominantly been of little focus for China's Sino-centrism, except for issues over Taiwan. Thus even though we can expect the United States and China to interact over the course of the next four years, this interaction is likely to be limited to a narrow range of items and is unlikely to produce much for either of them, barring some unexpected major crisis.

The Big Picture: Limited Scope and Different Focal Points

As stated above, the new Bush Administration's foreign policy will be dominated by the war in Iraq, non-proliferation policies, and the wider Bush Doctrine. Militarily, for at least the first year of the new Bush Administration, approximately one third of the new administration's resources will be concentrated in Iraq. Diplomatically, both Iraq and the war on terrorism will consume tremendous quantities of time and resources. Though new initiatives are possible, the probability of generating some new, dynamic strategy or greatly changing existing policies is low. More bluntly, the new Bush Administration will aim to implement the previous Bush Administration's policies, not design new ones from scratch. This means the majority of the new Bush Admini-

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[11] *The National Security Strategy of the United States of America*, September 2002.

stration's foreign policy attention will be on the Middle East. Even after Iraqi elections scheduled for January, United States is unlikely to significantly reduce its military commitments there.

It is equally important to recognize that the Middle East and the U.S. war on terrorism generally fall outside the bounds of China's Sino-centrism. Even though the Middle East is increasingly important to China, it has chosen not to support U.S. military action or participate in Bush Doctrine initiatives, such as the removal of Saddam Hussein and the Proliferation Security Initiative (PSI). The United States may offer China new opportunities to join American efforts but China's interests are unlikely to compel it to accept. This due to four key facts that 1) Al Qaeda's terrorist tactics and aims have little to do with China, 2) China has no interest in purposefully putting itself in a position to create such enemies, 3) Beijing does not want to portray itself as openly siding against Muslin fundamentalist, and 4) China does not want to cease a policy of non-interference in the domestic affairs of other states.

Broadly speaking, China is skeptical of the long-term effects of the Bush Doctrine. It is demonstrating a belief that it has more to gain by joining with France, Germany, and Russia in efforts to restrain American policies that could strategically redesign international order. More specifically, as mentioned above, China is focused on regional economic and security issues. For the most part, its attention is on further developing its economic and diplomatic ties with ASEAN states, not on grand strategic designs. Its continued emphasis on sovereignty and policy of non-interference in the domestic affairs of other states makes Sino-centrism virtually incompatible with the Bush Doctrine.

The North Korea Problem — The U.S. and China Engage

One of the most important ways in which the new Bush

Administration and Sino-centrism will interact is over North Korea's nuclear weapons development. North Korea began to develop nuclear weapons in 1988, and the United States took a forceful stance against this in 1993. Confrontation between the United States and North Korea was averted by the diplomatic efforts of former President Carter, which ultimately resulted in the United States and North Korea signing the Agreed Framework. This accord pledged both sides to help North Korea develop peaceful nuclear energy. The United States forced its policy decision on South Korea and Japan, both of whom grudgingly agreed to carry significant burdens of providing North Korea with Light Water Nuclear Reactors (LWRs). Though China had an opportunity to participate, it did not. Indeed, its fair to say that at the time, diplomatically China was reorienting itself after losing some prestige in the immediate post-Cold War period. It appeared unsure what would be in its best interest, and placed a higher priority on its own economic and military reorganization than on North Korea's.

The Agreed Framework, which may have been faltering before Bush took office, began to fail in the fall of 2002 when members of the first Bush Administration confronted North Korea with evidence of a new North Korean nuclear weapons program. It failed completely when North Korea pulled out of the Nuclear non-Proliferation Treaty (NPT) early in 2003. Seeking a diplomatic solution, the first Bush Administration sought to engage North Korea through multilateral talks, which included Japan, South Korea, Russia, and China. These Six-Party Talks have made little progress. This is because both the United States and North Korea have taken extreme positions and neither seems willing to compromise. What is important for the analysis at hand is that China felt it was critical for its national interests to be involved in the process on this occasion. In fact, it would be a diplomatic blunder for China *not* to be involved.

The conventional wisdom is that China benefits greatly from

taking part in the Six-Party Talks. The belief is that China is making incredible diplomatic gains because it is providing a forum for the United States and North Korea to engage and is working as a mediator for the two parties. Some in the U.S. think this cedes critical diplomatic influence in the region to China while others complain China is not doing enough. Both of these views, however, fail to appreciate that China's options were limited and had it chosen not to take part in the Six-Party Talks it would have once again ceded control for major develops on its borders to outsiders. Moreover, these views also fail to appreciate three critical aspects.

Firstly, by participating in the Six-Party Talks, China may be able to gain some leverage over the United States with respect to solving China's Taiwan problem. Secondly, the United States preferred to take a multilateral approach that included China, Japan and South Korea. This is because of the combined leverage all three of these states have over North Korea, the difficulty of sustaining a strict U.S.-North Korea agreement, and the United States did not want to repeat making a deal with North Korea without consultation from its allies Japan and South Korea. Lastly, unlike in Europe, Asia has displayed far less criticism and resistance to the Bush Doctrine that would provide China with an opportunity to capitalize on an anti-American sentiment. Indeed in some cases, such as in Japan and the Philippines, support for American policies is rising.

Additionally, some think that China's heightened profile through the Six-Party Talks will benefit China in dealing with other Asian states. That is, China will somehow have more influence because of brokering between the United States and North Korea. Although South Korea may in fact be working with China, and indeed to an extent agrees with some Chinese proposals, there is no evidence to support the idea that South Korea is modifying its strategic interests to reflect greater consideration of China.

Since seeking reconciliation with an economically viable North Korea is a major strategic interest of South Korea's, the South Koreans naturally support any proposals that help it achieve that goal — regardless of who proposes it. China's participation in the Six-Party Talks, however, does not mean that South Korea, Japan, or even any of the other ASEAN states will begin to bend their own economic and security policies to favor China. More so than in Washington, the Asian capitals recognize that China had to seize the opportunity to be included. What is particularly interesting about this situation is that China appears willing to interfere in the domestic affairs of North Korea, albeit to a limited degree and certainly well short of violating North Korea's sovereignty.

The Bush Administration's North Korea Policy and U.S.-China Cooperation

As for the new Bush Administration, it is likely to continue to push its Complete, Verifiable, Irreversible, Dismantlement (CVID) policy on North Korea's nuclear program. American engagement of China through the Six-Party Talks operates on the assumption that China shares the American view that allowing North Korea to develop nuclear weapons would be a new and dangerous threat to regional stability. President Bush articulated this clearly when he reportedly remarked to Jiang Zemin in January 2003 that the North Korean nuclear issue "binds us in common purpose" and in February 2003 that "we have a joint responsibility to uphold the goal of a nuclear weapons-free Peninsula."[12] It is not clear, however, that American and Chinese interests are in fact bound in common purpose. Indeed Hu Jintao is more focused on dialogue and seeing that "actions that could further escalate the situation [are] avoided."[13]

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[12] Bonnie S. Glaser, "China and the U.S. Disagree, but with Smiles," *Comparative Connections* (October 2003).

Clearly, the Chinese would prefer that the North Koreans do not stockpile nuclear weapons. It is, however, unlikely that their sense of concern about the issue is as intense as the Bush Administration's. If this were the case, one would expect to see a much more sophisticated combination of pressures and incentives by the Chinese on the North Koreans to negotiate. Chinese actions thus far indicate two, non-mutually exclusive logics at work. The first is the well-known view that the Chinese only want to be seen participating. That is, participation alone has some value for the Chinese. The second is that the Chinese do not want to become even more deeply involved in aid programs to North Korea than they are already, because experience has taught them that once North Korea secures a deal, Pyongyang considers it a floor for more concessions rather than a ceiling. Moreover, China seemingly has less to lose should North Korea acquire a practical nuclear arsenal, since it has lived with South Korea, Japan, and Taiwan as potential nuclear states for years. The Bush Administration's main concern that North Korea could develop mobile nuclear missiles that American forces could not be completely sure of destroying in a first strike attack or that the North Koreans might sell nuclear weapons is much less of a concern for China. Admittedly, China does have an interest in seeing that North Korea's nuclear weapons program does not create a nuclear 'domino' effect, where Japan, South Korea, and Taiwan also develop active nuclear weapons programs.[14]

The new Bush Administration may use its inauguration to modify its policy stance in some minor way to create an atmosphere for negotiations. It is hard to expect that any 'nuanced interpretation' of CVID will be markedly different than the Bush Administration's current position. There are risks for both the new Bush Administration and for China over North Korea. For China, the

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[13] *Ibid.*

[14] I find the actual probability of a nuclear 'domino effect' extremely low, however, even if North Korea's nuclear weapons program were to continue at a low level.

longer the stalemate continues the more likely it is that some may perceive it as ineffectual on tough diplomatic issues. For the new Bush Administration, the more time passes without a solution, the greater the risks that the North Korean nuclear weapon stockpile will grow. Moreover, the deeper entrenched the United States becomes in its policies the greater the possibility that it may threaten North Korea or be forced to act on those threats.

For China, the longer the stalemate continues the greater the potential that its policy options will narrow to two, equally unpalatable policy choices: either bending on its long standing policy of non-interference or open opposition to the United States. The second Bush Administration may launch a new diplomatic effort designed to reach a solution and avoid these problems. With Chinese pressure, North Korea may agree to a negotiated settlement, but again, any new initiative is likely to be founded on previous policies and thus be difficult to achieve without North Korea also modifying its position.

Reconciliation — A Fading Hope?

South Korea has made incredible efforts towards engaging North Korea in a reconciliation process, which would allow the two states to live in peace and perhaps reunify someday. It has provided aid, increased some trade, and struggled to reopen the rail link between the two countries. These efforts have had a mild effect on North Korea's interest in peaceful reconciliation. Equally important, South Korea's efforts have captured the imagination of neither the Bush Administration nor the Chinese leadership, both of which are crucial to South Korea's hope of rejuvenating North Korea and finding a political solution to North and South Korean differences.

The Bush Administration does want to see a peaceful, negotiated reconciliation process but its energies remained on North Korea's

nuclear weapons development. Of course, North Korea's withdrawal from the NPT confirmed for the Bush Administration that North Korea is untrustworthy and opportunistic. North Korea's decision to walk away from the 1992 denuclearization agreement with South Korea, even though South Korea has tried sincerely to engage North Korea and has admitted to minor violations of International Atomic Energy Agency (IAEA) agreements itself, casts great doubt in the Bush Administration's mind about how genuine North Korea may be about any serious reconciliation process. China, for its part, seems willing to aid South Korea in its reconciliation efforts, as does Japan. Both Chinese and Japanese energies are also focused more on North Korea's nuclear weapons program and their own bilateral relations than on directly aiding South Korea's search for reconciliation.

Tensions between the United States and South Korea certainly have not helped South Korea's effort to gain support for its reconciliation hopes. Early miscommunications between President Bush and President Roh, particularly over U.S. military action in Iraq and the repositioning of troops, created some skepticism over how to manage the U.S.-ROK alliance. This uncertainty has created concern about South Korea's likely reaction to a U.S.-China confrontation over Taiwan, which inevitably undermines U.S. leverage over China's Taiwan policies. Both the United States and South Korea are making efforts to reassure each other of their alliance's role in stability in Northeast Asia and their commitments to that goal.

The Everlasting Question over Taiwan — Linkage to North Korea?

American and Chinese foreign policy views have long been asynchronous over Taiwan. The first Bush Administration affirmed the status quo — there is only one China, but it should not resort to force in dealing with Taiwan. The Bush Administration has worked

very hard to reassure China that its view of the 'One China policy' is not changing, even though Assistant Secretary of State James Kelly testified to the House International Relations Committee that the U.S. and China might hold different views of that policy.[15] Both President Bush and his new Secretary of State Condoleezza Rice have stated to the Chinese leadership that American commitments to the One China policy remain firm. Moreover, the new Bush Administration appears to be taking a much tougher policy toward Taiwan to prevent any uncontrolled change in the status quo.[16]

Some might suggest that the Chinese may reach the conclusion that, with U.S. troops tied down in Iraq, military force might be a viable option to rein in Taiwan in if it were to seek formal independence or appear to be making such moves. This ignores two important facts and at least one possible new dimension in U.S.-China affairs. First, current U.S. forces deployed in and around Iraq are mostly ground troops and the U.S. Navy and Air Forces in the region are fully capable of foiling any Chinese plans to employ force on Taiwan.[17] Second, with U.S. forces deployed in the Middle East, the U.S. is in an excellent position to cut Chinese oil supplies from the Middle East through a selective naval blockade, inflicting significant harm to China's economy.

Lastly, American engagement of China in Six-Party Talks may be creating a new dimension in U.S.-China relations with respect to Taiwan. That is, the United States and China may have begun linking North Korea and Taiwan issues. They may have agreed that the U.S. will withhold support for formal Taiwanese independence

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[15] Ching Cheong, "Two Different Takes on One-China Policy," *The Straits Times*, June 11, 2004.

[16] Murray Hiebert, "US Approach to Taiwan is Set to be Tougher," *Wall Street Journal*, Novermber 18, 2004.

[17] Michael A. Glosny, "Strangulation from the Sea? A PRC Submarine Block of Taiwan," *International Security,* Vol. 28, No. 4.

in exchange for Chinese pressure on the North Koreans to negotiate over the nuclear weapons issue. This delicate diplomacy, if it exists, is filled with potential pitfalls. For example, moves by either the U.S. or China on their respective targets of North Korea and Taiwan are no guarantee that they will be effective and actions taken by Taiwan and North Korea similarly will not necessarily be the result of American or Chinese pressure. It will therefore be difficult for either the U.S. or China to know that the other is adhering to the deal. Similarly problematic, the timing or intensity of the problems are unlikely to coincide. The Bush Administration and China will have to take actions without immediate *quid pro quo* action from the other, which again means they will have to constantly reassure one another that they are carrying through with such a bargain and will not renege should either achieve its goals before the other. These difficulties, however, do not preclude the possibility that a private, general agreement already exists between the U.S. and China to aid each other with their individual interests. It does mean, however, that many may be underestimating the Bush Administration's diplomatic skills and Chinese strategic calculations.

The Japan Challenge

Japan posses a considerable challenge to China's Sino-centrism. Although Japan's trade and economic relations with China have grown considerably over the past decade, Japan and China are competitors globally and in the region. Common perception suggests that Sino-centrism is growing among ASEAN states but the same is not true for Japan. Indeed, Japan offers alternatives to and in some cases balances against the growth in Sino-centrism. Although some observe that Japan has been slow to compete with China economically in Southeast Asia, recent efforts at establishing FTAs and other economic agreements signify, overall, a concerted effort by Japan and regional countries to avoid being overly interdependent on any one state, namely China.

Japan's changing security policy is also a challenge to Sino-centrism. Tokyo's support of the previous Bush Administration will continue into the new Bush Administration. Japan has demonstrated a willingness to participate in new security initiatives such as the reconstruction of Iraq and the PSI. This gives Japan both legitimacy and a wider reach for its security activity. Even beyond this, parts of Southeast Asia seem to be welcoming Japanese efforts to help stem piracy. Equally important, Japan and South Korea continue to cooperate, in a limited way, on security issues, which indicates that China must calculate how its actions might affect Japan-South Korean economic and security interests, individually as well as combined. More importantly, however, Japan is showing a greater interest and willingness to bolster its alliance with America. Japan's new National Defense Program Outline (NDPO) is a prime example.

Japan's new NDPO sets it on a course of cooperation with the United States that will be closer than at anytime during more than 50 years of the U.S.-Japan alliance.[18] Moreover, several features of the NDPO may clash with current Chinese security diplomacy. Specifically, Japan has stated a clear commitment to bolster its defenses of surrounding islands. This is a clear reaction to tensions between Japan and China over Chinese incursions around, and claims over, the Senkaku Islands, which began to heat up in 1996, and continue today. Japan's pledge to pursue missile defense, as well as seek a greater role in protecting its sea-lanes of communication, signals that Japan may be shedding some of its strategic ambiguity on Taiwan. Lastly, this latest NDPO signals greater flexibility in Japan for reassessing and altering its security strategy. Japan issued the first NDPO in 1976, followed by a second in 1995. This third NDPO is expected to last for 10 years, but will be reviewed in five. The Japanese are reassessing their

[18] *National Defense Program Guidelines for FY 2005 and After*, approved by the Security Council and the Cabinet on December 10, 2004, Japan.

security interests more often and with greater efficiency.

Emerging Issues: Economics and Latin America

Economic realities of Sino-centrism will prompt the new Bush Administration and China to manage U.S.-China relations. The new Bush Administration is likely to push forward with pressure on China to revalue its currency and voluntarily curb its exports to America. China is likely to show some efforts to curb exports to avoid tensions with the U.S. but it does not appear China will ease its currency policy. In part, this is because of the much wider and long-lasting effects on the Chinese economy caused by revaluing the Yuan. How this will play out is uncertain, except to say that the new Bush Administration is likely to continue to raise it as an issue. Although economic issues will be contentious, both the United States and China will avoid narrowing their policy options to a path that sparks a costly trade war and broader WTO disputes.

It may be surprising but the new Bush Administration and China are beginning to cross paths in Latin America. This stems from Chinese economic growth, as it searches for new import and export markets. Latin America has emerged as being able to provide both. In fact, in the run-up to the 2004 Asia-Pacific Economic Cooperation (APEC) summit, China sought to launch new economic and diplomatic initiatives with Latin American countries. This new aspect of economic Sino-centrism reflects a Chinese desire to secure resources as well as diversify its suppliers. In reaction to this, the new Bush Administration is likely to revive policy initiatives planned but held in abeyance during the previous administration. These policies aim to ensure that Latin American states maintain close economic and political ties with the United States. There is unlikely to be a ‘clash’ between the new Bush Administration and China over South American markets but as an area of overlap, the region is a new

and emerging issue for the U.S. and China.

Final Analysis: Incremental Change for the New Bush Administration and Sino-centrism

Analysis of the relationship between the new Bush Administration and Sino-centrism, firstly illustrates that the current U.S. and Chinese foreign policies overlap on a small range of issues. The new Bush Administration is likely focused on the Middle East, weapon proliferation issues, and threats from non-state actors (terrorists), while China is likely to focus on regional issues of economic development, security assurance, and Taiwan. More bluntly, neither the new Bush Administration nor China appears poised to act in an obstructionist manner towards the other pursuing its interests, provided both operate within fairly well established patterns of behavior.

Secondly, China is likely to remain engaged in the Six-Party Talks, while the new Bush Administration will push for negotiations with North Korea. It is unreasonable to believe that nothing will change in these negotiations, as both the United States and China have incentives to reach an agreement on North Korea's nuclear weapon program, preferably sooner rather than later. Despite this, little change is likely in the core demands of the United States. Some move that saves the face of both the U.S. and North Korea, while still addressing the substantive issues surrounding North Korea's nuclear program, will be needed.

Thirdly, China's economic, military, and diplomatic policies will allow Sino-centrism to further take root in Asia. That is, the level of economic interdependence between China and regional states will increase, as will China's military capabilities and efforts to reassure the region that China will not be direct threat to them.

This 'growth' in Sino-centrism neither occurring in a vacuum nor does it mean that the United States is being excluded from Asia. Japan's bolstering of its security alliance with the United States is one clear example that the Chinese are not beguiling the Asian states. South Korea's balance between seeking help with North Korea, while resisting Chinese attempts to direct their foreign policy, serves as another good example. The abilities of ASEAN states to extract agreements from China on economic and security issues as well as their individual and collective efforts to balance their China policies with others is a third good example. Equally important, China's political ideology is not serving as a viable alternative to Western democratic ideals for Asian states. That is, ASEAN states are not remodeling themselves on China. Rather they are responding to the economic and security realities of the environment in which they exist.

Fourthly, as in the past, Taiwan continues to be a major issue for U.S.-China relations specifically and for Sino-centrism generally. At present, the United States is maintaining pressure on Taiwan not to declare formal statehood. The new Bush Administration is also holding to the 'One China policy.' Although several other countries also support the One China policy, it is clear that for many Asian states, maintaining Taiwan's current status is the preferred option. South Korea's recent renewal of economic ties is a good example of this.

In sum, given that the foreign policy orbits of the United States and China cross only on a narrow band of issues, they are likely to have little direct effect on each other. The areas where their policies do intersect — North Korea, Taiwan, and economic trade — are important and changes on the major issues will have significant effects, particularly in Asia. Barring some major crisis, the changes that will come are likely to be incremental rather than radical shifts.

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Uncertain Prospect of Present Cross-Strait Relations: A Taiwanese Perspective

Fu-Kuo Liu

This paper examines the political complexity, which is at the heart of current cross-strait relations. The view of cross-strait issues from a Taiwan perspective sees a mixed picture with two major trends at work, the momentum for democratic consolidation and challenges to regional security. These trends appear to be merging and could possibly pose the greatest challenge to regional stability if an applicable mechanism of crisis management is not developed. Against this backdrop, the United States plays the most critical role in maintaining the status quo and the balance. The U.S. has encouraged both sides to make efforts to facilitate talks across the strait. Despite the change in rhetoric after President Chen won the 2004 re-election and an offering of an olive branch to China, cross-strait relations have not improved. After the Legislative Yuan's election in December 2004, the next big challenge for the US, China, and Taiwan will be Chen's drive for "2006 constitutional reform." Near-term challenge however appears on China's attempt to issue anti-secession law. The first direct flights deal for Lunar New Year holidays, which was agreed on January 15, 2005, was an overdue but encouraging signal. The mix feeling would be major part of near-term prospect for the cross-strait relation.

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Introduction

With the Democratic Progressive Party's (DPP) surprising election victory over the then forerunner of the ruling party (Kuomingtang), the year 2000 marked a new beginning of internal political turbulence and confrontational relations across the Taiwan Strait. For the first time in Taiwan history, a KMT presidential candidate was voted out of office and the world witnessed the first peaceful and democratic transfer of government on Taiwan. The election results set a milestone for democratic progress when the opposition party became the ruling party by merely winning an election.

Both ruling and opposition parties would thereafter need to learn how to act differently and behave properly. While an attempt to form a political coalition in the government failed to harmonize political differences, the opposition dominated-Legislative Yuan posed challenges to the new President and his Administration. As a result, politics in Taiwan has become characterized by ongoing internal political strife and deeply divided into two political camps, the pan-green (ruling coalition by the DPP and the Taiwan Solidarity Union) and the pan-blue (opposition coalition by the KMT and the People First Party). These divisions further complicate Taiwan's mainland policy.

Over the last few years, Taiwan's democratization has gathered spectacular momentum, and has seemingly brought about a transformation of Taiwan. However, Beijing perceived that the pro-independence DPP would push the envelope and stir up cross-strait tensions. Furthermore, Beijing still does not trust President Chen regarding the future of cross-strait relations and did not rush to deal with the DPP Administration. During President Chen's first term (2000-2004), Chinese officials and experts seriously miscalculate when they perceived that DPP power was not sustainable over the long-term. Beijing reacted by waiting for the KMT return

to power in 2004. As a result, since the start of President Chen's first term, Beijing adopted a "wait and see" (tin chi yien, guan chi xing) position.

President Chen, notwithstanding, took a conciliatory approach toward China at the outset, but this was in vain. Beijing has yet to show its appreciation for Chen's gesture, implying little mutual trust. Beijing constantly worries that a positive response to Chen could be utilized for DPP election campaigns and interpreted as a softening position toward Taiwan. More importantly, it would serve as a green light to independence. Thus, Beijing does not want to award extra credit to Chen. Rather, Beijing has tried to sabotage Chen's positive image of handling cross-strait relations by employing the united front strategy. Rhetorical criticism on each other's policy remains and has been repeated over the years.

When all witnessed a deepening of the democratic process in Taiwan, a new identity and consciousness emerged and became evident, particularly from the grass-roots. Taiwan society is awake to the bloom of redefining its lost society. President Chen's "one country on each side" theory in July 2002 and the initiation of a referendum bid in 2003 were derived not only from a reflection of balancing Taiwan's disadvantageous edge vis-à-vis China in the international community but also from the grass-root momentum. Beijing perceived these moves as provocative and touching China's "bottom line" and not to be tolerable. Parallel events of transformation were also in process in China when peaceful leadership change occurred from Jiang Zemin and introduced Hu Jintao. At this time, China's policy leeway was relatively constrained. As a result, Beijing further modified the "wait and see" attitude. With grave suspicions of Chen, Beijing emphasized a "close watch" (guan chi xing) strategy, which mainly refers to potential progress and acts of Chen.

This paper examines the political complexity, which is at the heart

of current cross-strait relations. The view of cross-strait issues from a Taiwan perspective sees a mixed picture with two major trends at work, the momentum for democratic consolidation and challenges to regional security. These trends appear to be merging and could possibly pose the greatest challenge to regional stability, if an applicable mechanism of crisis management is not developed.

Against this backdrop, the United States plays the most critical role in maintaining the status quo and the balance. The U.S. has encouraged both sides to make efforts to facilitate talks across the strait. Despite the change in rhetoric after President Chen won the 2004 re-election and an offering of an olive branch to China, cross-strait relations have not improved. After the Legislative Yuan's election in December 2004, the next challenge for the US, China, and Taiwan will be Chen's drive for "2006 constitutional reform." Thus, without the least mutual trust in place, the near term prospect does not seem to be hopeful.

An Era of New Democratic Momentum in Taiwan

After a peaceful transfer of power in 2000, Taiwan has entered a new era of democratization. Taiwan's external constraints remain. It still experiences diplomatic difficulties and its international status continues to be regarded by many in the international community as undefined. Under the DPP reign, the domestic momentum for greater international appearance is as robust as the democracy momentum. Without a doubt, the people of Taiwan will now seek to redefine its territory and try hard to further develop an identity through the democratization process. Though President Chen won the presidential election in 2000 by only 39% of all electoral votes, his ascent represents the desperate hope of the Taiwan people for a "new image, new Taiwan." It implies that a fair number of the middle class are fed up with the power strug-

gles within a declining KMT and have shifted their support to the DPP.

Driven by the new momentum, Taiwan wants to increase efforts to enhance visibility in the international community, free from the shadow of China's threat. For most Taiwanese, the process leading to a new state identity is inevitable and compelling, as generations change and demands for genuine dignity emerge. For mainland Chinese, the accelerated democratic process in Taiwan implies long-term separatism from China and is regarded as intolerable, and should be constrained through military means.

Without experience in presidential power, Chen Shui-bian's first term (2000-2004) began with imposing doggedly ideological principles in various policy areas rather than a compromising political reality, e.g. especially "nuclear-free land" assertion, Taiwanization (or de-sinicization).[1] As a result, the administration experienced a bumpy road. The Chen Administration, in *realpolitik*, was shadowed by strong opposition in the Legislative Yuan and crippled by weak governance. As a result of unfortunate (and emotional) political struggles, the Taiwan society was torn in two, polarizing political beliefs into pan-green and pan-blue camps. The development seriously challenged the effectiveness of DPP governance. At some early points, it appeared as if the DPP nearly lost control of policy issues at home and abroad. In fact, Taiwan's governance problems "are rooted in both institutional weaknesses and dysfunctional patterns of behaviors, especially among politicians."[2] In additional to institutional deficiencies, previous attempts at constitutional amendments failed to define the constitutional structure of Taiwan.[3] It is still unclear whether Taiwan is, or should be, a pres-

[1] In Taiwan up-to-date, the term of "de-sinicization" is used to refer to a decrease in cultural and economic ties with Mainland China, http://encyclopedia.thefree dictionary.com/Sinicization; more commonly the term now is defined or understood as getting rid of Chinese influence from Taiwan.

[2] Shelley Rigger, "Taiwan's best-case democratization," *Orbis* (Spring 2004), pp. 289-290.

idential, parliamentary, semi-presidential, or semi-parliamentary state. The DPP inherited a problematic governance system and has long been trying to put constitutional reform on its political agenda. However, when President Chen proposed a method for drafting a new constitution in 2006 (later redefined as a push for constitutional reform), Taiwan's constitutional reform has become an issue of regional security. Beijing interprets President Chen's constitutional reform as a steppingstone toward shaping a new constitution for a new state and far from acceptable.

Regarding current Taiwan politics on the direction of Taiwan's future and cross-strait relations, the two political camps are seriously divided. They have mobilized their own supporters with distinct political beliefs regarding relations with China: i.e. pro-independence (aggressive) or pro-unification (conciliatory). For the time being the democratization process has not only brought about an emerging Taiwan identity, but also increased electoral polarization.[4] As for cross-strait relations, the localization movement (or Taiwanization), was intentionally mobilized by fundamentalist pro-independence politicians, and has become an effort of de-sinicization.[5] It has caused great controversy within Taiwan society and across the strait. It has also exposed another serious weakness in the DPP governance, i.e. lack of inter-agency coordination.

The politics of Taiwan now mirror the factional factors within the

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[3] Hsiao Bi-khim, "An updated constitution nothing to be afraid of," *Taipei Times,* May 15, 2004.

[4] Robert Marquand, "Tug-of-war for Taiwan's identity," *The Christian Science Monitor,* March 19, 2004, http://www.csmonitor.com/2004/0319/p06s02-woap.html; Joseph Kanh, "Taiwan vote hinges on identity politics," *International Herald Tribune,* March 19, 2004, http://www. iht.com/articles/510993.html; Chang Yun-ping, "Chen's election victory a boost for Taiwan's identity," *Taipei Times,* March 21, 2004, http://www. taipeitimes.com/News/taiwan/archives/2004/03/21/2003107205.

[5] Joe hung, "Taiwanization and de-sinicization," *National Policy Forum Commentary,* April 15, 2002, http://www.npf.org.tw/PUBLICATION/NS091/

pan-green coalition, derived from long years opposing the then authoritarian KMT regime. The factions have spread to government sectors. While President Chen establishes a base policy line, his cabinet team members do not necessarily follow pragmatism and instead continue with a fundamentalist approach, provoking serious concerns rather than appreciation from the Blue camp, Beijing, and even Green camp contenders. This may partly explain why over the past four years Chen's goodwill toward Beijing has ended in complex feelings and mistrust.

Since President Chen's re-election on March 20, 2004, the opposition has challenged his credibility and questioned the fairness and legality of the election procedure, especially the shooting incident of March 19. The opposition continues to block all critical policy initiatives from the government. It seems that Chen's second term has begun with an all-out protest by the opposition. Lacking majority support at the Legislative Yuan and without a compromise mechanismin place, the Chen administration continues to be seriously crippled by the opposition. Lately, the government suffered another setback, as the opposition overwhelmed the NT$610.8 billion massive arms procurement bill by blocking the Procedure Committee of the Legislative Yuan for the fifth time.[6] As campaigns for the Legislative election once again heat up, acrimonious political struggles have multiplied. This period presents a critical moment for the incumbent government to seize majority seats. While the relationship between the government and the opposition has never resumed, the weak governance of Taiwan has further complicates cross-strait relations.

[6] Ko Shu-ling, "Special arms budget blocked by blue again," *Taipei Times*, November 10, 2004.

The Cross-Strait Relations at the Outset of New Drivers

Political antagonism aside, cross-strait interaction shows no sign of slowing. At the peak of political controversy in 2004, economic interaction reached a new high. Two-way trade between Taiwan and China reached US$34.41 billion in the first seven months of this year, which is up 40.1 percent from a year ago.[7] The growth stems mainly from robust market demand for electronic goods. According to new figures released by Taiwan's Ministry of Economic Affairs, exports to the China market rose 35.3 percent to US$25.48 billion in the first seven months of 2004, while imports from the mainland over the same period grew 56.1 percent to US$8.94.[8] Since November 2002, China has replaced the United States as Taiwan's largest market and is also Taiwan's leading foreign investment destination.

Furthermore, considering gloomy labor market prospects in Taiwan, the younger generation (18-30 years) expresses an increased interest in working on mainland China. A new survey by "9999 Pan-Asia Human Resource Bank (9999 Fan Yia Ren Li Yin Han)" shows that approximately 30 percent of interviewed job seekers expressed a high interest in working on the mainland and about 15 percent considered moving permanently to mainland China.[9] With such close economic and cultural interaction and a high-level of economic complementarity, cross-strait economic cooperation has shown to be mutually beneficial and the current trend is likely to continue. In theory, many once believed that closer economic integration between Taiwan and China could substantially reduce the risk of war in the strait. Perhaps, it has been

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[7] "Taiwan-China trade up 40.1 percent in first seven months," *Agence France Presse,* October 5, 2004, http://taiwansecurity.org/AFP/2004/AFP-051004.htm.

[8] *Ibid*.

[9] Wei Shu, "30 percent of F Generation wishes to work in Mainland China," November 16, 2004, http://900002.24hrs.com.tw/news-paper.phtml?code=8370.

an endorsing factor in keeping the strait free from conflict. Nevertheless, economic integration across the strait has not yet brought about the positive "spill-over" effect in the security and political arenas. Rather, as the Chinese step up military threat against Taiwan (or Taiwan independence), they have stirred up general fears of industrial hollowing-out in Taiwan and a fear of too much concentrated investment in China.

Asked if closer economic interaction has gradually altered Taiwanese apprehension of the uncertain relationship with China, most Taiwanese in the post-2004 presidential election environment fear that China's hostility towards "pro-independence" Taiwanese entrepreneurs in China would undermine the island's economic outlook.[10] On May 24, 2004, in responds to President Chen's inaugural speech, a Chinese official continued to criticize Chen for intentionally promoting Taiwan independence and absolutely lacking sincerity. He warned that China does not welcome those Taiwanese businessmen who support independence.[11] In a series of examining cross-strait interactions seminars, some argue that "Taiwan relies too heavily on trade with China, which has already overtaken the United States as the number one export destination, causing trade to become politicized. The over one million businessmen and family members working in China provide the communist government with high-level human resources and valuable experience. A scenario that could take place would be a hostage situation for China to use as bargaining chips to force its views on the government here."[12]

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[10] "Most Taiwanese Fear Economic Fallout from China's Hostility," *Agence France Presse,* June 6, 2004, http://taiwansecurity.org/AFP/ 2004/AFP-060604.htm.

[11] News briefing, Taiwan Affairs Office of the State Council, China, May 24, 2004, http://www.gwytb.gov.cn/xwfbh/xwfbh0.asp?xwfbh_m_id=37.

[12] Staff reporter, "Challenges and strategies for Taiwan's economic security under globalization (Part 2)," *Taiwan News,* June 2, 2004, http://www.etaiwannews.com/Forum/2004/06/02/1088662158.htm.

Recently, the two sets of competing factors — security and stability — vs. democratization (regional countries vs. Taiwan); and military threat vs. national identity (China vs. Taiwan) — are generating new drives and will likely determine the direction of cross-strait relations. These trends also shape Taiwan's future security and foreign policy. Over the past four years, these competing factors have become apparent as the DPP Government presses for democratization and hits Beijing's most sensitive nerve. The democratization occurring in Taiwan has sparked serious regional security concerns as the process leads Taiwan toward a new definition of statehood. Following the trajectory, Taiwan is viewed from external parties as reaching the frontier of a status change, resulting in substantial implications for regional stability. The Taiwan Strait status quo, which is based on the framework around the "One China" principle, has since the Joint Communiqué of August 17, 1982 been defined by the US and China in different terms. No matter how fixed the framework of "One China" sustains regional stability; Taiwan's democratization will surely challenge the constraint over the long-term. The Taiwanese will definitely increase their demand for self-consciousness and national identity, implying that cross-strait relations may come to a juncture and would need to be redefined to reflect modern needs.

Some Americans even see that retaining the long reining framework agreed upon by the US and China would be in US interests. Accordingly, they would conclude that the problems that appear in the strait today are derived from US violation of previous agreements and a shifting US policy focus toward Taiwan.[13] However, as conditions bolstering the existing framework transform, it is debatable whether the US commitment to defend Taiwan and its evolving national identity will risk or further assure US interests. Conventional wisdom in the US seems to prefer maintaining the

[13] Clyde Prestowitz, *Rogue Nation: American Unilateralism and the failure of Good Intentions* (New York: Basic Book, 2003), pp. 220-221.

decades-fixed framework over redefining the growing significance of a strategic interest in Taiwan. It is important to realize the new security environment in East Asia where the rise of China and a dynamic Taiwan democracy may not yet be compatible.

Recent Political Moves in Cross-Strait Interactions

Since the DPP came to power, Beijing has constantly expressed distrust and suspicion toward President Chen and all his peace initiatives. Chen's past record of calls for independence blur Beijing's policy focus. Over the past four years, Beijing has maintained a "wait and see" approach toward Chen. Since last September when President Chen introduced a referendum for the March 2004 presidential election, Beijing responded with more international smear campaigns and raised a diplomatic profile against Taiwan. As a result, Taiwan has suffered more diplomatic setbacks than ever before. Some major countries continue to question Chen's intent on the referendum initiative and regard it as rocking the boat, challenging regional stability.

It is all the more obvious that Beijing's military and diplomatic advances against Taiwan have been counter-productive for cross-strait prospects. In all recent public opinion polls regarding China's hostility toward Taiwan, the results show that over a long period of time, from May 1998 to July 2004, the Taiwanese felt a rather high degree of China hostility (up to 70.4 percent of people feel China is hostile toward the government and 48.7 percent feel China is hostile toward general people).[14] Reflecting public opinion, the government would need to take this into serious account. Many anticipate that the pro-independence groups take advantage of China's hostility to campaign for more

[14] Mainland Affairs Council, "Beijing's hostility toward ROC (May 1998-July 2004)," http://www.mac.gov.tw/english/english/pos/9309/9307e_7.gif.

support and dissuade further economic interaction with China. Over time, this has won more radical Taiwanese support, but has further complicated Taiwan's mainland and foreign policy.

In November 2003, when Taiwan defied all pressure and progressed further toward direct democracy by legalizing the "referendum law" and held the "defensive referendum" in March 2004, the world community did not acknowledge Taiwanese yearnings or their suffering due to the Chinese military threat. On the contrary, many seem to worry that the democratic momentum may irritate Beijing and result in military action against Taiwan. If a conflict breaks out due to a provocative move by Taiwan, the shock would definitely hamper regional economic prospects. The perception of regional stability appears to gain more ground than democratization among regional decision-makers. It seems that Taiwan's drive for democratization is interpreted by Beijing as trouble making and does not, at this point, coincide with interest of regional stability.

Every four years since 1996, Taiwan plans to hold a presidential election, allowing the people in Taiwan to exercise their choice of leader. However, at the same time, the Taiwanese people will need to bear the risk and cost of a Chinese military threat. Taiwan has long been over-shadowed by the Chinese military threat and repressed by the zero-sum diplomatic warfare, although cordial economic relations across the Strait makes it hard to believe that closer economic interactions would drive China to wage war against Taiwan. Experience shows that Beijing knows how to manage economic in-flows while, at the same time, flex its muscle to keep Taiwan at arm's length.

Taiwan's attempt at democratization has been closely bound with its security within the international community; Beijing's "One China" principle has been rooted at the center of all its bilateral and multilateral relations, and remains at the core of cross-strait

relations. China's ascendance has brought about an all-out diplomatic blockade of Taiwan, rousing controversial debate and negative consequence for Taiwan's cross-strait prospect. While Taiwan's new generation destines to raise the country's international profile, Beijing tries only to discourage the development by threatening use of force and using the diplomatic strategy of negative campaigns against Taiwan. Taiwan's survival and existence is under serious threat.

A critical part of Taiwan's foreign policy is unquestionably to accelerate broader international recognition and presence, so as to withstand Beijing's undemocratic unification intention. Taiwan's latest democratization drive coupled with redefining statehood has drawn concerns from other countries. Beijing seems once again to be ill informed about the developing trends. Democracy brings a confidence to the people, but not to the point of independence. What most countries need to understand is that Taiwan's ruling elite has developed a broad consensus on the existing sovereignty.

Taiwan's society and public opinion has changed over the past four years. Policy orientation is also very much driven by constituencies rather than simply by the central government itself. Solutions for cross-strait issues must be based on the best interest of Taiwan's residents. Given Taiwan's democratic process and Beijing's prolonged claims of "One China" principle, the traditional military threat has become out of touch with Taiwan's reality. China is losing the trust of the Taiwanese public rather than winning their hearts.

Since 2000, Beijing has conducted the "united front strategy" "that seeks to settle tensions with Japan and the United States — Taiwan's principal external backers - while wooing opposition politicians from the island with warm treatment and business executives with trade opportunities."[15] The purpose is obvious. It is to weaken the position of the Chen Administration at home and

abroad. Beijing attempts to distinguish government (independence factors) from the general populations, especially the opposition coalition — the pan-blue. *To rationalize its anti-Taiwan independence policy and the united front strategy, it would be much easier for Beijing to strike two political targets at the same time by discrediting Chen's Administration*. Prior to the presidential election in 2004, it is said that Beijing had predicted the pan-blue victory. As China was hoping that the pan-blue government in Taiwan would likely agree to the "1992 Hong Kong consensus," it would make conciliatory possible to Taiwan. However, the reality in Taipei has upset Beijing. Beijing has so far been very reluctant to talk positively to Taipei, as it does not trust Chen's Administration. Given the fact that China's decision-making process takes a long time with the current Hu's collective leadership needing time to reach consensus, it is, currently, difficult for China to introduce a new conciliatory policy toward Taiwan. China is now facing a serious challenge to its policy and credentials. During the past decade, China has been insisting on a tough line policy, with only the impression of playing lip service to Taiwan. The issue of Taiwan independence touches a wound in China's domestic political debate, since Beijing has yet to come to terms with growing support for independence. Perhaps, due to realistic constraints, the military threat and political pressures are all that Beijing can manage. Under such circumstances, cross-strait developments are negative, and will stall without any progress for sometime.

China's Dogged Policy toward Taiwan and Increasing New Expectation

China's policy toward Taiwan has been based upon Deng Xiaoping's

[15] Douglas Paal, "China is gaining leverage on Taiwan," *International Herald Tribune*, December 27, 2000.

"One Country, Two Systems" framework under the "One China" principle. Unless the political situation changes dramatically across the strait, observers do not anticipate any flexibility or change on China's policy.[16] Regarding China's leadership transformation, it is unlikely Beijing will be flexible or even positively respond to Chen's efforts. After assuming the second term of his presidency, President Chen made a number of efforts to Beijing in the inaugural speech, the National Day speech, and the "ten points" statement on November 10.[17] The impressive initiative included in his National Day Address suggests that as long as the 23 million Taiwanese people can endorse, Taiwan "will not exclude the development of any possible type of cross-strait relations."[18] Knowing the effort Chen has put forward in integrating the different political spectrums of his party; one would be very appreciative of his courageous attempt.

Unfortunately, China has not produced anything substantial apart from conventional critiques. Even recently, during the recent 12th APEC Economic Leaders' meeting (APEC informal summit) held on November 20-21, in Santiago, Chile, President Hu told US President Bush that "Taiwan has stubbornly been engaging in independence movements and refused to accept the '1992 consensus.' Its so-called constitutional reform is merely a separatist action aimed at severing Taiwan from its motherland."[19] (On

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[16] *Quadrennial National Security Estimate Report*, by Foundation on International and Cross-Strait Studies, Taipei, 2004, p. 61.

[17] The details of all messages could be found: "President Chen's Inaugural Address 'Paving the Way for a Sustainable Taiwan'," May 20, 2004, http://www.president.gov.tw/php-bin/prez/showenews.php4; "President Chen's address to the National Day Rally," October 10, 2004, http://www.president. gov.tw/php-bin/prez/showenews.php4; "President Chen Presides over a High-level National Security Meeting," November 10, 2004, http://www.president.gov.tw/php-bin/prez/showenews.php4.

[18] "President Chen's address to the National Day Rally," It was elaborated by Joseph Wu, Chairperson of Mainland Affairs Council. "The opportunity for cross-strait chartered flights talks: reflections and prospects on the sixth anniversary of Koo-Wang talks," *Taiwan Perspective e-paper,* No. 25, November 2, 2004, http://www.tp.org.tw/eletter/print.html.

the so-called '1992 consensus,' the then KMT government after the H K meeting claimed that there was a consensus on the "One China" principle, but the definition was left to each side to interpret. However, Beijing rejected this suggestion outright. So, it became confusing to many. The DPP did not participate in the process and was not well informed of the details. Therefore, Taiwan is not bound to it.) Although Beijing's hard-line remains in place, President Chen has been determined to send encouraging and constructive initiatives to Beijing. So far, the lack of mutual trust has been a fundamental stumbling block for both sides of the strait to initiate talks.

China's Taiwan policy at the end of former President Lee Teng-hui's term focused on "Fan Du Tzu Ton (opposing independence, facilitating unification)," When pro-independence Chen Shui-bian became president, China with deep suspicion continued to conduct the "Fan Du Tzu Ton" policy. But since 2003 when the referendum issue rolled onto the policy agenda, China seemed to feel an urgent need to counter Taiwan independence and has decided to shift policy focus to "Fan Du." A network of a united front strategy has extensively stretched out to the international and overseas Chinese communities. As a result of mounting the aggressive strategy, it has deliberately torn harmonious overseas communities in two: pro-Taiwan (separatism) or pro-China (unification). Many Taiwan experts believe that as China has sensed a drift away from China with an already developed independent identity, the pressure from within the Beijing decision-making circle has reach new heights. It may once again put the "Tzu Ton" policy back at the center of Taiwan policy.[20] This may be particular true since China can no longer neglect Chen and will need to face Chen over the next four years. China is cur-

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[19] Ko Shu-ling, "Bush calls on China to show restraint," *Taipei Times,* November 22, 2004, http://www.taipeitimes.com/News/front/archives/2004/11/22/2003212058.

[20] *Quadrennial National Security Estimate Report*, p. 64.

rently facing a new Taiwan and a new presidential term to which Beijing is very reluctant to begin talks.

In light of the firm position of both sides, frustration easily mounts across the strait. China's obstinate policy stance should be blamed for gloomy prospects in the strait. The policy is characterized by a few unchanged features:

- "One China" precondition: After efforts made by the Chen's Administration, China does not seem to catch up with the right tune and remains firm and tough on the "One China" principle. For Taiwan, the "One China" principle is sensitive given political developments, making it virtually impossible for any political leader to accept the principle outright. While Taiwan has shown flexibility in accepting a possible endorsed by all the Taiwanese people, China's new leaders have not yet produced a clear strategy to cope with the new change;

- Beijing's mistrust of the DPP Government: After coming to power after years of opposition, the DPP has been forced to transform itself to face the challenges of governing. Although a transformation process has begun, the DPP has not yet been able to completely change its opposition nature. Beijing does not seem to understand the factional nature of a political party in progress. Unfortunately, the policy of the DPP is shaped by factional politics. It is a pity that initiatives are not appreciated by Beijing. Nor has Beijing acknowledged the good faith of the DPP Government's peace policy;

- Serious perception gap and Beijing's outdated approach: Over the past four years, China has appeared uneasy in coping with the DPP Government, especially during its own leadership transformation. President Chen's vision of deepening democratization has generated a great deal of democratic momentum in Taiwan society, engendering a discovery of new identity. It

is realistic that policy-making in Taiwan reflect the people's will. What does democratization mean for cross-strait relations and China? Beijing constantly worries that democratic progress in Taiwan will lead to separation; and

- Heighten military threat: After Taiwan protested China's deployment of over 600 short-range ballistic missiles aimed at Taiwan, China accelerated buildup to intensify military pressure. China believes the only effective way to suppress Taiwan independence is by military means. As a result, tension has risen in the strait and Beijing has successfully shifted the spotlight to Taiwan to place blame.

As early as 2000, experts in the US, Taiwan, and China have recognized that Beijing's tough stance is very counter-productive. They have even been critical to "the leadership for adopting overly threatening tactics that are alienating Taiwan."[21] In various meetings regarding cross-strait relations, many agreed that at the peak of the Severe Acute Respiratory Syndrome (SARS) period, China's unfriendly policy toward Taiwan, wasted a chance to develop a cooperative spirit of fighting SARS beyond artificial national borders. This frustrated many Taiwanese at a critical time. The worst image came at the World Health Assembly at Geneva in May 2003, when the Chinese official delegation ridiculed Taiwan's effort for an observer status and continued to block Taiwan's presence. China did not realize that the SARS agenda was linked with Taiwan's increased death toll at that time. This episode reveals the most counter-productive practice in recent cross-strait development.

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[21] David Brown, "China-Taiwan relations: Groping for a formula for cross-strait talks," *Comparative Connections (E-Journal),* 2nd Quarter 2000, http://www.csis.org/pacfor/cc/002Qchina_taiwan.html.

US in the Taiwan Strait and a New Perception of National Interest

During the past four years, the Bush Administration has shifted its policy toward China and Taiwan from "strategic ambiguity" to "strategic clarity" in which "no independence (Taiwan) and no use of force (China)" were simultaneously introduced as reminders for the two sides. The core principle of the policy was elaborated during a Congressional testimony by James Kelly, Assistant Secretary of State, on April 21, 2004. They represent the most updated policy perspective:

- "The US remains committed to our One China policy…;
- The US does not support independence for Taiwan or unilateral moves that would change the status quo as we define it;
- For Beijing, this means no use of force or threat to use force against Taiwan. For Taipei, it means exercising prudence in managing all aspects of cross-strait relations. For both sides, it means no statements or actions that would unilaterally alter Taiwan's status;
- The US will continue the sale of appropriate defensive military equipment to Taiwan according to TRA; and
- Viewing any use of force against Taiwan with grave concern, we will maintain the capacity of the United States to resist any sort to force or other forms of coercion against Taiwan."[22]

The US wants to make sure that both Taiwan and China understand its policy clearly, to avoid unilateral action that would change the status quo. But, what is the status quo? The US defines it according to its interest. Some anticipate that such a policy shift may send the wrong signal to Taiwan, as if the US

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[22] "Kelly says Taiwan Relations Act key to West Pacific stability," State Department official's April 21 Congressional testimony, April 21, 2004, http://usinfo.state.gov/xarchives/display.html.

in all circumstances would defend Taiwan.[23] Others thought that it would be necessary to put the line bluntly to the both sides, in case they misperceive US determination.

On the Taiwan issue, President Bush began his presidency by suggesting that the US would do whatever it took to defend Taiwan. It appears as if misunderstanding or misperception may have led Taiwan to believe that US support would not have limits. Many Washington insiders complain that Taiwan has been pushing to abuse US friendship and commitment to Taiwan. On December 9, 2003, when President Bush received Chinese Premier Wen Jiabao at the White House, he drew a clear but unprecedented policy line. He highlighted that the US does not support independence and opposes unilateral moves to change the status quo. Since then, all important US statements by senior officials consistently stress no support of Taiwan independence. Ahead of the December 2004 election in Taiwan, the 2006 constitutional reform was brought to the government's agenda. The US senses an uneasiness watching the agenda pushed through, as the reform may imply legalizing Taiwan independence which would become more of a flash point. Reflecting Taipei's constitutional reform agenda, the Chinese military has heightened its war preparedness which only increased tension.

The current problems facing Washington and Taipei is the lost of personal trust between leaders. Since July 2002, when President Chen announced the "one country on each side" theory, the US was caught by surprised. In 2003, driven by domestic pressures, Chen unexpectedly threw out thesensitive issue of referendum and reinforced the move by calling for "defensive referendum" without prior consultation with the US. As China viewed referendum in

[23] Vincent Wen-hsien Chen, "The triangular relations between Taiwan, the US and China at the turn of the new century," *Issues & Studies*, Vol. 39, No. 4 (December 2003), p. 214.

Taiwan equal to provocative independence, the cross-strait tension was immediately brought to a new high. Once again, it embarrassed the US. It became a security concern for the US, while the US has been fully preoccupied with unfinished business in Iraq and with the North Korean nuclear crisis. The trust Washington had in Chen has diminished dramatically. Late last year, the "informal" diplomatic effort between the two capitals went on, but the US did not receive a clear response from Chen to indicate his willingness to toe the line. The US may view that Chen is only cautious regarding his own domestic interest, while risking regional stability. The risk would potentially draw the US into a possible conflict with China. The US then concluded that Chen became an unpredictable factor in cross-strait relations, pushing the envelope far beyond the limits of US interest.

Security challenges in Iraq, the Korean Peninsula, and the counter-terrorism campaign continue and top the US policy agenda. To face complex challenges, the US would need to enhance further cooperation with China. The danger resulting from independence campaigns in Taiwan would have to wait. So it became a clear policy position for the US to put a damper on Taiwan independence. Until the latest event at the APEC Economic Leaders' meeting in Chile, President Bush still reiterated to President Hu his opposition to Taiwan independence and also urged the Chinese side to act with restraint and prudence.[24]

During his recent visit to China in October 2004, US Secretary of State, Colin Powell, furthermore, made a statement in which he suggested that "Taiwan is not independent. It does not enjoy sovereignty as a nation."[25] The statement apparently created a

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[24] *The Asian Wall Street Journal,* November 22, 2004, p. 1; Ko Shu-ling, "Bush calls on China to show restraint," *Taipei Times,* November 22, 2004.

[25] US Department of State, "(Secretary Colin L. Powell) Interview with Anthony Yuen of Phoenix TV," China World Hotel, Beijing, China, October 25, 2004, http://www.state.gov/secretary/rm/37361pf.htm.

shock wave throughout Taipei. His comments reflect American security concerns in that as momentum for Taiwan independence increase, "Taiwan" is not independent and statehood is out of the question. Instead, Taiwan represents the Republic of China and does not need to reclaim sovereignty. This message was very sad for Taiwan when conveyed by a top American official, withholding the fundamental recognition of Taiwan's status. It has, however, left issues in the political field for many to ponder the consequences for Taiwan's future and cross-strait relations. Speculation exists that the US may be refining its China and Taiwan policy.

Recently, although the Taiwan issue has become an "eroding" factor between the US and China, China has discovered a shortcut from Beijing to Taipei through Washington. Beijing wants to press that the US could influence or at least restrain Taipei from going too far. In order to reduce the tension, the US has urged China to resume talks with Taiwan. Powell and Bush made the suggestion to President Hu in October and November 2004. Hu responded by suggesting the possibility of a resumption of cross-strait dialogue.[26] The US is facilitating the cross-strait talks and in the meantime remains a strait keeper. So far, all Taiwan's peace initiatives to China have been rejected, Taiwan looks to the US to play a greater role (facilitator and even mediator) in cross-strait relations.[27]

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[26] Ko Shu-ling, "Bush calls on China to show restraint," *Taipei Times,* November 22, 2004.

[27] "The cross-strait gulf widens: the views from Beijing and Taipei," A luncheon with David M. Lampton and David Shambaugh, *Program Brief,* Vol. 10, No. 15 (July 20, 2004).

Concluding Remarks: New Offers, New Opportunity, and New Understanding

The year 2003 ended with fear of conflict in the Taiwan Strait, as the process of deepening democratization in Taiwan through the referendum initiative was mistakenly understood as a way of moving toward Taiwan independence. This misinterpretation has been aggravated by China's smear campaign. *None of the states concerned ever noted that Taiwan's effort of redefining statehood from the grass-roots would lead to a stable and reliable cross-strait relation over the long-run.*

The year 2004 witnesses this challenging landmark in trilateral relations. President Chen Shui-bian passed a cruel political test and successfully won the re-election in March. President Hu Jing-tao succeeded Jiang Zemin as Chairman of the Chinese Communist Party Central Military Commission in September and began to further consolidate his power. President George W. Bush also won endorsement from the American people for a second term in November. For the time being, domestic factors involved in cross-strait relations have just been revitalized. The year 2005 will certainly be a new era.

Despite political controversy over the election process in Taipei, President Chen has managed to win a mandate from the Taiwanese people. Well into his second term, President Chen faces several challenges: weak governance, widening domestic political rift, re-vitalization of the economy, a loss of trust from the United States and bumpy relations with China. President Chen's inaugural speech on May 20, 2004 offered a clear outline for future Taiwan strategic posture and cross-strait prospects. Although many remain suspicious, he has ruled out immediate steps toward independence. In light of the democratic momentum and the materialization of a new identity, the Chen Administration is bound to be more flexi-ble and well balanced on domestic and external matters. The

Administration will certainly present a new political, economic, and social reality of Taiwan to its mainland, foreign, and security policy. As such, a "peace and stability framework" initiated by President Chen would be essential for enhancing interactions over the next four years. Under such a framework, mutual trust may gradually work through a mutual assurance of maintaining the status quo.

At the core of Chen's planning is to seek more stability in cross-strait relations and moderate suspicions on the initiative of constitutional reform. Most importantly, the development of Taiwan's democratization would have to be based upon stable cross-strait relations and hinge upon constant support from the United States. By 2008, a "new" version of an overhauled constitution, allowing for determination, may be in place. It will dramatically bring forward a kind of governance with up-to-date effectiveness.

One has to admit that for now Beijing and Taipei are far from each other on their policy orientation. What the world has witnessed so far demonstrates an unbalanced development in the economic and political fields. Economic integration has supported a ground for further cooperation.

Recent statements delivered in May, October, and November 2004 respectively by Beijing and Taipei may have shown certain policy expectation for the future. Although criticism and suspicion has not lessened regarding the Chen Administration, one must realize that these moves have opened up an unprecedented window of opportunity between Beijing and Taipei since 2000. At this critical juncture, Beijing's move to announce issuing anti-secession law becomes very counter-productive and even provocative. It has unnecessarily stirred up political tension among the US, China and Taiwan. Although the detailed wordings of the law remains undisclosed to the outside world, it has posed serious challenge to

Taiwan democracy and the US policy. Beijing's attempt to confine independence movement through legal framework could arouse Taiwanese new anxiety to be forced to give in what they believe. Democratic process will always offer people with more than one option to go about and this is what anti-secession law presents otherwise. The development of issuing the law in Beijing will be critical to the prospect of the cross-strait relation in months ahead.

Amid gloomy air in the Taiwan Strait, Taiwan and China on January 15, 2005 agreed to set up their first direct flights since 1949 for next month's Lunar New Year holidays. It was a positive result of consistent peace policy from Taipei. No matter what policy rationale is behind Beijing's calculation, the agreement of direct chartered fights, which symbolizes breakthrough of the deadlock across the strait, could be seen as moving to easing tension and create favorable ground for future development.

All in all, some common ingredients at this stage deserve a closer look. They are:

1. Maintaining the status quo in the strait would be in the best interest of all parties concerned;
2. Immediate concern would be to prevent conflict in the strait;
3. The most urgent task for all parties concerned is to enhance mutual understanding and mutual trust;
4. Crisis management and certain confidence building measures would be at this stage most desirable;
5. The relationships between China and Taiwan need to be redefined under mutually acceptable and stable framework; and
6. China and Taiwan should make use of current dynamism to develop cooperative experience.

International Journal of Korean Unification Studies

*North Koreans in China: A Human Rights Analysis**

Joel R. Charny

This paper analyzes the situation for North Koreans in China from a human rights perspective. It describes China's policy of considering all North Koreans to be illegal economic migrants and details the impact of this policy on the lives of individuals who have crossed the border to assure their survival. Based on interviews conducted in Yanbian and documentation by human rights organizations, the paper describes the treatment by the DPRK of North Koreans deported from China. The author makes the case that the majority of the North Koreans in China qualify for refugee status on the grounds of the differentiated access to public goods in North Korea, which is determined by political criteria, and of the harsh punishments meted out to all North Koreans who are deported from China. The paper concludes with

* Editor's Note: The North Korean penal code was amended in April 2004. Although this analysis was prepared after these changes were implemented, an English language copy of the amended code has not yet become available to the author.

Vol. 13, No. 2, 2004, pp. 75-97.

policy options for China to contribute to resolving this situation, ranging from quietly halting all arrests and deportations of North Koreans who pose no threat to public safety to granting the Office of the UN High Commissioner for Refugees access to North Koreans in China for the purpose of conducting individual refugee status determinations.

North Koreans fleeing deprivation and political oppression in their homeland have no choice but to cross the border into the People's Republic of China. The exodus, which increased substantially with the advent of famine in North Korea in the mid-90s, presents China with humanitarian and human rights dilemmas that it would prefer to avoid as it seeks a resolution of security issues in Northeast Asia. Activists have organized embassy invasions by North Korean asylum seekers in Beijing, while the US Congress passed the North Korea Human Rights Act, which authorizes substantial US engagement to protect North Korean refugees. The issue of North Korean asylum seekers is now on the international political agenda. China's strategy of avoidance is therefore increasingly untenable, and solutions are needed to protect North Korean asylum seekers while recognizing China's legitimate security concerns.

The Scope of The Problem

The exact number of North Korean migrants and asylum seekers in China is unknown. Common estimates range from 100-300,000. This estimate is problematic, due to the wide range and the lack of credible, publicly available data to support the calculation. Although it is plausible that hundreds of thousands of North Koreans have crossed the border since the advent of the famine in 1994, a significant proportion of the border traffic has been, and remains, bi-directional. Many North Koreans seek temporary

employment or emergency relief from support networks in China, before returning to their homes with cash and goods to ensure the survival of their families.

Most North Koreans who enter China do so by crossing the Tumen River into Yanbian Korean Autonomous Prefecture, where 854,000 ethnic Koreans with Chinese citizenship reside.[1] The capital of Yanbian, Yanji, has a population of 350,000 of whom 210,000 are ethnic Koreans. These population figures suggest that the upper estimates for the numbers of North Koreans in China are implausible, since a large portion of the 300,000 North Koreans living illegally would find it difficult to live underground in a city of 350,000 and would be even more conspicuous in rural areas where strangers are easily identified.[2]

According to an unpublished estimate, there were 20,000 North Koreans living in Yanbian in September 2002.[3] In testimony before the Senate Committee on Foreign Relations of the US Congress in November 2003, Refugees International (RI) endorsed an estimate of 60-100,000 based on the findings of a one-week visit to Yanbian in June 2003.[4]

The lack of data is symptomatic of the overall vulnerability of the North Korean population in China. The Chinese authorities themselves either have no firm grasp of the scale of the in-ward-migration, or refuse to make public data that may be available. Church networks and humanitarian organizations in

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[1] The population figures in this paragraph are from Hazel Smith, University of Warwick, "North Koreans in China: Defining the Problems and Offering Some Solutions," unpublished manuscript (December 2002), p. 2.

[2] *Ibid*., pp. 5-6.

[3] *Ibid*., p. 6.

[4] Joel R. Charny, "North Korean Refugees in China: The Current Situation and Strategies for Protection," Senate Committee on Foreign Relations, November 4, 2003.

Yanbian make some effort to monitor the scale of border crossings, but do not publish these data for fear of jeopardizing their operations.

The Motivation for Leaving

The North Korean Criminal Code prohibits unauthorized departure to another country. Article 117 of the Code mandates a punishment of up to three years labor re-education for crossing the border without permission. Article 47 of the Code states that "one who escapes to another country or to the enemy in betrayal of his motherland and people" will receive a punishment of at least seven years labor re-education. Serious violations mandate execution and forfeiture of all property.[5] These provisions violate the fundamental right to leave ones own country, a right enshrined in both the Universal Declaration of Human Rights, Article 13(2) and the International Covenant on Civil and Political Rights, Article 12(2), to which the Democratic People's Republic of Korea (North Korea) is a state party.[6]

In addition to the forceful Criminal Code, the suffocating "cradle-to-grave" propaganda of the North Korean government ceaselessly portrays North Korea as paradise on Earth. China, South Korea, and the United States, however, are portrayed as horrible places of poverty and injustice. To shatter the bounds of this all-encompassing construct and even consider the possibility of crossing the border into China is indeed tantamount to treason in the mind of a North Korean citizen. South Korean anthropologist Chung Byung-Ho described the decision to leave the homeland thus:

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[5] *Human Rights Watch*, "The Invisible Exodus: North Koreans in the People's Republic of China," Vol. 14, No. 8 (C), November 2002, pp. 20-21.

[6] *Ibid*., p. 20.

> For the people in North Korea, crossing the national border is not a simple act for better living. It is considered as an ultimate resistance to the regime, [of] the same order as suicide. The state has indoctrinated the population rather successfully up to the level of a quasi-religious community. Thus, crossing the border means an act of secession, an act of betrayal, and the ultimate crime.[7]

RI interviews with North Korean refugees in Yanbian confirm this sense of crossing the border as treason. According to one young man from Onsung, interviewed in June 2004, "Escaping is a shameful experience." A 49-year old woman from Chongjin said that she felt like a traitor for coming to China. When she was arrested in China and deported, a 33-year-old woman from Haeryong was initially placed in a National Security Jail, where the guards repeatedly told the captured defectors that "a man without a country is worse than a dog at a funeral."[8]

The primary motivation for North Koreans to leave their country is survival. China considers all North Korean entering the country to be economic migrants, but this does not do justice to the level of suffering and deprivation that North Koreans experience. The North Koreans interviewed by RI in 2003 and 2004 were almost all facing extreme circumstances, such as:

- food deprivation as the result of the collapse of the Public Distribution System, which supplied the basic food basket to North Korean families until the mid-90s famine;
- loss of employment as state enterprises ceased to function;

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[7] Chung Byung-Ho, "Living Dangerously in Two Worlds: The Risks and Tactics of North Korean Refugee Children in China," *Korea Journal* (Autumn 2003), pp. 206-7.

[8] Refugees International (RI) interviews, May 30, 2004; June 1, 2004; May 30, 2004. RI interviewed a total of 65 North Korean refugees in China over the course of two one-week visits to Yanbian in June 2003 and May-June 2004. These interviews were conducted through interpreters with individuals selected by local organizations providing assistance and protection to North Koreans in the region. The transcripts of these interviews have not been published, but can be made available on request by sending an email to the author at the following address: ri@refintl.org.

- death of family members in the famine, which shattered the support networks for the individual; and
- health problems, either personal or of a family member, which led the individual to seek money for medicines in China.

The vast majority of the North Koreans that RI interviewed were from North Hamgyong province, one of the poorest provinces in the country and one deliberately cut off from national and international food assistance during the famine as part of a "triage" strategy to husband scarce food resources.[9]

Among the 65 people that RI interviewed in Yanbian, only two cited political reasons for leaving. One 28-year-old woman said that one reason she left, in addition to accompanying her brother, was that her family was in the "hostile class" - the lowest and least privileged of the three strata in the North Korean class system.[10] A 44-year-old woman from Onsung said that her parents were considered suspect by the regime because her father was a businessman (who later defected to South Korea) and her mother had studied in Germany and Russia. Her parents were treated like political prisoners. As a result, her own background was suspect and she did not want to pass this down to her children, so she decided to leave for China.[11]

The Situation in China

As noted above, most North Koreans seeking sanctuary in China cross the Tumen River into Yanbian Korean Autonomous Prefecture.

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[9] Andrew Natsios, "The Politics of Famine in North Korea," United States Institute of Peace Special Report (August 2, 1999), p. 5. See also, Hazel Smith, *op. cit.*, p. 12.

[10] RI interview, June 18, 2003.

[11] RI interview, June 2, 2004.

With its large population of Korean-Chinese, North Koreans have a chance of finding people in Yanbian with whom they can communicate and who are willing to provide them shelter and economic support.

Chinese policy towards North Korean asylum seekers is predicated on the assumption that all North Koreans crossing the border do so for economic reasons. They are treated as illegal migrants and subject to arrest and deportation. China is a signatory of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, as well as being a member of the Executive Committee of the Office of the UN High Commissioner for Refugees (UNHCR). Despite this, China does not permit UNHCR staff of the Beijing office to visit Yanbian to assess the situation for North Koreans in the region. In addition to insisting that all North Koreans are economic migrants, China also justifies its treatment of North Koreans by citing sovereign treaties with the DPRK, including agreements from the early 1960s and 1986, which oblige China to deport illegal migrants and criminals seeking to cross the border from North Korea.[12]

Despite the national Chinese policy of arrest and deportation, local implementation in Yanbian is tempered by intra-ethnic solidarity that Korean-Chinese officials feel for their deprived brothers and sisters from North Korea. Furthermore, many people in Yanbian either have direct experience, or have learned of their parents' experiences, of being sheltered in North Korea during the political chaos and economic dislocation during the Chinese Cultural Revolution. These experiences generate sympathy for the plight of North Koreans.

If individuals cross the border to survive and present no threat to public safety, the local authorities and police tend to look the

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[12] *Human Rights Watch*, *op. cit.*, p. 11.

other way, often for months. Indeed, several North Koreans told RI that they received assistance from border guards when they first crossed into China.[13]

Since activists began to raise the public profile of the plight of North Korean asylum seekers in China by organizing groups of North Koreans to enter foreign embassy compounds in Beijing in the spring of 2002, local officials in Yanbian have had less leeway to tolerate the presence of North Koreans in the prefecture. The national authorities have responded to these events by ordering local government security forces to round up and deport illegal North Korean migrants. During these periods, rewards are offered for each individual arrested.[14] In June 2004, public notices were posted throughout Yanji, imploring residents to be on the lookout for illegal North Korean migrants and to report any sightings to local police.

Crime is also a factor in China's response to North Korean asylum seekers. Some North Koreans, including armed soldiers and border guards, are so desperate when they cross the border that they break into houses in villages close to the Tumen River, steal what they can find, and then cross back into North Korea. Since gaining legal employment is impossible, a small minority of North Koreans remaining in Yanbian resort to crime to support themselves. The same 60-year-old woman who cited the initial kindness of Chinese guards when she first crossed the border in 1998, told RI that "North Koreans have committed many crimes and the Chinese don't feel sympathetic anymore."[15]

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[13] RI interview, May 30, 2004.

[14] In June 2003, RI was told by local sources in Yanbian that the reward per North Korean was 100 RMB, or about US$12. It was not clear, however, if that was a consistent policy or a one-time amount valid for the one most recent crackdown.

[15] RI interview, May 30, 2004.

Regardless of the initial solidarity and support that North Koreans may receive, they live in China under constant fear of arrest and deportation. They have no realistic options to live freely and meet their basic needs, and the few courageous individuals and organizations seeking to provide protection and assistance, whether Korean-Chinese, South Korean, or the rare few from outside the region, are themselves under constant pressure from the Chinese authorities to curtail their activities or risk expulsion.

Men have a difficult time finding sanctuary in China because they need to support themselves outside the home. Moving around Yanji or rural areas to find day labor exposes them to police searches. The few long-staying male refugees who RI interviewed were established in a safehouse deep in the countryside with access to agricultural plots in the surrounding forest. Some men may survive in the informal economy, but they are not reached by the refugee support organizations. The numbers of such men are impossible to determine in the absence of a census of North Koreans in Yanbian. Otherwise, men tend to cross the border, quickly contact refugee support organizations, access food and other supplies, and then return to their homes in North Korea.

The overwhelming majority of North Korean women seeking to stay in China establish relationships with Chinese men, either through brokers or directly, as a survival strategy. In rural Yanbian, the male-female ratio among the unmarried age group after schooling is a staggering 14-1, so there is high demand for women willing to live in rural areas.[16] While North Korean women sometimes find compatible companions and end up in loving relationships, most are - in effect - trafficked; sold to Chinese men or to the owners of brothels and karaoke bars, whether in Yanbian or other parts of China. The fact that women seek a relationship to survive, and in this sense could be said to

[16] Byung-Ho, *op. cit*., p. 198 at footnote 14.

cooperate in the transaction, does not change the calculus of their vulnerability.

The following accounts, based on RI interviews of North Korean women in Yanbian in 2003 and 2004, are typical:

> In 2001, a 30-year-old woman crossed the border with an unknown North Korean man whom she met at the border. "There are North Korean men who look for women along the border to sell them. The Chinese client pays. In the back of my mind I knew I was going to be sold." She was taken to the house of a Korean-Chinese man. Fearing she would be sold, she escaped by going to the washroom and fleeing at night. After wandering hopelessly in search of shelter, she was forced to look for the man's house, as it was the only one she knew. She was unable to find it, but eventually found refuge in a neighboring village. The family with whom she stayed had two sons and wanted her to live with one of them. She married the 30-year-old. After four months of living with him, however, the police came to the house one night. She was arrested and deported.[17]

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> In 1999, a 28-year-old woman crossed the border with three other women; a cousin and two friends. They were caught by a gang of 3-4 Chinese businessmen at the border and sold to clients in southern China. She was sold to a Chinese man, with whom she stayed for just two hours. He left for work and locked the door, but she nevertheless managed to escape and climbed the fence. She fled from his village, through the countryside to the closest town. She was unable to speak the language, but could write the name Kim Il Sung in Chinese. She showed this name to passers-by until one man understood what had happened. He gave her food and a train ticket back to Yanji.[18]

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[17] RI interview, June 17, 2003.

[18] RI interview, June 17, 2003.

> In 1999, a 25-year-old woman from Onsong arrived in China, where she was introduced to a Korean-Chinese man. She was unaware of any monetary incentive or reward for this introduction. The man had been married before for seven years. Her husband is 37 and they have two daughters. When he gets drunk, he beats her. He has emotional problems due to side effects from medication. When asked her biggest concern, she said, "Emotional pain." She is concerned about her safety.[19]
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> In 1999, a 26-year-old woman from Chongjin crossed the border with her cousin, who had made the trip before and returned. "There is a rumor that Chinese treat North Korean women like slaves or abuse them. I was afraid of the businessmen that take women from North Korea." To avoid capture by traffickers at the border, she dressed as a man and went directly to a house that her cousin knew. She hid in a room for two days and asked the owner to marry her to a peasant rather than be sold. The owner found her a man as requested and arranged an introduction. They remain in a stable relationship with a young daughter.[20]

North Korean children are also vulnerable. Few speak Chinese and are therefore at risk of detection if they venture outside of the home. Only a small percentage has access to education. A few attend church-run schools and even fewer attend Chinese schools. Some families can afford the fee to enroll their children in Chinese schools, but as of June 2004 increasing crackdowns by Chinese police were forcing North Korean children to stay out of schools to avoid detection. In rural areas, some young people are able to work on farms, but job opportunities in cities are almost non-existent because of tighter surveillance.

The reality for young North Koreans in China is bleak. They stay at home all day to avoid detection. There are few opportunities

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[19] RI interview, June 1, 2004.

[20] RI interview, June 18, 2003.

for them to learn Chinese, which might afford some freedom to move undetected outside their homes or shelters. They cannot work. They are constantly worried about their families, in either North Korea or China. In the poignant words of one teenage boy, "The situation here does not allow me to dream about my future."[21]

The economic deprivation and political oppression in North Korea, coupled with the lack of legal status in China, place tremendous strains on families. Precious few of the children that RI interviewed in China were part of stable families. Separation and vulnerability were the norm. The following account of a 16-year-old girl from Orang who first arrived in China in 2001 captures the consequences of the stress on North Korean families:

> Her parents were both farmers. When she was nine years old [in 1997], her mother went to China, where she married a Chinese man. At the time she was too young to comprehend where her mother had gone, but was able to guess from the clothes her mother sent back. Unfortunately, the Chinese husband mistreated her mother, then murdered his own mother. When the police came to the house to arrest him, they found and deported her mother.
>
> Her father remained in North Korea and remarried after her mother escaped to China. Before coming to China herself, she moved between her grandmother, father, and stepmother. She went to school for only three years because she had to move around so much.
>
> When she was 12, her mother returned to China, where she married another Chinese man. After her mother left for China, she stayed with her grandmother. Her mother asked her uncle to take her to the border to deliver her to her stepfather on the Chinese side.
>
> Her handicapped stepfather mistreated both her and her mother, even trying to beat her with an axe. Eventually, she and her siblings ran away.

[21] RI interview, May 30, 2004.

> Her mother had a job making *miso*. The employer allowed the mother and her three children to hide in a storage area for a week. At the end of the week, however, her mother went back to her husband. She does not see her mother and she and her siblings are afraid that their stepfather will force them to go back.
>
> Now she lives with a missionary, studying Chinese and the Bible at home. "I have no worries but I want to see my mother again."[22]

There is a growing problem of statelessness for the children born from marriages between North Korean women and Chinese men. Because these marriages are illegal under Chinese law, the children are not considered Chinese and are not given citizenship. For wealthier families, it is possible to buy citizenship for their children at a price of US$1,250 but this is far out of reach for most families. The question of citizenship will be an issue within the next few years as an unknown number of stateless children approach school age. Like North Korean children, these half-Chinese children will not be able to attend school easily.

Treatment upon Deportation

The frequency of the arrest and deportation of North Koreans in China is impossible to determine with any certainty. Approximately one-third of the North Koreans interviewed by RI in Yanbian had been arrested and deported at least once, and ten percent had been arrested and deported multiple times. It is, however, impossible to draw any conclusions from these figures because of the small sample size, and more importantly, because only those sufficiently strong and determined to survive their incarceration in North Korea and make it back to China were available to be interviewed; only the survivors of a cruel system can talk.

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[22] RI interview, June 3, 2004.

North Koreans arrested by the Chinese police are taken to a prison near the Tumen border crossing to prepare for handover to the North Korean authorities. The North Koreans officials are especially concerned with any individuals who have met with South Koreans, intending to emigrate to the South, or have met Christian missionaries, intending to return to North Korea to preach the gospel clandestinely. North Koreans deported from China are interrogated for up to a week at the border, before being assigned to a prison or labor training center depending on the severity of their crime in the eyes of the North Korean border officials.

As noted above, leaving the country without permission is illegal under the North Korean penal code, with those deemed minor offenders subject to imprisonment in labor training centers for up to three years. Traitors are subject to at least seven years imprisonment, or execution in extreme cases. The RI interviews in Yanbian, however, suggest that at some point during the famine and its aftermath, the North Korean authorities made a decision to give lesser sentences to people who were obviously going to China to ensure their own survival and that of their families. In effect, they recognized that migration to China was a safety valve for the North Korean system. The standard sentence for such individuals seems to have been reduced to one month in a labor training center at the county level, close to the person's legal residence at the time of his or her departure from North Korea.

Conditions in the labor training centers are harsh. With increasing movement between North Korea and China, and increasing numbers of arrests, the centers are crowded. One 32-year-old man told RI that 40 prisoners lived in a room about five square meters. Prisoners were expected to sleep while kneeling, and any movement or deviation was punished.[23] Depending on the center,

[23] RI interview, June 19, 2003.

rations consist of corn gruel or soup with a bit of cabbage, three times per day. The work is hard labor, such as digging canals and constructing roads. In the evening, the prisoners are subjected to political lectures. If the group consists primarily of people arrested in China, the emphasis is on loyalty to North Korea and the importance of never returning to China.

One consistent aspect of the RI interviews on conditions in the labor training centers is the policy of releasing prisoners when they become ill. No medical care is available and the authorities do not want the prisoner to die in the labor training center. A 37-year-old woman from Onsheng, who was arrested and deported three times over a one-year period, said that her husband, who had been arrested separately when he tried to leave North Korea a third time, died three days after being released from a labor training center. After her third arrest, she was able to convince the guards to release her and her daughter so that they could go see her husband's grave. They fled immediately to China.[24]

Harsher penalties are reserved for those known to have met with foreigners or converted to Christianity with the intention of becoming missionaries themselves inside North Korea. No interviewees have direct knowledge of executions for these offenses, but one 33-year-old man from Haeryung told RI that "for meeting with foreigners a person could be sentenced to death. If someone gets caught with Bibles he or she will be sentenced to death." He himself was leaving that evening to smuggle Bibles back into North Korea.[25]

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[24] RI interview, June 18, 2003. On releases of ill prisoners, see also David Hawk, U.S. Committee for Human Rights in North Korea, "The Hidden Gulag: Exposing North Korea's Prison Camps" (October 2003), p. 58.

[25] RI interview, June 15, 2003.

In April 2000, a 22-year-old woman from Musan, who first crossed into China in 1998, was caught with thirteen others in the midst of Bible study. She was deported and given a sentence of one year, later commuted to ten months. When the Chinese deported her, they provided North Korean officials with documents detailing how she was caught in Bible study and had met South Koreans. Her interrogations focused especially on her Christian faith.

She spent a total of ten months in two different National Security Jails. Rather than sending her to a labor training center, the focus was on psychological punishment. In both prisons, she had to sit perfectly still all day. She was not allowed to speak at all. In the second prison, there was a video camera and she believed the room was bugged. Male prisoners were beaten, but the women were not. She was only 18 at the time, so the prison guards felt sorry for her. Despite possibly being treated more leniently, she was bitter about her time in prison. "I was treated worse than a dog. I would rather die than go there again."[26]

During her time in jail, she had two trials: a pre-trial to confirm the validity of the documents provided by the Chinese; and a second trial. She was released after the second trial, as were most of the women. Two people from her group died in jail. She does not know the fate of the teachers from her Bible study. Presumably, they received a harsher sentence.

The US Committee for Human Rights in North Korea has documented eight eyewitness or first hand accounts of forced abortions or infanticide affecting women deportees who return pregnant from China.[27] The rationale is that the babies, being of mixed Chinese-Korean ancestry, would be a living symbol of the

[26] RI interview, June 4, 2004.

[27] David Hawk, *op. cit.*, pp. 56-72.

mother's betrayal of her homeland, and therefore must be killed. Among the horrific stories is that of a 66-year-old grandmother who while detained in the Provincial Detention Center in South Sinuiju in January 2000 helped deliver seven babies who were killed soon after birth by being buried alive. A doctor explained to her that "since North Korea was short on food, the country should not have to feed the children of foreign fathers."[28]

The Case for Refugee Status for North Koreans in China

The 1951 Convention Relating to the Status of Refugees, to which the People's Republic of China is a state party, defines a refugee as follows:

> "[An individual who] owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."[29]

Because few North Koreans crossing into China have experienced direct, targeted persecution as specified in the Convention definition, China considers all North Koreans to be illegal economic migrants and, as already noted above, prohibits the staff of UNHCR from visiting Yanbian to determine the refugee status of particular individuals.

There is a compelling case, however, for the majority of North Koreans in China to be considered refugees. It rests on two

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[28] *Ibid*., p. 62.

[29] 1951 Convention Relating to the Status of Refugees, Article 1 (A, 2).

pillars: 1) the nature of the North Korean political system and its impact on access to public goods, especially food; and 2) the North Korean treatment of those arrested and deported from China as mandated by the country's penal code.

In North Korea access to public goods (food, education, health care, shelter, and employment) is inseparable from the all-pervasive system of political persecution. Based on an original registration conducted in 1947, the North Korean population is divided into three classes: core, wavering, and hostile. The latter group constitutes 27% of the population. There are more than 50 subcategories.[30] The class status of each family is set for life and transfers from generation to generation. Members of the "hostile class" are the last to receive entitlements, which is disastrous when a comprehensive welfare regime such as that established in North Korea completely collapses, as it has since 1994. Thus, an entire class of individuals is persecuted by North Korea's political system. In this context, there is no meaningful way to separate economic deprivation from political persecution.

In addition to the fundamental discrimination within the North Korean political system, the government further limits access to food and the economic means of survival through a variety of policies that control the lives of North Korean citizens. The government controls movement within the country by requiring travel passes to move outside one's community of origin. Since foraging for food or looking for employment wherever it can be found are essential survival strategies at times of food shortages, limits on travel further prevent North Korean citizens from meeting their basic needs. Until very recently, the government blocked access to markets where income is earned through barter and trade. The government restricts the activities of international relief agencies, declaring certain areas of the country off limits

[30] *Human Rights Watch*, *op. cit.*, p. 19.

and preventing independent monitoring of the relief supplies provided. Taken together, these measures constitute violations of internationally recognized human rights embodied in covenants to which the DPRK is a state party.[31]

According to the testimony collected by RI and other human rights organizations, most North Koreans crossing the border into China are fleeing state-sponsored denial of their human rights. Members of the "hostile class" and residents of areas deliberately cut off from international food assistance have an especially strong case to be considered refugees in the sense of fleeing targeted persecution. The denial of basic rights, however, extends more broadly, and the hunger that drives people to flee is the direct result of the political system that has been created by the leaders of the North Korean government. Not since Cambodia under the Khmer Rouge has a government succeeded in creating such an all-encompassing reality of oppression and restrictions on the basic rights of the majority of its citizens. North Koreans fleeing their country, therefore, have a case for refugee status as compelling as those fleeing Cambodia from 1975-78.

The second pillar of the case for considering North Koreans in China for refugee status is the treatment they receive upon arrest and deportation is described above. Almost all North Korean refugees face severe punishment, regardless of their original motivation for leaving their country.

In its November 2002 report on North Koreans in China, Human Rights Watch argued that punishment for deportees was universal qualified North Koreans in China for the status of *refugees sur*

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[31] See *Amnesty International*, "Starved of Rights: Human Rights and the Food Crisis in the Democratic People's Republic of Korea (North Korea)," January 2004, found on the web at http://web.amnesty.org/ library/print/ENGASA240032004, especially pp. 9-15, and *Good Friends*, "Human Rights and the Food Crisis in North Korea: A Summarized Version," December 2003, pp. 8-10.

place. Even if these individuals had not previously been persecuted in North Korea, they "would now probably face a high risk of abusive punishment if returned on account of their experiences in China, which have cast a light of presumed disloyalty upon them. ... [T]he United Nations High Commissioner for Refugees (UNHCR) has a longstanding understanding that such persons are entitled to the protections of the Convention and its Protocol."[32]

Both aspects of the case for refugee status for North Koreans in China have received international recognition. In April 2004, at the Sixtieth Session of the Commission on Human Rights, the Commission overwhelmingly endorsed a resolution on the Situation of Human Rights in the Democratic People's Republic of Korea. The resolution expressed "deep concern" regarding "[s]anctions on citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, such as treating their departure as treason leading to punishments of internment, torture, inhuman or degrading treatment or the death penalty, and infanticide in prison and labor camps," among other serious human rights violations.[33]

For its part, UNHCR has formally designated North Korean asylum seekers in China as persons of concern. According to its report to the 29th Meeting of the Standing Committee in March 2004, "UNHCR remains deeply concerned that such individuals do not have access to a refugee status determination process and are not protected from *refoulement* [forced return.]"[34]

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[32] *Human Rights Watch, op. cit.*, p. 19.

[33] Economic and Social Council, Commission on Human Rights, Sixtieth session, Agenda item 9, "Situation of human rights in the Democratic People's Republic of Korea," E/CN.4/2004/L.21 (April 8, 2004).

[34] Office of the United Nations High Commissioner for Refugees, "Bullet point summary of the strategic presentation on UNHCR's operations in Asia and the Pacific," 29th meeting of the Standing Committee, March 9-11, 2004.

Protection for North Koreans in China

While the case for the presumption of refugee status for North Koreans in China may be clear, translation into practical protection measures remains elusive. China continues to consider all North Koreans in China as illegal economic migrants, deflecting political pressure from UNHCR and other governments to modify its stance. The Chinese position is consistent with a global trend that has reduced opportunities for asylum seekers to receive an impartial review of their claims. In fact, the relative tolerance by China of the presence of North Koreans in Yanbian contrasts favorably with the United States interception and deportation of Haitian asylum seekers, the European proposal to confine African asylum seekers to internment camps in Libya, and Australia's "Pacific Solution," which unloads Asian asylum seekers on tiny islands in the Pacific far from Australian shores.

Public awareness of the issue of human rights of North Koreans in China, however, is increasing. Activists on this issue, who belong primarily to Christian evangelical churches and affiliated conservative organizations with close ties to the Bush Administration, and their supporters in the US Congress, have a proven record of tenaciously working on an issue until it achieves critical mass in the public consciousness, at least in the United States.[35] China is a powerful country and essential to US long-term strategic objectives in East Asia. The North Korean refugee issue is therefore unlikely to disrupt bilateral relations. It will be an irritant, however, and the 2008 Olympics in Beijing provide a medium-term target for activists seeking more direct action to protect North Koreans in China.

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[35] Their success in making achievement of a north-south peace agreement in Sudan the top African foreign policy priority of the Bush Administration is an example of their impact.

China has legitimate security concerns in two areas: criminal acts committed by North Koreans on Chinese soil; and a large-scale influx of North Koreans into their territory, triggered either by social upheaval inside North Korea or by the massive response to a more liberal asylum policy. China is fully justified in taking steps to enforce security in the border region and clamp down on criminal activity. The likelihood of social upheaval in North Korea relates directly to the need for de-nuclearization and some form of peaceful political evolution in the DPRK; a process in which China is completely engaged. China has policy options for liberalizing its treatment of North Korean migrants that would be unlikely to provoke a massive outflow in response.

The simplest option for China is to halt all deportations of North Koreans in China, except for those who commit criminal acts. This could be achieved quietly in order to avoid encouraging an overwhelming response from North Koreans in their home country. As an immediate humanitarian gesture, China could also grant legal residency to the spouses of Chinese citizens and their children.

The next level of policy options for China requires greater political commitment to resolve the issue of North Korean migration than is likely to be demonstrated in the near term. Additional steps could include granting all North Koreans in China indefinite humanitarian status Human Rights Watch,[36] or providing North Koreans with a special resident visa if they can show that they have employment and shelter.[37] A blanket, one-off amnesty for all North Koreans in China, with permission to remain in the country, is another possible approach.[38]

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[36] *Human Rights Watch*, *op. cit*., p. 5.
[37] Hazel Smith, *op. cit*., p. 17.
[38] *Ibid*., p. 18.

These options share the advantage of allowing North Koreans to live in China rather than being based on an approach that envisages their eventual settlement as refugees in South Korea or the United States. One of the striking aspects of the RI interviews in Yanbian was the number of North Koreans who saw remaining in China as their best option. This was largely due to cultural compatibility and proximity to their homes in North Korea in case they wished to return to see their relatives, to respond to a family emergency, or to return in the event of a fundamental political change. Few RI interviewees were prepared to make the definitive break with their lives in North Korea entailed by going to South Korea or the United States. This attitude may be changing as activists raise expectations among North Koreans in China in response to the passage of the North Korea Human Rights Act, which allocates huge sums of money for support to refugee programs, including resettlement.

The top level of policy options for China enters the utopian realm, in which it would honor its obligations under the 1951 Refugee Convention and 1967 Protocol. Under these accords, China is obliged to allow UNHCR unimpeded access to North Koreans in China to review their overall situation and conduct individual status determinations. Such access would lead inevitably to the granting of refugee status to the majority of North Koreans in China. From a refugee rights perspective, this is really the only acceptable policy option, but it is the least achievable. Nonetheless, advocating this option must be the starting point for any principled campaign to protect North Koreans in China.

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Prospects for Regional Cooperation on Missile Non-Proliferation in Northeast Asia

Cheon Seongwhun

This paper aims to consider how to foster regional cooperation on missile non-proliferation in Northeast Asia. To do this, it is to shed theoretical and analytical light on the pending problem and to examine the issues faced. The author explains two factors which are of particular importance in generating the perception of mutual interests in cooperation and incentives for achieving it. As two examples in terms of incentives for cooperation, the North Korean nuclear problem and the issue of missile proliferation in Northeast Asia will be presented, in addition to factors to hinder multilateral cooperation. Finally, this paper will present four considerations in developing a regional missile non-proliferation regime: peaceful uses of missile technologies, security assurances, missile disarmament, and missile defense.

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After the Cold War ended, a series of long-suppressed divisions have returned to haunt Northeast Asia. Historical distrust, deep-rooted animosity, traditional rivalry, territorial disputes, re-interpretation of history between China and Korea, Japan and Korea, and others, were previously submerged by the superpower confrontation. These divisions have now re-surfaced as sources of renewed tension. As regional countries have achieved rapid economic growth in recent decades, most have strengthened their defensive capabilities. China - the largest military power in the region - has restructured its military to compensate for quantitative losses with qualitative improvements; Japan, as the second largest economy in the world, fields the most advanced military forces in the region; and the United States maintains around 100,000 military personnel in Northeast Asia. There is little sign that military tension on the Korean Peninsula will attenuate. Despite an historic summit meeting in June 2000, North Korea has stubbornly insisted on bilateral military talks with the United States. Consequently, there has been no meaningful progress in reducing military tensions between the two sides. To make matters worse, the North is proclaiming that it has a nuclear deterrent capability.

Compared with Europe, a significantly different geopolitical situation prevails in Northeast Asia. There are divergent political systems and cultures, and considerable variations in the size of population, territory, and the levels of economic and military strength. Furthermore, many inter-state impasses remain unresolved, such as the North-South Korean division, the China-Taiwan issue, and the Japan-Russia territorial dispute. Some bilateral relationships do not even enjoy the full diplomatic normalization that permits a basic level of intergovernmental interaction.

While bilateral relations hold a certain shape, however incomplete, multilateral relations are comparatively far more nascent. There is no intergovernmental consultative mechanism to mediate the wide variety of tensions and conflicts in the region. There is virtually

no multilateral security cooperation at the governmental level and only modest "Track-II" activity. The CSCAP (Council for Security Cooperation in the Asia Pacific) only occasionally deals with Northeast Asian security issues and the NEACD (Northeast Asia Cooperation Dialogue) is largely inactive. The Four-Party Talks initiated by South Korea and the United States in 1996 are long defunct. The Six-Party Talks to resolve the North Korean nuclear issue offer no guarantee of success, facing a difficult problem and many uncertainties. Although the ASEAN Regional Forum (ARF) could become a vehicle for Northeast Asian security cooperation, the large number of states, vast geographical areas, and divergent interests of the members dictate that the ARF may be incapable of addressing Northeast Asian issues. The ROK government has proposed a Northeast Asia Security Dialogue (NEASED) since 1994, but this idea has yet to gain support.

Theory and Practice of Multilateral Cooperation in Northeast Asia

Before considering how to foster regional cooperation on missile non-proliferation in Northeast Asia, it is useful to shed theoretical and analytical light on the pending problem and to examine the issues faced.

Incentives for Cooperation

Cooperation occurs in international relations "when states adjust their policies in a coordinated way, such that each state's efforts to pursue its interests facilitate rather than hinder the efforts of other states to purse their own interests."[1] That is, security

[1] Steve Weber, *Cooperation and Discord in US-Soviet Arms Control* (Princeton:

cooperation takes place when nations recognize the existence of mutual interests in constraining their independent behavior such as arms buildup and proliferation, and consequently eschew independent decision-making and adjust their policies in a mutually coordinated way.

According to Alexander George, there are two factors of particular importance in generating the perception of mutual interests in cooperation and the incentives for achieving it.[2] These are:

(1) The perception by a country that it is dependent to some extent on the other countries' behaviors to assure or improve an aspect of its overall security; and
(2) The judgment that strictly unilateral measures of its own will either not suffice to deal properly with a particular threat to its security posed by the other states or are too expensive or risky to take. In fact, these perceptions and judgments are awareness of *mutual dependence* on each other for security, accompanied by feelings of *vulnerability*. As a result, mutual dependence and vulnerability arouse the perception of mutual interests in, and create the incentives for, cooperation among states.

The concepts of mutual dependence and vulnerability are refined by dissecting the nature of an issue with two criteria. They are (1) the *tightness* of mutual dependence and vulnerability in a particular security issue; and (2) the *centrality* of that issue - i.e., the importance for fundamental security interests.[3] The former is similar to a relative security perception in relation to others, while the latter appears to be an absolute security perception with

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Princeton University Press, 1991), p. 6.

[2] Alexander George, "Incentives for US-Soviet security cooperation and mutual adjustment," in A. George, P. Farley and A. Dallin (eds.), *US-Soviet Security Cooperation* (Oxford: Oxford University Press, 1988), p. 644.

[3] *Ibid.*, p. 645.

little consideration of others.

If the magnitude of potential damage that a country's action is able to inflict on others is substantial, mutual dependence and vulnerability to each other's action is very *tight*. If such a magnitude is modest or insignificant, mutual dependence and vulnerability is *loose*. The tightness or looseness of perceived national dependence and vulnerability in an issue area will influence the perceived seriousness of the problem and thus the strength of incentives for cooperation. Incentives for cooperation on an issue are also influenced by how central the issue is to the fundamental security interests of a nation. In general, the more *central* (or *peripheral*) an issue area is, the stronger (or weaker) are the incentives to develop a cooperative arrangement to reduce the security risk.

In sum, the tightness of mutual dependence and the centrality of a specific issue determines the strength of the incentives for cooperation, in order to minimize feelings of vulnerability associated with that issue. Having tightness and centrality as variables, all security issues can be classified into four different types as in the Table 1 below.[4]

Table 1: Four Types of Security Issues and Incentives for Cooperation

		Tightness	
		T	L
Centrality	C	Type 1	Type 3
	P	Type 2	Type 4

[4] *Ibid.*, pp. 646-647.

(1) Type 1 [C, T]: Issues of central importance and tight mutual dependence. Type 1 issues engage the most important security interests of nations and produce the strongest incentives for cooperation. There is, however, no guarantee that cooperative efforts will be successful or produce an effective outcome in this case. While the incentives for cooperation are strong, the centrality of a given issue may require compromise. Examples are crisis management situations involving tense and war-threatening scenarios.

(2) Type 2 [P, T]: Issues of peripheral importance and tight mutual dependence. The Austrian State Treaty and the Incidents at Sea Agreement are examples.

(3) Type 3 [C, L]: Issues of central importance and loose mutual dependence. The Strategic Arms Limitation Treaties I and II in the 1970s are the examples.

(4) Type 4 [P, L]: Issues of peripheral importance and loose dependence. Type 4 issues produce the weakest incentives for cooperation. Ironically, they may be easily agreed on because cooperation poses no risk to central security concerns and is barely constrained by tight mutual dependence. Examples are the 1963 Hotline Agreement, the 1967 Outer Space Treaty, and other confidence building measures.

Two Examples in Terms of Incentives for Cooperation

The North Korean Nuclear Problem

The North Korean nuclear problem is a Type 1 issue for both the DPRK and the United States. For North Korea, developing nuclear weapons is a matter of regime survival and is therefore the most central issue. Pyongyang insists upon direct bilateral talks with Washington, signaling that its position on the nuclear

issue is highly dependent on that of the United States. Although the United States tries to avoid direct talks with the DPRK, its national interests may be gravely affected by Pyongyang's nuclear defiance, thereby increasing Washington's perception of mutual dependence. To the United States, curbing proliferation of WMD is the most important security objective and thus the DPRK's nuclear ambitions have become a central security issue.

The North Korean strategy of brinkmanship further underscores the tightness and centrality of the nuclear problem. For North Korea, deliberate deterioration of the situation using brinkmanship is a carefully planned maneuver designed attempt to increase mutual dependence and promote the centrality of the nuclear issue. This has provided the United States with strong motivation to resolve the problem, a strategy that succeeded in the early 1990s. North Korea announced its intention to withdraw from the Nuclear non-Proliferation Treaty (NPT) in 1993, leading to direct talks with the Clinton Administration. Its arbitrary extraction of spent fuel rods from the 5MWe reactor brought former President Jimmy Carter to Pyongyang, and ultimately produced the Agreed Framework.

There is, however, no assurance that such brinkmanship would succeed again. In fact, the current crisis is worse than the early 1990s. North Korea has finally withdrawn from the NPT, irreversibly questioning the integrity of the non-proliferation regime. The North has claimed a previously unknown uranium enrichment program, further complicating the issue. Pyongyang has crossed a "red line" by reprocessing the 8,000 spent fuel rods, enhancing its nuclear weapon capability. These aggravating elements increase mutual dependence and vulnerability of the North Korean nuclear problem and thus the incentive for cooperation may become strong. This issue has remained unusually hard and central, due to the renewed urgency and significance of WMD non-proliferation since the 9/11 terror. Repeated violation of international

agreements by the DPRK further adds to the difficulties of resolving the issue cooperatively.

Missile Proliferation in Northeast Asia

Regional missile non-proliferation in Northeast Asia displays different types of security issues, depending upon the bilateral relations, countries' geographic locations, and their missile capabilities. The complexities involved in missile proliferation are illustrated in the Table 2 below. While the Cold War confrontation in Europe reflected a simple bilateral division between the NATO and Warsaw Pact blocs, Northeast Asian regional rivalries are far more complicated. The multiple bilateral relationships each have their own unique characteristics and some are interwoven among themselves.

Table 2: Regional Rivalries and Missile Proliferation

Centrality \ Tightness	T	L
C	<NK — **SK**> <C — **T**> <**C** — **J**>longer-range <**NK** — **J**>longer-range	
P	<**NK** — SK> <**C** — **J**> short-range <**NK** — **J**> short-range	<**C** — T>

Between North and South Korea, the missile issue is Type 1 for the South and Type 2 for the North. South Korea has been under the constant threat of North Korean short-range missiles deployed along the Demilitarized Zone (DMZ). In particular, cosmopolitan Seoul and its vicinities, with approximately one third of the South Korean population, are within the firing range of North Korean

short-range missiles. The proximity of the two sides makes even short-range missiles "strategic."[5] It is obvious that the DPRK short-range missiles, not to mention of longer-range ones, are an issue of tight mutual dependence and high centrality to the ROK. South Korean missile capabilities are not as advanced and North Korea has much less to lose from an inferior ROK missile attack. The issue is therefore largely peripheral for the DPRK. The tense inter-Korean rivalry causes the North Korean leadership to perceive mutual dependence and vulnerability of the missile issue as very tight.

Between China and Taiwan, the missile non-proliferation issue is Type 1 for Taiwan and Type 4 for China. Chinese missile forces — both short and longer ranges — are perceived by Taiwan as formidable threats. The missile issue is therefore central and tight for Taiwan. Conversely, when compared with China's military might, Taiwanese missile forces would mean virtually nothing to China, making the issue peripheral and loose.

Between China and Japan, the regional missile proliferation issue is Type 2 for both countries in case of short-range missiles and Type 1 for both of them in case of longer-range missiles. Since short-range missiles do not reach each other's territories, it cannot be a central security issue. Traditional rivalry between the two countries, however, is sufficiently sensitive to cause concerns about each other's short-range missile programs, thus increasing tightness of the issue. Since longer-range missiles would be direct threats to each other's national security, the issue also becomes central.

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[5] Similar to the Middle East, the proximity of the countries in Northeast Asia could make it difficult to negotiate a range limitation low enough to be militarily meaningful. Reuven Pedatzur, "Obstacles toward a regional control mechanism: Israel's view of ballistic missile proliferation in the peace era," *Contemporary Security Policy*, August 1995, p. 169. In fact, virtually all ranges of missiles could be "strategic" in Northeast Asia, in terms of being able to attack key political and military targets among the nations in the region.

Between North Korea and Japan, the missile proliferation issue is Type 2 for both countries in case of short-range missiles and Type 1 for both of them in case of longer-range missiles due to similar reasons as in the relationship between China and Japan.

Limiting Factors to Regional Cooperation

Many factors can hinder multilateral cooperation on missile non-proliferation in Northeast Asia. Some of them are inherent to the nature of the problem and difficult to change, while others are obstacles whose impact can be alleviated or even removed completely.

Firstly, Northeast Asia has multiple players. At least eight countries are potential members of any discussion on regional missile non-proliferation — China, Japan, Russia, the United States, North and South Korea, Taiwan, and Mongolia. It is a common understanding in the formal theory of international relations that as the number of players increases, an issue becomes more complex and becomes harder to resolve. This *n-person game* situation, combined with other limiting factors examined below, makes it less feasible to reach a compromise that properly reflects the interests of all players.

Secondly, the overall bilateral relationships among the countries in the region will set the basic rules of the game. As Alexander George remarks, the state of the overall relations is always part of the context in which countries deal with a specific regional issue.[6] Dissatisfaction with some aspects of the overall relationship will inevitably influence how a specific issue is perceived and handled by the countries. In general, as political and security con-

[6] Alexander George, "Strategies for facilitating cooperation," A. George, P. Farley and A. Dallin (eds.), *US-Soviet Security Cooperation* (Oxford: Oxford University Press, 1988), p. 697.

ditions become more auspicious, a chance of success will be higher in achieving regional cooperation in missile non-proliferation.

Thirdly, the issue of missile non-proliferation in this region is by nature a complex agendum. Asymmetries between the countries concerned vary greatly. Geographical locations, populations, historical experiences, political systems, economic and military power, military doctrines and postures, and specific missile capabilities differ among the eight countries. Perceptions of cooperation and security dialogues also diverge. This region-specific complexity is a force multiplier to complicating the possibility of cooperation on missile non-proliferation.

In addition, there are other obstacles that constrain the abilities of the countries to perceive mutual interests for cooperation, or that complicate efforts at achieving a cooperative arrangement.[7]

The fourth factor is the security dilemma embedded in the anarchic international system. A security dilemma occurs when a measure adopted by one state to increase its security against possible encroachments by a hostile state is viewed by the other states as a threat to their own security, which requires them to take additional defensive measures of their own. These, in turn, could be viewed as aggressive by the first state, which may trigger its additional measures, and a vicious cycle of action-reaction arises.

Three types of negative results can be produced by the security dilemma:

(1) Development of additional suspicion and distrust among the players, which exacerbates the security dilemma;
(2) Encouragement of an arms race, complicating arms control

[7] The following is a modification of Alexander George's original contribution, reflecting characteristics of the Northeast Asian region. Alexander George, "Incentives for US-Soviet security cooperation and mutual adjustment," pp. 655-667.

efforts; and
(3) Increasing tensions and misunderstandings, especially during a crisis, increasing the chances of an inadvertent war.

The fifth factor is the malignant image that has accumulated throughout the historical rivalry and is still vividly present in the minds of countries and people in the region. For example, painful memories of colonial rule in the previous century have remained a strong undercurrent of perceptions that influences policies among the countries. The unfortunate past makes cooperation difficult by creating an invidious image of a former enemy.

The psychology of the situation also aggravates cognitive biases because a country's perception and assessment of threats posed by an adversary are influenced by its general image of the opponent. In consequence, a fundamental attribution error can occur. When a country takes a hard line, others tend to explain that behavior as stemming from that country's innate hostility rather than as a reasonable response to a given situation. On the other hand, when a country behaves in a conciliatory manner, others tend to interpret that behavior as forced upon that country by the situation.

Historically shaped negative images of each other may impact on the possibility of cooperation in any of several ways:
(1) Disagreements over an appropriate national image can call into question the scope as well as the desirability of cooperation with that country;
(2) Deep-rooted mistrust of a country strengthens a tendency to regard cooperation with that country as fundamentally unstable;
(3) Malignant image reinforces tendencies to favor unilateral policies for short-term benefits instead of cooperative arrangements yielding longer-term payoffs;
(4) Constrains and reduces the attractiveness of reciprocity as a

means of forming better relations;
(5) Encourages and justifies more extreme forms of worst-case analysis and preparations; and
(6) Casts doubt on compliance with agreements and emphasizes the importance of strict verification.

The sixth factor is the impact of inherent uncertainties in the relations among the countries. Fundamental uncertainties are present for each country concerning the real intentions and future behaviors of others. Uncertainty as to whether a country might engage in cheating an agreement, fueled by historically shaped mistrust and negative images, may be a determining factor of other countries' judgment to join the agreement. Such a concern will place more emphasis on rigid verification and perfect compliance.

The seventh factor is the technological development that stimulates arms competition. Technology is a symbol of a country's prestige and superiority, and this trend will continue in the future. Motivations for technological achievements by the scientific community of a nation may further promote competition in the field. The logic of traditional rivalry is also relevant. If one side successfully tests a new weapon system, other rivals may be reluctant or unwilling to enter into a non-proliferation regime until they too have similar capabilities.

The eighth factor is one of domestic constraints. In general, domestic constraints affect the abilities of cooperation of the countries with democratic political systems. In these countries, obtaining political support for regional cooperation from within the administration, parliaments, and the public are inevitable pre-conditions for any multilateral cooperative efforts to be successful. Obsessed with domestic constraints, political leaders may be prevented from coming forward or unwilling to be progressive in a regional collaborative process.

Finally, alliance considerations are also an important factor for cooperation. As a derivative of the security dilemma, bilateral defense ties in a region may cause security concerns for other countries that are not part of the alliance. Measures to strengthen bilateral security ties could elevate tensions sharply and alert other nations. Deploying the intermediate-range cruise missiles in the Western Europe in the late 1980s was a good example. The US-Japan missile defense cooperation is arguably an obstacle to regional cooperation on missile non-proliferation in Northeast Asia.

Considerations for Creating a Regional Missile Non-Proliferation Regime

There are many considerations in developing a regional missile non-proliferation regime. Some of them are generic to any non-proliferation regime and others are specific to the missile issue. This paper will discuss four considerations:
(1) Peaceful uses of missile technologies;
(2) Security assurances;
(3) Missile disarmament; and
(4) Missile defense.

Peaceful Uses of Missile Technologies

Like nuclear energy, missile technologies are dual-use. Although many nations are willing to forgo the military applications of missiles, they remain eager to enjoy the scientific and economic benefits derived from missile technologies. This tendency is no different in Northeast Asia. In fact, the United Nations specifically confirmed that every nation was equally entitled to have access to the peaceful use of missile technologies. Furthermore, members of the International Code of Conduct against Ballistic Missile

Proliferation stipulated the following principles:

- Confirmation of their commitment to the United Nations General Assembly resolution on international cooperation in the exploration and use of outer space for the benefit and in the interest of all states, taking into particular account the needs of developing countries (Resolution 51/122 of December 13, 1996);
- Recognition that states should not be excluded from utilizing the benefits of space for peaceful purposes, but that, in reaping such benefits and in conducting related cooperation, they must not contribute to the proliferation of ballistic missiles capable of delivering weapons of mass destruction (WMD); and
- Recognition that space launch vehicle programs should not be used to conceal ballistic missile programs.

There are at least two ways to provide peaceful benefits to a country that has abandoned long-range missile development. The first is permitting the country to conduct research and development of basic technologies, thereby permitting it to have an individual space launch program. Japan successfully achieved this and South Korea is trying to follow suit. The second is to provide a nation with off-the-self launch vehicles without transferring the technologies. An example is the virtually concluded agreement between North Korea and the United States in late 2000, in which the DPRK was reportedly willing to give up its missile development program in exchange for three US-commissioned satellite launches per year at a foreign launch site.

One important criterion for facilitating the peaceful uses of missile technologies is whether a country possesses weapons of mass destruction. The military significance of missiles, regardless of their ranges, drops multi-fold unless they are equipped with WMD. If a country neither deploys WMD nor maintains such a program, and has credibly pledged to abandon WMD in the future, that country should not be a subject of “excessive pessimism” which

arises from the tendencies to seek absolute security.[8] South Korea, abandoning all WMD options, is a good example that should not be an object of excessive pessimism.

Security Assurances

Having an effective means to counter security threats, including external missile threats, is an important motivation for the countries to develop ballistic missiles. The NPT could be a role model for the provision of security assurances. Nuclear weapon states currently provide two kinds of security assurances: positive and negative.

Positive Security Assurance

Just before the signing of the NPT, the United States, the Soviet Union, and Great Britain each declared to the U.N. Security Council "its intention, as a permanent member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear weapon state party to the NPT that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used."[9]

The Security Council adopted this positive security assurance as Resolution 255 on June 19, 1968, just before the signing of the NPT.

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[8] Aaron Karp, "Ballistic missile proliferation and the MTCR," in Jean-Francois Rioux (ed.), *Limiting the Proliferation of Weapons: The Role of Supply-Side Strategies* (Ottawa: Carleton University Press, 1992), p. 117.

[9] Lewis Dunn, *Containing Nuclear Proliferation*, Adelphi Paper 263 (London: The International Institute for Strategic Studies, 1991), p. 43.

Negative Security Assurance

Since the first NPT Review Conference in 1975, some of the nuclear "have-nots" have expressed dissatisfaction with the adequacy of positive security assurances. Some are pressing for a specific negative security assurance that nuclear weapon states will not use or threaten to use nuclear weapons against them.[10] Four of the permanent members in the Security Council — all except China — have made unilateral declarations with conditions, limitations, and exceptions.

At the 1978 U.N. Special Session on Disarmament, the Soviet Union announced that it would never use nuclear weapons against those states that "renounce the production and acquisition of such weapons and do not have them on their territories."[11] In the 1990s, however, Russia retreated from its previous no-first-use promise. The Defense Ministry confirmed that the new Russian military doctrine adopted on November 2, 1993 had abandoned the former Soviet pledge made by Leonid Brezhnev in 1982.[12]

The United States declared that it would not use nuclear weapons against any non-nuclear weapon state which is a party to the NPT or any comparable internationally binding agreement not to acquire nuclear explosive devices, except in the event of an attack on the United States, its territories or armed forces, or its allies by a non-nuclear weapon state 'allied to' or 'associated with' a nuclear weapon state in carrying out or sustaining the attack.[13] A similar statement was made by Great Britain.[14]

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[10] William Epstein, *The Prevention of Nuclear War: A United Nations Perspective* (Cambridge, Massachusetts: Gunn & Hain, Publishers, 1984), p. 30.

[11] *U.N. Document A/S-10/PV.5.*

[12] Serge Schmemann, "Russia drops pledge of no first use of atom arms," *The New York Times*, November 4, 1993, p. A8.

[13] *U.N. Document A/S-10/AC.1/30.*

[14] *U.N. Document A/S-10/PV.26.*

France has given assurances of non-use of nuclear weapons, in accordance with arrangements to be negotiated, only to those states that have "constituted among themselves non-nuclear zones."[15]

Only China retains an unqualified guarantee of no-first use. The Chinese government declared in 1964 that at no times and under no circumstances would it be the first to use nuclear weapons. It has also undertaken not to use or threaten to use nuclear weapons against non-nuclear weapon states or nuclear-free zones. China continues to urge negotiations between all nuclear weapon states to conclude an international convention on unconditional no first use of nuclear weapons, as well as no threat to use nuclear weapons against non-nuclear weapon states and nuclear-free zones.[16]

There is one distinction between the NPT and a missile-non-proliferation regime. In case of the NPT, it was possible to categorize member states into two distinct groups - nuclear weapon state (NWS) versus non-nuclear weapon state (NNWS). For a missile non-proliferation regime, however, this type of black-and-white distinction is not feasible since most nations possess at least basic missile capabilities. Instead of missile weapon state (MWS) versus non-missile weapon state (NMWS), a useful classification would be full missile state (FMS) that has developed all ranges of missiles from short to intercontinental and incomplete missile state (IMS) that has small or medium range missile capabilities but not intercontinental ones. In Northeast Asia, the three nuclear weapon states happen to be FMS and the other five non-nuclear weapon states are IMS.

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[15] *U.N. Document A/S-10/PV.27.*

[16] *Statement by the Government of the People's Republic of China on the Question of Nuclear Testing,* October 5, 1993.

Since security assurances are something given by haves to have-nots, one simple criterion of providing security assurances in the missile area would be the existence of intercontinental missile capability. Among the five IMS, only North Korea possesses a medium-range missile capability. If the North abandons this capability the absence of the medium-range missiles will form an additional criterion.

As in the NPT, positive and negative security assurances could be provided to five IMS by the other three FMS as a missile security guarantor in Northeast Asia. The negative security assurance is an *ex ante* measure and the positive security assurance an *ex post* one as in the following:

- The United States, Russia, and China pledge not to use or threat to use certain ranges of missiles (intercontinental and/or medium) against five IMS in any circumstances;
- The three countries pledge that threat or use of certain ranges of missiles (intercontinental and/or medium) against five IMS would trigger diplomatic and military forms of assistance from the FMS.

Missile Disarmament

Missile disarmament is an essential component of any missile non-proliferation regime. As the most concrete way of physically reducing the missile threat, disarmament is the ultimate means of enhancing regional stability and peace. This could be achieved in two ways. On the one hand, according to ranges (short, medium, intermediate, and intercontinental), each nation is allotted Conventional Forces in Europe (CFE)-type ceilings for each range, while excessive missiles are dismantled. An important element of this task will be an unprecedented international consensus on the definitions of the missiles according to their ranges.[17] A Northeast-Asian version of the INF Treaty can be, would be, the first step in regional cooperation on missile non-proliferation.

On the other hand, regional nations must redeploy existing missile forces to less threatening postures. Proximities are different among the nations and so several bilateral arrangements, possibly within the context of the multilateral setting, could be formulated. For example, the following arrangements can be made between the concerned parties:

(1) Locations of short- and medium-range missiles are adjusted in a less threatening way between North and South Korea and China and Taiwan; and
(2) Medium-range missiles are redeployed in a less hostile way between China and Japan; Russia and Japan; North Korea and Japan; China and South Korea; Russia and South Korea; and among the FMS.

Missile Defense

Missile defense is a mixed blessing in curbing missile proliferation. As anti-missile technologies develop, missile defense becomes an increasingly plausible means to counter offensive missile threats. At the same time, however, missile defense is an act of proliferation of *defensive* missiles. The offensive missiles and the anti-missile missiles can be seen as the two dishes of a scale that

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[17] At present, there exist divergent definitions even within the US. According to the US Ballistic Missile Defense Organization, the SRBM (Short Range Ballistic Missile) has a range of 0-600km, the MRBM (Medium Range Ballistic Missile) 600-1,300km, the IRBM (Intermediate Range Ballistic Missile) 1,300-3,500km, and the ICBM (Intercontinental Ballistic Missile) 3,500km and above, http://www.defenselink.mil/news/Jul2001/g010713-D-6570C.html. For the US National Intelligence Council, the SRBM has a range of 0-1,000km, the MRBM 1,000-3,000km, the IRBM 3,000-5,500km and the ICBM 5,500km and above. National Intelligence Council, *Foreign Missile Developments and the Ballistic Missile Threat to the United States Through* 2015. The INF Treaty defined the shorter-range missile as having a range of 500-1,000km and the intermediate-range missile as 1,000-5,500km. According to the SALT II Treaty, the range of the ICBM exceeds 5,500km. The Congressional Research Service defined SRBM with 70-1,000km, MRBM 1,000-3,000km, IRBM 3,000-5,500 and ICBM beyond 5,500km. Andrew Feickert, *Missile Survey: Ballistic and Cruise Missiles of Foreign Countries* (Washington, D.C.: The Congressional Research Service, March 2004).

must be leveled. As offensive missiles proliferate, the necessity for missile defense grows, while as the quantities of offensive missiles are reduced, the burden of missile defense will diminish. The ABM Treaty era has passed and both offensive and defensive missiles are set to become necessary components for national security. Ideally, the balance between offensive and defensive missiles should be set as low as possible.

It is clear that without substantial efforts to curb offensive missile proliferation in the region, interests of the parties in acquiring missile defense capabilities will grow in the coming years. Japan is very active in research and development of Theater Missile Defense (TMD) in conjunction with the US missile defense efforts. Although unwilling to be a part of the US missile defense, South Korea shows strong interest in acquiring its own TMD system. Taiwan is also very active in expanding its missile defense capabilities.

Attempts by nations to develop missile defense can therefore cause defensive missile proliferation — a hybrid of traditional missile proliferation. One means to curb individual country's missile defense proliferation is to establish a region-wide missile defense system. Russia once proposed such an idea against non-strategic ballistic missiles in the European context.[18] Investigating feasibility and desirability of a similar idea in the context of Northeast Asia should be a part of multilateral cooperative efforts at preventing missile proliferation from the region.

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[18] The Russian government presented the idea to Lord Robertson, NATO's Secretary General in February 21, 2001. Alexander Pikayev, "The global control system," *Missile Proliferation and Defenses: Problems and Prospects* (Monterey: The Center for Nonproliferation Studies, May 2001), p. 23.

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The Development of Russian-South Korean Relations under Yeltsin: In Search of Partnership Relations based on Treaties?

Youn Ikjoong

South Korea has become one of the priorities of Russian foreign policy in the Asia-Pacific region under Yeltsin. This has resulted in the conclusion of several important bilateral treaties between the sides which demonstrated how their previous relations based on the Soviet system changed into new relations based on the post-Soviet system during Yeltsin's first presidential term in 1991-96. Despite Russia's enthusiastic interest towards South Korea, the latter country, as a middle [rising] power in this region, did not concede Russia's diplomatic intentions when developing their new post-Soviet bilateral relations. This has demonstrated Russia's failure to conduct an effective foreign policy towards the Korean peninsula. By focusing on the issue of bilateral treaties between the sides, we will be able to see more clearly [and in more depth] the changes of Russia's Policy towards South Korea and its subsequent bilateral relations in the post-Soviet era. The paper argues that Russia's policy towards South Korea during this period had to be gradually reactive with several periodic stages although Russia emphasized its relations with South Korea and looked for a partnership relations based on treaties in the post-Soviet era.

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Introduction

After the collapse of the Soviet Union, Russia faced an unprecedented challenge in forging new relationships in Northeast Asia. It had to transform the previous Soviet ideological basis into non-ideological post-Soviet reality on the Korean Peninsula. Russia was no longer allied with North Korea, and was pursing normal diplomatic relations with South Korea, despite the latter retaining a Cold War-era relationship with the US.

In the post-Soviet era, Russia was forced to develop new policies and relations with both Koreas, because, unlike other regions, the Korean peninsula remained divided as it had throughout the Cold War.[1] Regardless of the dramatic changes in Europe, the basic structure of the Cold War system first established in the wake of World War Two continued to govern the Korean peninsula in the post-Soviet era.[2] Ultimately, this led Russia to a Peninsula policy that was in constant flux, rather than remaining firm.

Russia's policy towards South Korea, and the subsequent bilateral relations, evolved throughout Yeltsin's first presidential term (Dec. 1991- Jul. 1996).[3] In general, Western analysts of Russian-Korean affairs tend to examine separately several key political,

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[1] For an account of the meaning of the post-Soviet era towards the Korean Peninsula, see Lee Man-woo and Richard Mansbach, *The Changing Order in Northeast Asia and the Korean Peninsula* (Seoul: Kyungnam University Press, 1993).

[2] As Bruce Cumings points out, "the legacy of the Cold War still persisted on the Korean Peninsula after the collapse of the Soviet Union... It is a Museum of that [Cold War] awful conflict." Michael Hogan, *The End of the Cold War: Its Meaning and Implications* (Cambridge: Cambridge University Press, 1992), p. 98.

[3] The author regards the starting point of Russian foreign policy as December 27, 1991, as South Korea immediately recognized the independent Russia on that date, instantly transforming Soviet-South Korean relations into Russian-South Korean relations. For a more detailed account of the starting point of Russian foreign policy, see Mark Webber, "The Emergence of the Foreign Policy of Russian Federation," *Communist and Post-Communist Studies,* Vol. 26, No. 3, 1993. Teresa Johnson and Steven Miller, *Russian Security after the Cold War: Seven Views from Moscow* (Washington: Brassey's, 1994).

security, and economic issues when explaining their bilateral relations.[4] Thus, much of this work tends to be descriptive rather than systematic in its approach.

By focusing on some important elements of bilateral treaties between the sides, the development of Russia's policy towards South Korea and their relations becomes evident. Bilateral treaties between states can be an effective means to guide the relationship. Concluding treaties and conducting summit meetings are widely regarded as the pinnacle of diplomatic relations between states. International treaties and agreements are regarded as important devices in mutual relations. They can be instruments of stability or change; catalysts or moderators of political forces; and decentralizing or assimilating tools of progress. Normalization of treaties and ordered relations among different types of states may be adapted to serve all circumstances.[5] This analytical approach reveals the 'political bargaining' and 'power struggle' apparent in Russian domestic politics over South Korean issues.[6]

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[4] Several articles and books provide valuable information on Russia's foreign policy towards the Korean Peninsula and their relations. Chung Il-yung (ed.), *Korea and Russia toward the 21st Century* (Seoul: The Sejong Institute, 1992). Peggy Meyer, "Gorbachev and Post-Gorbachev Policy towards the Korean Peninsula: the Impact of Changing Russian Perceptions," *Asian Survey*, Vol. 32, No. 8, 1992. Lee Chang-jae, *Hanro kyungchehyupryuk'ui hyonhwanggwa kwache* [The Current Situation and the Issue of Russian-Korean Economic Cooperation] (Seoul: Hanruchinsunhyophoe, 1993). Jeong Kap-young (ed.), *Cooperation between Korea and Russia* (Seoul: The Institute of East and West Studies, 1993). Alvin Z. Rubinstein, "Russia and North Korea: the End of an Alliance?," *Korea and World Affairs*, Vol. 18, No. 3, 1994. Vladimir S. Miasnikov, "Russian-South Korean Security Cooperation," *The Korean Journal of Defence Analysis*, Vol. 6, No. 2, 1994. Joo Seung-ho, "Russian Policy on Korean Unification in the Post-Cold War Era," *Pacific Affairs*, Vol. 69, No. 1, 1996. A.N. Lan'kov, *Severnaia Koreia: Vchera i segodnia* (Moscow: Nauka, 1995).

[5] To identify the various Soviet theories, practices, and policies associated with Soviet international agreements and treaties and to analyze those theories, practices, and policies in their own context and to contrast them, horizontally as well as vertically, among themselves, see Jan Triska and Robert Slusser, *The Theory, Law and Policy of Soviet Treaties* (Stanford: Stanford University Press, 1962). For a detailed analysis of Soviet treaty diplomacy, see Arnold Beichman, *The Long Pretence: Soviet Treaty Diplomacy from Lenin to Gorbachev* (New Brunswick: Transaction Publishers, 1991).

[6] For the domestic power struggle among Russian elite, see Gordon M. Hahn, "Russia's

The development of bilateral treaties between Russia and South Korea, such as the treaty on basic relations between the two sides signed in 1992 (henceforth, the Russian-South Korean Basic Treaty) and the subsequent military treaties, demonstrates how relations might develop further in the post-Soviet era whilst simultaneously revealing the definite limitations of those relations. In other words, a comprehensive understanding of the development of major bilateral treaties, which embraced all the key political, economic, and security issues between the two sides, is key to understanding how Russia's South Korean policy developed and changed during these transformative years following the disintegration of the Soviet Union.

This paper aims to analyze the development of key political, military treaties, and economic treaties between the two sides according to chronological sequence. This paper begins with a historical review of previous relations by focusing on bilateral treaties, before moving on to analyze each development during Yeltsin's first presidential term. By then focusing on major bilateral treaties between the two sides, the paper will demonstrate how Russia attempted to develop relations with South Korea in the post-Soviet era. The argument and analysis of development of Russian-South Korean relations is divided into the following sections[7]:

Polarized Political Spectrum," *Problems of Post-Communism*, Vol. 43, No. 3, 1996. Glenn Chafetz, "The Struggle for a National Identity in Post-Soviet Russia," *Political Science Quarterly*, Vol. 111, No. 4, 1996-97. For example, for the power struggle in Russian government and the resulting changes in Russian foreign policy towards Moldova periodically, see Kate Litvak, "The Role of Political Competition and Bargaining in Russian Foreign Policy: the Case of Russian Policy toward Moldova," *Communist and Post-Communist Studies*, Vol. 29, No. 2, 1996.

[7] Russian elections can be regarded as an integral part of the fundamental transformation of a Soviet system into a democratic one. Reflecting Yeltsin's gradual power consolidation in Russian politics, Russia's Korean policy can be divided into the following three stages. In this respect, especially, the December 1993 and the December 1995 Russian parliamentary elections played an important role in changing the momentum of Russia's domestic and foreign policy. On the importance and functions of Russian elections, see Jon H. Pammett and Joan Debardeleben, "The

- Towards the Russian-South Korean Basic Treaty and Preliminary Military Treaty Relations: In Search of a Partnership Based on the Political Treaty? (Dec. 1991 - Dec. 1993);
- Toward the Military Cooperation Treaty after the 1993 Parliamentary Election: In Search of a Complementary Partnership? (Dec. 1993 - Dec. 1995); and
- The Development of Bilateral Treaties between the Two Sides after the 1995 Parliamentary Election: A Shaky Partnership? (Dec. 1995 - Jul. 1996)

This paper argues that Russia's policy towards South Korea during this period was 'reactive,'[8] evidently lacking a firm and consistent consensus within the top leadership. Despite this problem, the Yeltsin Administration increasingly and actively tried to establish a new and mutually beneficial partnership, as well as a new legal foundation for relations during this transitional period.

In Search of Economic Partnership? (1985-91)

Russian-Korean relations originated in the mid-19th Century, when Imperial Russia and the Korean Kingdom officially started to develop relations based on the Treaty of Trade and Commerce concluded on July 7, 1884.[9] As a result of the Russian-Japanese

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Meaning of Elections in Transitional Democracies: Evidence from Russia and Ukraine," *Electoral Studies*, Vol. 15, No. 3, 1996. Stephen White, *Elections and Voters in Post-Communist Russia* (Cheltenham, UK: Edward Elgar, 1998).

[8] In this paper, 'reactive' is taken to mean responding rather than taking the initiative. In other words, the basic nature of Russia's policy towards the Korean Peninsula was responding to both internal and external influences, although Russia did attempt to take actively the initiative during this period (Dec. 1991 - Jul. 1996). By contrast, Gorbachev's Korean policy can be described as 'active,' because he led both domestic and international policies towards the Korean Peninsula.

[9] For the development of Imperial Russian-Korean relations, for example, see Kim Eugene and Han-kyo Kim, *Korea and the Politics of Imperialism, 1876-1910* (Berkeley: University of California Press, 1967).

War (1904-05), however, Imperial Russia and its successor the Soviet Union had no official relations with Korea until the end of World War Two.

During the Cold War, the Soviet Union principally developed its bilateral relations with North Korea on the Korean Peninsula on the basis of the treaty of Friendship and Cooperation between Soviet Union and North Korea signed in 1961 (henceforth, the 1961 Soviet-North Korean Treaty).[10] During the Gorbachev era, however, Soviet Korean policy gradually began to concentrate on building good bilateral relations with South Korea under the New Political Thinking. Conversely, Gorbachev's Korean policy still sought to retain influence over North Korea and observe the 1961 Soviet-North Korean Treaty. This meant that the Soviet Union under Gorbachev was attempting for the first time to establish active bilateral relation with both Koreas on the Korean Peninsula.

It is therefore essential to examine the wider context of emerging Soviet-South Korean bilateral relations when analyzing treaty issues, which during the Gorbachev era developed from economic agreements towards political ones. This formed the basis of the Russian-South Korean Basic Treaty, one of the most important bilateral treaties between the two sides in the post-Soviet era.

These developments in Soviet-South Korean relations finally resulted in diplomatic normalization in 1990, at which point the former Soviet Union became the first major power to recognize both independent nations on the Korean Peninsula. Thereafter, until the end of the Soviet Union in 1991, there were enormous bilateral developments between the two sides towards the conclusion of the political treaty (variously referred to as the "Treaty of Good Neighborhood, Partnership, and Cooperation between

[10] It should be noted that in the 1970s, for the first time, the Soviet Union and South Korea made personal contacts and exchanges at the unofficial level.

the Soviet Union and South Korea" or the "Treaty on Good-Neighborliness and Cooperation between the Soviet Union and South Korea"). In other words, a solid foundation was laid for the Russian-South Korean Basic Treaty during the late Gorbachev period - although this political treaty was never concluded due to the sudden attempted coup in Moscow in August 1991. There are two distinct stages leading to the political treaty: pre- and post-diplomatic normalization.

These pre-diplomatic normalization efforts focused on improving Soviet-South Korean economic and non-governmental relations as a precondition for diplomatic normalization. In other words, it is clear that these steps became a collective foundation for the forthcoming Russian-South Korean Basic Treaty in the post-Soviet era.

In Search of a Partnership based on the Political Treaty? (Dec. 1991 - Dec. 1993)

Russia largely followed Gorbachev's late Korean policy, which was centered on economic interests on the Peninsula. To this end, Russia obviously placed priority on the development of relations with South Korea. In other words, Russia tried to develop its relations with South Korea from diplomatic normalization (1990) to partnership relations in the post-Soviet era. This can be separated into two stages: (1) the conclusion of the Russian-South Korean Basic Treaty; and (2) the development of bilateral agreements on military cooperation between Russia and South Korea.

The Russian-South Korean Basic Treaty was concluded during Yeltsin's visit to Seoul in November 1992. Throughout this period (Dec. 1991 - Dec. 1993), it was obvious that bilateral relations were fully focused on preparing and concluding this political

treaty. Above all, high-level political-economic contacts between the two sides were frequent and primarily designed to discuss and coordinate the Russian-South Korean Basic Treaty, which was scheduled to be signed in the autumn (September) of 1992.[11] Notably, in March 1992, Russian Foreign Minister, Andrei Kozyrev paid an official visit to South Korea. This marked the first serious phase of the preparations for Yeltsin's official visit. By the time of Kozyrev's visit to South Korea, the two countries had agreed the basic principles of the Treaty.[12]

There were further discussions on the draft of the Russian-South Korean Basic Treaty when the South Korean Foreign Minister visited Russia in June 1992. During the meeting, the two foreign ministers finalized almost all of the text of a bilateral treaty on their basic relations.[13] On November 18-20, 1992, Yeltsin finally paid an official visit to South Korea to formalize and strengthen the ties developed in the later Gorbachev years, and also to resolve the existing several problems that remained between the two countries.[14] As scheduled, on November 19, 1992, the two sides signed the historic Russian-South Korean Basic

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[11] Yeltsin's visit to South Korea was scheduled for September 1992, together with his visit to Japan. This was cancelled at the very last moment, and Yeltsin only visited South Korea in November 1992.

[12] He stated in Seoul that "... The forthcoming summit will lead to friendly, neighborly, and regular relations of new quality between democratic Russia and South Korea, which will be consolidated in the form of a political treaty. This treaty will be called to bring our relations to the level which we have now with Western countries." "Kozyrev Gives News Conference on ROK Trip," *TASS International Service*, March 19, 1992 in FBIS-SOV 92-055, p. 31.

[13] It consisted of a preamble and 14 clauses, which stated the two countries will continuously develop their cooperative relations as friendly nations. The Treaty prohibited use of military force or threats between the two countries and said that they would resolve all conflicts by peaceful means. "Text of Relations Pact Approved," *Yonhap*, June 29, 1992 in FBIS-SOV 92-126, June 30, 1992, pp. 18-19.

[14] This was the first visit to Seoul, the capital of South Korea, by a head of the Russian Federation. No Soviet leader visited North Korea during the Soviet era. South Korea also became the first Northeast Asian country that Yeltsin visited in the post-Soviet era.

Treaty, which provided a framework for both countries in the post-Soviet era.[15]

The Russian-South Korean Basic Treaty committed the two sides to refrain from using force and to settle all disputes by peaceful means in accordance with the UN Charter. They agreed to hold regular meetings between the heads of state and members of the government to discuss bilateral relations and international issues of mutual concern. The two nations also signed an agreement on cultural cooperation and an agreement eliminating double taxation of incomes, in addition to a Memorandum of Mutual Understanding for 1993, facilitating the first direct exchanges between the Defense Ministries of Russia and South Korea.[16]

The conclusion of the Russian-South Korean Basic Treaty demonstrated the fundamental changes in Russian perceptions and goals in her foreign policy not only towards the Peninsula, but also to the international environment of Northeast Asia in the post-Soviet era. Firstly, it clearly indicated Russia's pro-South Korean stance towards the Korean Peninsula, because this Treaty was concluded within a year of the collapse of the Soviet Union.[17] In other words, the negotiations for this political treaty, initiated by Gorbachev and Roh during the late Soviet era, were continued

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[15] In late April 1993, the Russian Parliament ratified "the Russia-South Korean Basic Treaty." In presenting the document Russian Deputy Foreign Minister, Boris Kolokolov, stressed that the Treaty laid the foundations for qualitatively new relations between the two countries, not only good-neighborly, but those of partners as well. "ROK Treaty Ratified," *Radio Rossi Network*, April 29, 1993 in FBIS-SOV 93-082, April 30, 1993, p. 39.

[16] *Pravda*, November 24, 1992, p. 3.

[17] Yeltsin stated that "this [his visit to Seoul] was the right step, and the country was chosen correctly since it sets an example, particularly in reforms, and we can learn from it." "Yeltsin Sums Up ROK Trip," *IRAR-TASS*, November 20, 1992 in FBIS-SOV 92-226, November 23, 1992, p. 14. *Komsomolskaya Pravda* reported that Yeltsin's recent visit to South Korea made it possible to practically demonstrate new approaches in Russian foreign policy in the Far East and to partially lift the veil concealing Russia's true interests and role in the Korean problem. "Policy on Korean Unification Viewed," in FBIS-SOV 92-241, December 15, 1992, p. 20.

by the Russian leadership after the Soviet disintegration. The result was full-scale diplomatic friendship and a political treaty, comparable to the 1961 Soviet-North Korean Treaty.

Secondly, Russia became the first major power to enter full-scale political agreements with both Koreas. Thus, Russia began to develop parallel bilateral relations based on political treaties with for the first time.[18] This gave Russia a superior position on the Korean Peninsula, by comparison to other major powers in Northeast Asia, such as China, Japan, and the US. The conclusion of the Russian-South Korean Basic Treaty also led to initial changes in bilateral relations among the other major powers and the two Koreas (such as the US-North Korean relations and Chinese-South Korean relations). In this respect, the conclusion of the Basic Treaty became a symbol of the end of the Cold War atmosphere in Northeast Asia.

In spite of the historic conclusion of the Russian-South Korean Basic Treaty at the first Russian-South Korean summit in Seoul in 1992, neither side was satisfied with the results. In particular, preparations had not been smooth for either the Russian-South Korean Basic Treaty or Yeltsin's state visit to South Korea. For example, the existing 1961 Soviet-North Korean Treaty had become a serious obstacle to concluding the Russian-South Korean Basic Treaty. In fact, from the beginning of 1992, the South Korean side demanded that Russia renounce the 1961 Soviet-North Korean Treaty as a pre-condition for the expansion of the economic relationship. In other words, South Korea demanded Russia break its bond with North Korea, which at least on paper retained the character of a military alliance.[19]

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[18] Alexei Bogaturov stated that "the Treaty signed in November 1992, is an effective political balance to the Soviet and North Korean Treaty of 1961 that is subject to renegotiation and alteration as is stipulated by its provisions." Alexei Bogaturov, "Russia in Northeast Asia: Setting a New Agenda," *Korea and World Affairs*, Vol. 17, No. 2, 1993.

Furthermore, although Russia seemingly accepted South Korea's request on the issue of the 1961 Soviet-North Korean Treaty, the Russian leadership remained divided into two groups on treaty issues: pro-South Korean and pro-North Korean supporters. The sudden, last minute cancellation of Yeltsin's visit to South Korea and Japan, scheduled for mid-September 1992, may indicate serious disagreements among the Russian leadership over Yeltsin's trip and the forthcoming political treaty with South Korea (in addition to the Russian dispute with Japan over the Northern Islands). The Russian leadership seemed to need more time to reach a solid consensus on the issue of the 1961 Soviet-North Korean Treaty before concluding the Russian-South Korean Basic Treaty, illustrating Russia's domestic power struggle over the diplomatic issue. Indeed, by the middle of September 1992, the Russian leadership was still unable to reach consensus over the issue of the 1961 Soviet-North Korean Treaty while pursuing the political treaty with South Korea.[20]

Given the uncertainties and unpredictability of the domestic scene in Russia, however, it was not surprising that there was no consensus on the conclusion of the Russian-South Korean Treaty. Yeltsin and his close [reform-minded] associates generally continued to support the *de facto* abrogation of the 1961 Soviet-North Korean Treaty. In the middle of August 1992, for example,

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[19] For example, the South Korean Foreign Minister's visit to Moscow in June 1992 was intended to coincide with Russia's confirmation of the abolition of the 1961 Soviet-North Korean Treaty, which was already subject to reinterpretation.

[20] Yeltsin's visit to South Korea was scheduled for September 16-18, 1992. Most Western analysts on Russian-Asian affairs suggest Russia's domestic constraints related to the Northern territorial dispute with Japan were the real cause for the postponement of this trip. Peggy Meyer, "Moscow's Relations with Tokyo: Domestic Obstacles to a Territorial Agreement," *Asian Survey*, Vol. 33, No. 10, 1993. Yakov Zinberg and Reinhard Drifte, "Chaos in Russia and the Territorial Dispute with Japan," *The Pacific Review*, Vol. 6, No. 3, 1993. In other words, little attention was paid to the issue of the 1961 Soviet-North Korean Treaty (and also other Korean issues). The author, however, suggests the issue of the 1961 Treaty was equally important as the Russian-Japanese Northern territory dispute.

Russian Deputy Foreign Minister G. Kunadze stated that:

> The Treaty that has been prepared for signing is a document drawn up in full accordance with the present-day requirements of international law. In terms of format it is not a treaty of alliance - that is, it is not aimed against any third party. Russia and South Korea pledge to consider each other as friendly states. We are convinced that the Treaty will pave the way still further for mutually advantageous cooperation.[21]

Georgiy Toloraya, chief of the Russian Foreign Ministry Korea Department also stated that:

> The Treaty, which is intended to crown the Russian President's stay in Seoul, will consolidate the process of gravitation between our two countries, which in three years have traveled the path from mutual non-recognition and hostility to friendly partnership.[22]

Nevertheless, the Russian Foreign Ministry continued to regard the 1961 Soviet-North Korean Treaty as active, despite the President's words.[23] Furthermore, in response to South Korea's demand, some within the Russian Foreign Ministry felt that as a great power, Russia should not bow to such ultimatums concerning its relationship with North Korea.[24] These officials considered that it was in Russia's interests for the 1961 Soviet-North Korean Treaty to continue in some form in the post-Soviet era.

These problems all arose from two different national aims for the outcome of the Russian-South Korean Basic Treaty. On the one hand, Russia's main motivation for concluding the Russian-South

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[21] *Izvestiya*, August 14, 1992, p. 6.

[22] *Rossiyskaya Gazeta*, August 28, 1992, p. 7.

[23] The Russian Deputy Foreign Minister G. Kunadze stated that "Moscow and Pyongyang are long-time partners in various areas of human activity. And we believe there is no need to sever our relations. On the contrary, we should strive to preserve and strengthen the good-neighborliness on which the 1961 Soviet-North Korean state-to-state treaty is based," *Izvestiya*, August 13, 1992, p. 6.

[24] *Izvestiya*, July 31, 1992, p. 3.

Korean Basic Treaty was economic interest. Conversely, South Korea's main motivation was political: Russia still had positive influence over North Korea, and in particular on the nuclear issue. These differing interests gradually led to a growing skepticism among South Koreans over relations with Russia. For the Russians, the Russian-South Korean Basic Treaty had already produced many difficulties for relations between Russia and North Korea at the expense of its relations with South Korea, although superficially the Yeltsin trip to South Korea was quite successful, especially in terms of economic cooperation.[25] Based on these different positions and interests, the results of concluding the Russian-South Korean Basic Treaty and the first Russian-South Korean summit was inevitably limited.

Despite several problems between the two sides, after the conclusion of the Russian-South Korean Basic Treaty in 1992, bilateral relations gradually expanded towards the conclusion of agreements and accords in the military field. The focus of Russian-South Korean relations increasingly expanded from solely political relations to include military ones. Accordingly, active military contacts and exchange visits occurred between the two sides during this period; previously unthinkable during the Soviet era. For example, in early October 1992, an official Russian delegation, headed by Andrei Kokoshin, Russian First Deputy Defense Minister, arrived in Seoul. This was the first visit by a Russian military leader to South Korea. General Yi Yang-ho, Chairman of the South Korean Armed Forces Joint Chiefs of Staff, visited

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[25] Yeltsin stated that "in my view, this visit has at least a 99 percent of success." In particular, he emphasized the result of economic cooperation with South Korea. He stated that "major projects worth a total of about US$20 to $30 billion have been considered. For example, the construction of a gas pipeline from the Republic of Sakha [Yakutia] to South Korea." Since Korea lacks the appropriate dock facilities, it is planned to lay this gas pipeline across North Korea, for which it steadfastly refused permission for 20 years. The President stated the following in this connection. "A representative of the Democratic People's Republic of Korea was in Moscow; we obtained only verbal agreement for laying the gas pipeline," *Izvestiya*, November 19, 1992, pp. 1 and 4.

Russia in September 1993 to strengthen mutual understanding and organize a military exchange between the two countries.[26] Furthermore, the possibility of selling Russian arms to South Korea was under discussion.[27]

During the 1st Russian-South Korean summit in Seoul in November 1992, the two Ministers of Defense signed the Memorandum of Understanding and Measures to Develop Ties between the Defense Ministries of Russia and South Korea in 1993. Under this Memorandum, the two countries commenced the first direct military contacts. The military Memorandum envisaged delegation exchanges at the level of Defense Ministers, Deputy Ministers, and heads of General Staff, and visits by representatives of military schools and naval vessels.[28] It should be emphasized that during the first summit in November 1992, Yeltsin assured South Korea that Russia would discontinue the provision of military assistance to North Korea,[29] and supported South Korea's demand that North Korea should allow international inspections of its nuclear facilities.[30]

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[26] *Krasnaya Zvezda*, August 31, 1993, p. 3.

[27] When the Russian Vice Premier Alexander Shokhin visited Seoul in August 1993, he told South Korean officials that Russia was ready to offer South Korea its most advanced weapons and related systems as a way to pay off debts. Alexander Shokhin said it would be a mistake for South Korea to buy US-made Patriot missiles instead of the Russian S-300 anti-missile system. He also stated that Russia hoped to supply South Korea with defensive weapons to pay the principal and interest on US$1.56 billion of soft loans extended by the state. The South Korean government rejected this offer to provide weapons to South Korea to repay the principal and overdue interest on loans, *Japan Times*, August 29, 1993, p. 5.

[28] According to Russian Defense Minister Pavel Grachev, the two Defense Ministers agreed to extend exchanges to the military-technical sphere. He pointed to a possibility of the participation of Russian and South Korean representatives in the two countries' military exercises as observers. "Defense Minister Sign Memorandum," *ITAR-TASS*, November 20, 1992 in FBIS-SOV 92-225, November 20, 1992, p. 12.

[29] Yeltsin said that Russia will discontinue any military assistance to North Korea. "No More Military Aid to DPRK," *ITAR-TASS*, November 19, 1992 in FBIS-SOV 92-224, November 19, 1992, p. 10.

[30] Russia called on North Korea to join an international convention on non-proliferation of chemical weapons and agree to inter-Korean inspections of nuclear facilities.

These measures described the fundamentals of Russian-South Korean military relations.

Military cooperation between the two sides under the Memorandum of Understanding had two significant implications. Firstly, the atmosphere of the Cold War on the Korean Peninsula seemed to be fading. In the post-Soviet era, the conclusion of bilateral political and military treaties signaled the intention of both sides to share the basic principles of the UN Charter and hold similar approaches to the problems of peace, disarmament, and building the new structure of multi-polar international relations as cooperative allied nations.

Secondly, the beginning of military cooperation based on the Memorandum of Understanding would inevitably lead to a focus on the 1961 Soviet-North Korean Treaty, which defined the relations between the former Soviet Union and North Korea as Cold War allies. As Russia neared conclusion of a military treaty with South Korea, it had to re-define relations with North Korea under the 1961 Soviet-North Korean Treaty.

Against this backdrop, Russian-South Korean military cooperation gained more momentum in 1993.[31] In May, the signing of a Memorandum on Cooperation in Defense Industry between the South Korean Ministry of Trade, Industry, and Power-Engineering and the Russian Committee for the Defense Sectors of Industry signaled a specific step towards South Korean commercial involvement in transferring Russia's military-oriented factories to

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"Yeltsin Sums Up ROK Trip," *IRAR-TASS*, November 20, 1992 in FBIS-SOV 92-226, November 23, 1992, p. 14.

[31] Russian Deputy Foreign Minister A. Panov said "Seoul and Moscow will be starting full-scale exchange visits between military personnel this year (1993) in order to get acquainted with each other and explore possibilities for future cooperation under an agreement signed between their Defense Ministers in Seoul in November 1992," *The Korea Herald*, January 5, 1993, pp. 2 and 5.

peaceful production.[32] In light of the new military cooperation, a Russian observer attended the joint US-South Korean "Team Spirit" military exercises for the first time in 1993. Russian Defense Minister Grachev stressed that in order to make practical steps in the military field it was necessary to set up working groups in the two Defense Ministries to plan events for the next year. His counterpart, General Lee noted that South Korea regarded Russia as a guarantor of stability in the Asia-Pacific Region (APR). The two sides agreed to conduct joint naval exercises.[33]

Russia's aims and interests in expanding its bilateral military cooperation with South Korea centered on two important factors: arms sales and conversion of defense industry. The Russian leadership did not hide its official intentions about arms sales[34] to South Korea because Russia was unable to repay its loans from South Korea.[35] In other words, Russia wanted to pay back its economic debts to South Korea in the form of [defensive] arms transfers to South Korea instead of in money-form. By concluding the military treaty with South Korea there would be no practical (or real) barriers to Russian arms sales to the ROK. In June 1993,

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[32] This document envisages cooperation between the two countries' business communities in aerospace, electronics, precision machine-building, and new materials technologies. The two sides agreed to open information centers and forge direct links between the Korean Institute of Scientific-Technical Information and the All-Russian Institute of Inter-Sectoral Information. "Defense Industry Signs Cooperation Accords with ROK," *Moscow ITAR-TASS*, May 24, 1993 in FBIS-SOV 93-099, May 25, 1993, p. 18.

[33] Vladimir S. Miasnikov, "Russian-South Korean Security Cooperation," *The Korean Journal of Defence Analysis*, Vol. 6, No. 2, 1994.

[34] For Russia's arms sales in the post-Soviet era, see Igor Khripunov, "Russia's Arms Trade in the Post-Cold War Period," *Washington Quarterly*, Vol. 17, No. 4, 1994.

[35] When the Russian Vice Premier Alexander Shokhin visited Seoul in August 1993, he told South Korean officials that Russia was ready to offer South Korea its most advanced weapons and related systems as a way to pay off debts. He stated that "this [arms sales to South Korea] would enable us to solve several issues: firstly, to arm the South Korean army with very efficient types of defensive weapons and secondly, to resolve our own financial problems, including debts." "Shokhin to Discusses Military-Technology Package in ROK," *Radio Rossii Network*, August 22, 1993 in FBIS-SOV 93-161, August 23, 1993, p. 6.

for example, a South Korean official declared at the 3rd session of the Russian-Korean Committee for Scientific and Technical Cooperation that South Korea intended to purchase around 40 Russian high technologies.[36]

Russia's interest in expanding bilateral ties with South Korea was also closely related to the conversion of its defense industry in the post-Soviet era.[37] Russia regarded South Korea as an ideal partner to assist in the conversion.[38] In 1992, the South Korean government considered Russian proposals for military cooperation, and selected a number of projects in six fields: astronautics and outer space research; communications; transport and ground-based equipment; shipbuilding and maritime equipment; chemical production and chemical materials; and products of general designation. These spheres of cooperation include production of aircraft, avionics, and testing equipment; small engines for pilot-less aircraft; development of super-solid materials; ground-to-ship and ship-to-ship missiles; computer software and communication facilities.[39]

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[36] "South Korea to Buy Russian High Technology," *ITAR-TASS*, June 3, 1993 in FBIS-SOV 93-106, June 4, 1993, p. 21.

[37] For the conversion of Russian defense industry, for example, see Laure Despres, "Conversion of the Defense Industry in Russia and Arms Exports to the South," *Communist Economies and Economic Transformation*, Vol. 6, No. 3, 1994.

[38] For example, in September 1992, Aleksandr Titkin, the Russian Industry Minister explained that "South Korea has sophisticated technology in the field of consumer goods production, while in Russia vast capacities are being freed during conversion of the defense industry. At the same time, Russia has high technology in military production of a defensive character in which Seoul is interested." "Industry Minister Visit ROK, Signed Memorandum," *ITAR-TASS*, September 1, 1992 in FBIS-SOV 92-171, September 2, 1992, p. 8. In October 1992, Andrey Kokoshin, Russian First Deputy Defense Minister also stated that "there are favorable opportunities for the development of industrial and commercial cooperation between Moscow and Seoul, including implementation of Russian defense industry conversion programs." "Russian Military Delegation Arrives in ROK for Talks," *ITAR-TASS*, October 4, 1992 in FBIS-SOV 92-194, October 6, 1992, p. 13.

[39] L. Anosova and G. Matveyeva, *South Korea: View from Russia* (Moscow: Nauka Publishers, 1994).

In the meantime, South Korean interests in expanding bilateral military cooperation with Russia were mainly related to the political issue of North Korea. In other words, South Korea's interest in military treaties with Russia in the early 1990s related directly to the serious problem of North Korean nuclear development. Although there were some mutual advantages in military treaties, the development of Russian-South Korean military cooperation based on the Memorandum of Understanding remained heavily dependant on the US factors.[40] Moreover, regarding the conversion of Russia's defense industry, South Korean Minister for Science and Engineering, Kim Si-chung, stated at the 3rd session of Russian-Korean Committee for Scientific and Technical Cooperation in June 1993 that South Korea badly needed scientific information on research carried out in Russia. He pointed out that there was a serious information exchange gap.[41]

This demonstrated that although Russian-South Korean relations had been predominantly cordial and cooperative during this period, not everything was prefect. In 1993 the atmosphere in bilateral relations gradually began to deteriorate.[42] There were many reasons for these problems during this period. Firstly, although there had been frequent high-level political contacts and the conclusion of political and military treaties between the two

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[40] For example, in August 1992, Russian Vice Premier, Aleksandr Shokhin, in Seoul mentioned the US factor in military cooperation between the two sides, "since South Korean has a close politically ally the US, and it is difficult evidently for the South Korean leaders to take such decisions without consultations with the US... this deal [arms sales] should not upset the balance in Northeast Asia and in the APR." "Shokhin Discusses Possible Russian Arms Deal with ROK," *ITAR-TASS*, August 28, 1993 in FBIS-SOV 93-166, August 30, 1993, p. 19.

[41] "South Korea to Buy Russian High Technology," *ITAR-TASS*, June 3, 1993 in FBIS-SOV 93-106, June 4, 1993, p. 21.

[42] G. Kunadze, Deputy Foreign Minister and Ambassador-designate to South Korea (as in December 1993), stated that "...the three-year-long diplomatic relations with South Korea have been based on stable experiences. We can say that these three years have been a period of getting out of a certain 'vain dream' and excessive expectations..." "Ambassador-Designate to ROK Views Korean Issues," *Radio Moscow*, December 29, 1993 in FBIS-SOV 93-249, December 30, 1993, p. 16.

sides, including the first Russian-South Korean summit, several key issues over which the former Soviet Union confronted had South Korea during the Cold War were not resolved fully as South Korea had expected. One of the best examples of this was Russia's handling of the 'empty' black box of the Korean Airlines (KAL) 007 shot down by a Soviet fighter in 1983.[43] Accordingly, a growing skepticism about Russia's attitudes was apparent among the attentive Korean public. Secondly, Russia seemed to be dissatisfied with its economic cooperation with South Korea.[44] Russian-South Korean trade continued to expand steadily, from US$1.2 billion in 1992 to US$1.57 billion in 1993 (Data of Korean Trade Center, 1992 and 1993), but problems over Russia's interest payment on this loan strained bilateral relations. More importantly, South Korea was less interested in improving relations with Russia than it had been with the Soviet Union in the late 1980s. This was reflected the two important factors: South Korea's New Diplomacy and Russia's loss of its influence in the international arena.

With the advent of President Kim Young-sam's Administration in early 1993, South Korea essentially shifted emphasis on strategic interests with Russia, despite its crucial importance as an actor for South Korea and Northeast Asia in the mid- to long-term.[45]

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[43] South Koreans were also bitterly disappointed with the conclusion of a Special State Committee in Russia that Russia could not be held responsible for the shooting down of the KAL 007. For the details analysis of KAL 007 problems, for example, see Alexander Dallin, *Blackbox: KAL 007 and the Superpowers. Berkeley and Los Angeles* (University of California Press, 1985). John Lepingwell, "New Soviet Revelations about KAL 007," *RFE/RL*, Vol. 3, No. 17, 1991.

[44] In the field of economic and trade relations, Russia strongly continued to emphasize its economic relations with South Korea. Especially, during the 1st Russian-South Korean summit in Seoul in November 1992, Yeltsin vigorously called for 'economic partnership' with South Korea. "Calls for Economic Partnership," *ITAR-TASS*, November 19, 1992 in FBIS-SOV 92-224, November 19, 1992, pp. 10-11.

[45] In May 1993, President Kim Young-Sam made a speech on the "Pacific Era and South Korea's New Diplomacy" at the Pacific Basin Economic Councils (PBEC) International General Meeting in Seoul, South Korea. In his speech, he laid down general direction for South Korea's new diplomacy including its new world and

This policy was implemented under the slogan of 'Globalization' (*Segyewha* in Korean), which reduced the relative emphasis on the Russian factor as the previous 'Northern Policy' was revised.[46]

From a South Korean perspective, Russia no longer demonstrated the same degree of Soviet-era political influence over North Korea in reducing tensions on the Peninsula. For example, Russia had little influence on the North Korean nuclear issue, contrary to South Korean expectations, and in the post-Soviet era played no significant role in economic or security issues in Northeast Asia. As a result, South Korea increasingly focused on relations with China after the normalization of diplomatic relations. In August 1992, China became the second major power to recognize both Koreas on the Peninsula.

In Search of a Complementary Partnership? (Dec. 1993 - Dec. 1995)

The remarkable success of the former communists and ultra-nationalists in the December 1993 parliamentary elections forced Yeltsin's pro-Western government towards a more nationalistic foreign policy. Under these circumstances, consensus on a more balanced Korean policy began to emerge. In other words, Russia

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future outlooks, as well as a new approach to unification. There were five fundamentals for South Korea's new diplomacy: (1) Globalizm; (2) Diversification; (3) Multi-Dimensionalizm; (4) Regional Cooperation; and (5) Future Orientation. Han Sung-joo, "Fundamentals of Korea's New Diplomacy: New Korea's Diplomacy Toward the World and the Future," *Korea and World Affairs*, Vol. 17, No. 2, 1993.

[46] South Korea first expressed interest in establishing relations with 'Non-hostile' communist states, including the Soviet Union, in January 1971 by the declaration of President Park Chung-hee. This became an important cornerstone for the northern policy of South Korea. For the comprehensive analysis of South Korea's 'Northern Policy,' see Ahan Byung-joon, "South Korea's New Nordpolitik," *Korea and World Affairs*,' Vol. 12, No. 4, 1988. Joo Seung-ho, "South Korea's Nordpolitik and the Soviet Union (Russia)," *The Journal of East Asian Affairs*, Vol. 7, No. 2, 1993.

attempted to re-develop its Korean policy to accommodate its own new domestic political forces and institutions after the December 1993 parliamentary election.[47] Nevertheless, there were significant developments for treaty-based political and military cooperation between Russia and South Korea after the December 1993 parliamentary election.

Three important bilateral treaties were concluded during this period. Firstly, a Memorandum on Mutual Understanding between the Defense Ministries of Russia and South Korea and a Declaration on Military Cooperation between the two countries were signed when South Korean Defense Minister, Yi Yang-ho, visited Moscow in April 1994. In the words of Russian Defense Minister, Pavel Grachev, these documents reflected intentions to develop broader cooperation and determine the main events within the framework of ties between the two countries' military departments in 1994-95. At the meeting with the South Korean Defense Minister, Russian Foreign Minister, Andrei Kozyrev stressed that "not only do we no longer look at each other along the barrel of a gun, we are ready to cooperate in setting up these relations for the joint security of friendly states and to have full-scale military cooperation."[48] In doing so, the Russians attempted to establish active military cooperation with South Korea whilst simultaneously proposing a new creation of a collective security system in the APR.

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[47] According to Eugene and Natasha Bazhanov, "if ultra-nationalists should grab power, the picture could become one-sided again, this time in North Korea's favor. Ultra-nationalists would certainly drive into a worldwide confrontation within the US, with predictable consequences for Moscow's relations with South Korea and North Korea. The Korean Peninsula would again become a front of Cold War." Eugene and Natasha Bazhanov, "The Evolution of Russian-Korean Relations: External and Internal Factors," *Asian Survey*, Vol. 34, No. 9, 1994.

[48] "Grachev and ROK: Discuss Cooperation," *ITAR-TASS*, April 29, 1994 in FBIS-SOV 94-083, April 29, 1994, p. 7. "Kozyrev Calls for Military Cooperation with ROK," *ITAR-TASS*, April 29, 1994 in FBIS-SOV 94-083, April 29, 1994, p. 12.

Secondly, the two sides signed the Joint Russian-Korean Declaration and Protocol on Consultations Between Foreign Ministries at the 2nd Russian-South Korean summit, held in Moscow in June 1994. The high point of Russian-South Korean political relations during this period was South Korean President Kim Young-sam's visit to Moscow in June 1994. During the visit, Kim Young-sam and Yeltsin issued a joint declaration stating that relations between the two countries were developing into a "constructive mutually complementary partnership based on the common values of freedom, democracy, legality, respect for human rights, and a market economy."[49] The major results produced by Kim Young-sam's two sessions with President Yeltsin were published in a 13-point joint communiqué.[50] The two sides agreed at the summit to establish a joint committee to promote cooperation in trade, investment, and technological exchange. Trade ministers of the two countries exchanged Memoranda of Understanding on the establishment of the Korea-Russia Trade Committee during their talks in Moscow.[51] The summit included a special focus on nuclear non-proliferation on the Korean Peninsula, as the North Korean nuclear program overshadowed the visit to Moscow. Importantly, Yeltsin informed his South Korean counterpart that his government was re-interpreting the 1961 Soviet-North Korean Treaty regarding its obligation to help North Korea in case of war.[52]

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[49] The South Korean President's visit to Moscow, the first between the two countries, took place in mid-December 1990. The Soviet media described this summit as "opening a new page in the history of bilateral relations between the Soviet Union and South Korea," *Izvestiya*, December 15, 1990, p. 7. For a detailed contents of declaration, see "Yeltsin, Kim Yong-sam Sign Partnership Declaration," *ITAR-TASS*, June 2, 1994 in FBIS-SOV 94-106, June 2, 1994, p. 5.

[50] Highlighting the results were Russia's agreement to take part in international sanctions against North Korea connected to the nuclear issue, Russia's assurance that its military alliance with North Korea was effectively invalid, and an agreement to establish a hot-line between Chong Wa Dae [The Korean Presidential Office] and the Kremlin, *Hankuk Ilbo*, June 3, 1994, pp. 1-2.

[51] *Korea Newsreview*, Vol. 23, No. 23, June 4, 1994, p. 5.

[52] During the talks, Yeltsin said that Article One of the 1961 Treaty between the Soviet Union and North Korea stipulating Moscow's military intervention can be regarded

Thirdly, a Memorandum on Mutual Understanding with Regard to Military Contacts Between the Defense Ministries of the Russian Federation and South Korea was signed when Russian Defense Minister, Pavel Grachev, visited South Korea in May 1995. The Memorandum of Understanding included the exchange of military experts and personnel, sharing military intelligence, and the South Korean purchase of Russian military equipment.[53] Based on this military agreement, there were frequent contacts in the military arena. For example, just after Grachev's visit to Seoul in May 1995, the South Korean Air Force Chief of Staff, Kim Hong-nae, arrived in Moscow. A source in the Russian Defense Ministry told the *Interfax* news agencythat the Korean was primarily interested in MiG-29 fighters.[54]

Faced with the North Korean nuclear issue, Russia continuously advocated creation of a multilateral Asian security conference, for which it needed support from other powers in APR (at least, in Northeast Asia). In this respect, by concluding political and military treaties with South Korea, Russia sought treaty-based support to implement its security policy in this region. Nonetheless, it was obvious that Russia was consistently more interested in expanding its economic relations with South Korea through these political and military agreements. Russia's primary motivation in founding good bilateral relations with South Korea was economic.[55]

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as defunct, said Chung Jong-uk, the chief foreign policy advisor to the South Korean President, *Korea Newsreview*, 1994.

[53] Russian Defense Minister Pavel Grachev in Seoul said that "Russia has raised the question of a regional security system in Northeast Asia and especially, a sub-regional system at the Seoul negotiations. In the words, of the Minister, the sub-regional system could involve Russia, China, Japan, North and South Korea, and the US." "Grachev Signs Military Memorandum," *ITAR-TASS*, May 19, 1995 in FBIS-SOV 95-097, May 19, 1995, p. 13.

[54] "ROK Air Force Chief of Staff Arrives on Visit: Interested in MiG-29," *Moscow Voice of Russia World Service*, May 22, 1995 in FBIS-SOV 95-100, May 24, 1995, p. 7.

[55] Due to Russia's economic interests to South Korea, it should be also noted that at the 2nd Russian-South Korean summit in Moscow in June 1994. President Kim

In this respect, Russian arms sales and debts to South Korea remained closely inter-related to the bilateral agreements. Russia was primarily interested in selling arms to South Korea and in converting its defense industry with South Korean assistance. In August 1994, for example, South Korea agreed to accept high-tech, arms such as jet fighters and rockets, from Russia in lieu of repayment of part of its US$1.47 billion debt. A Russian military-industrial complex spokesman advised that the contract was potentially worth over US$100 million.[56] Furthermore, when Russian Defense Minister Pavel Grachev visited South Korea in May 1995, the two sides appeared to agree on the provision of modern weaponry as payment in kind for the debt, including T-80U tanks, BMP-3 infantry combat vehicles, AT-7 anti-tank and SA-16 anti-aircraft missiles, ammunition, and spares.[57] A Russian military official reportedly stated in May 1995 that "this document (a Memorandum on Mutual Understanding with Regard to Military Contacts Between the Defense Ministries of the Russian Federation and South Korea) gives the go-ahead to the supplies [of] Russian military equipment to South Korea."[58]

In July 1995, Russian debts to South Korea were rescheduled in arrears. Under this arrangement, payments of US$450.7 million in arrears (US$391.8 million, the amount in arrears through 1993, plus US$58.9 million in interest accrued through 1995) were repackaged into a new loan with principal (amortization) payment

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Young-sam and Boris Yeltsin announced that Russia accepted South Korea's request to stop supplying or selling Russian military equipment and weaponry to North Korea. At the summit in June 1994, South Korea also agreed to accept high-tech weapons such as jet fighters and missiles as partial payment for some US$1.47 billion owed by Russia; the initial weapons deal was reported to be worth approximately US$100 million. Lee Chongsik and Sohn Hyuk-sang, "South Korea in 1994: A Year of Trial," *Asian Survey*, Vol. 35, No. 1, 1995.

[56] *FBIS-SOV 94-151.*

[57] *Jane's Defence Weekly*, May 13, 1995, p. 3.

[58] "Beijing, Seoul Welcome Grachev Security Proposal," *Interfax*, May 22, 1995 in FBIS-SOV 95-099, May 22, 1995, p. 8.

for the period between 1995 and 1998. At the same time, some other contractual terms such as interest rates were also changed. In the meantime, South Korea was primarily interested in the political benefits of developing and concluding bilateral treaties with Russia. In particular, when the tension of the North Korean nuclear crisis was most acute in 1994, South Korea insisted that Russia stop supporting North Korea under the 1961 Soviet-North Korean Treaty and even abolish the 1961 Treaty altogether. South Korea clearly intended the political and military treaties with Russia to provide a legal basis for cessation of Russian assistance to North Korea, which was always more associated with political/ security interests than economic interests.

Another reason for South Korean interest in expanded political and military cooperation with Russia was to diversify its political/ military relations with other powers in Northeast Asia in the post-Soviet era. For example, in early 1996 South Korea aimed to conclude military logistics and procurement agreements with Canada, Russia, and Romania. A Defense Ministry official said that it was moving to establish agreements with as many countries as possible on a selective basis to diversify its sources of military hardware and software, heavily concentrated on the United States.[59] This meant South Korea attempted to prevent tilting further towards the US in the post-Soviet era.

During this period (Dec. 1991 - Dec. 1995), the security-military agenda of the bilateral relationship between Russia and South Korea was dominated by the North Korean nuclear crisis and the reinterpretation of the 1961 Soviet-North Korean Treaty. Consequently, the two sides focused their relations on the military related issues including the military Memorandum. Indeed, there were remarkable bilateral developments in the political and military agreements between the two sides, despite fundamentally

[59] *The Korea Times*, February 4, 1996, p. 3.

different interests.

Nevertheless, there were obvious limits to the development of further bilateral relations, in terms of both political and military cooperation. Above all, the US factor for the Russian-South Korean relations influenced their bilateral relations, especially in political/military issues. For example, the US factor inevitably affected Russian arms sale to South Korea. The South Korean Defense Ministry discussed the possibility of using Russian armaments only for training and experimental programs, as South Korea had long focused on US armaments, which were incompatible with the Russian systems.[60] More importantly, however, the South Korean side could not agree any further military relations with Russia without US consent. For example, as *Krasnaya Zvezda* noted, the talks on weapon sales were abruptly suspended following US pressure. The US government was concerned that the MiG-29s and S-300 tactical missile interceptors could successfully compete against US F-16Ms and Patriot missile systems.[61] Secondly, there were still different approaches to the issue of arms sales and debt. In August 1994, the South Korean government almost agreed to Moscow's proposals to repay some part of debt on credits, given earlier to the Soviet Union, in the form of deliveries of Russian armaments. According to *Yonhap* News Agency, however, agreement was never reached on the delivery of armaments valued at almost half of the Russian debt: US$650 million.[62] South Korea hoped to base these relations on licensing, supplies of spares, and production

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[60] According to a high-ranking South Korean military official, "it was difficult to include Russian military hardware in the arsenal of the South Korean Armed Forces, because the latter were organized and equipped according to the American system." "South Korea may use Russian Weapons for Training," *ITAR-TASS*, January 27, 1994 in FBIS-SOV 94-019, January 28, 1994, p. 9.

[61] *Krasnaya Zvezda*, September 18, 1993.

[62] "ROK Partly Agrees To Repay Debt with Arms," *ITAR-TASS*, August 5, 1994 in FBIS-SOV 94-152, August 8, 1994, p. 16.

of Russian-designed material at South Korean plants. Russia did not reject this form of cooperation, but preferred large-scale military-technical relations and the delivery of materiel made in Russia.[63] Thirdly, for South Korea, the political value of Russia had been diminished rapidly due to its internal instability and weakened international position, especially in its ability to influence the North Korean nuclear issue as South Korea had expected. Meanwhile, Russian policy direction was deeply affected by the South Korean rejection of its proposed international security conference. Russia was unable to demonstrate any capacity to influence North Korea, failing to persuade it to rejoin the Nuclear non-Proliferation Treaty (NPT) or to agree the abolition [or reinterpretation] of the 1961 Soviet-North Korean Treaty. There were both essential prerequisites for military cooperation between Russia and South Korea. This prevented South Korea from cooperating more actively with Russia, demonstrating that in the post-Soviet era the theory of military [political] cooperation in Northeast Asia between Russia and South Korea was different from the reality.

Russian-South Korean relations during this period included frequent contacts in most fields, although neither country was satisfied with the outcomes. For example, the first session of the joint intergovernmental Russian-South Korean Economic, Scientific, and Technical Commission, scheduled to open in Seoul in May 1994, was postponed at the very last moment.[64] Russian Vice Premier Shokhin planned to visit Seoul to discuss the whole range of trade and economic relations prior to the South Korean President's visit to Russia, but this too was postponed. This all occurred during the most acute phase of North Korean nuclear

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[63] "Quoted on Regional Security System," *ITAR-TASS*, May 20, 1995 in FBIS-SOV 95-098, May 22, 1995, p. 14.

[64] *Izvestiya*, May 24, 1994, p. 4. "ROK-Russian Economic Commission Session Postponed," *ITAR-TASS*, May 19, 1994 in FBIS-SOV 94-098, May 20, 1994, p. 8.

crisis and at the rejection of Russia's proposal for the international security conference.
The biggest problem for economic relations between the two sides remained Russia's inability to repay loans made by South Korea to both the former Soviet Union and to Russia. Due to this, Russia gained fewer economic benefits than it had hoped. For example, at the end of 1995, the overall amount of South Korean investment was a mere US$49.3 million across 59 projects, most of which related to the trade and services sector.[65]

The steady expansion of trade and economic cooperation was not accompanied by a commensurate growth in direct investment in Russia. Only thirty Russian-South Korean joint ventures had been established by early 1995. Overall, South Korean investment in Russia was still very modest, at only US$50 million.[66]

A Shaky Partnership? (Dec. 1995 - Jul. 1996)

Unlike previous years, no significant political and military bilateral treaties were concluded between Russia and South Korea during this period. Only two minor bilateral treaties were signed. Firstly, in February 1996, Russia and South Korea concluded a protocol to promote further economic cooperation, strengthen business contacts, and boost mutual trust between the two business communities. Under the accord, the two sides would provide active channels for a wide range of fora in bilateral cooperation, information exchange, and materials pertaining to economic development policies.[67] Secondly, in March 1996,

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[65] V. Moiseev, "Russia and the Korean Peninsula," *International Affairs (Moscow)*, Vol. 42, No. 1, 1996. p. 108.

[66] Valery Denissov, "Russia in the APR: Problems of Security and Cooperation," *International Affairs (Moscow)*, No. 4-5, 1995.

[67] *The Korea Times*, February 27, 1996, p. 8.

Russia and South Korea signed a Memorandum of Understanding to crack down on illegal trafficking of narcotics and psychotropic substances between the two countries.[68] In June 1996, Russia and South Korea discussed a Mutual Legal Assistance Treaty involving such criminal matters as drug and arms trafficking.[69]

Above all, after the 1995 December parliamentary election, the Russian leadership tried vigorously to improve bilateral relations with North Korea.[70] The forthcoming Russian presidential election demanded the Russian leadership demonstrate good relations with previous allies such as North Korea to keep its major power status in Northeast Asia. In other words, to win the presidential election each Russian candidate had to emphasize good relations with countries that had previously recognized the Soviet Union's superpower status during the Soviet era.

Another significant limit on the political and military relations during this period was the US and South Korean-led "Four-Way Talks,"[71] which created a new channel for discussing peace with North Korea, but excluded Russia (and Japan).[72] This once again

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[68] *The Korea Times*, March 22, 1996, p. 9.

[69] "ROK, Russia Initial Mutual Legal Assistance Treaty," *Yonhap*, June 14, 1996 in FBIS-EAS 96-118, June 14, 1996.

[70] To a large extent, the 1995 December parliamentary election confirmed the continuing strength of the conservative-nationalists who have constantly rebuked the Yeltsin Administration for its emasculated foreign policy. Regarding the Korean Peninsula, pro-North Korean forces came to the fore after the December 1995 parliamentary election. Indeed, across a broad spectrum of society, a feeling emerged that improved relations with North Korea would enhance Russia's undermined position on the Peninsula. As Valentin Moiseev, the Deputy Director of the 1st Asian Department of the Russia's Ministry of Foreign Affairs, said that the trend of a constructive restoration of bilateral ties with the former Soviet Union's allies was more actively bolstered after the 1995 December parliamentary election, together with the appointment of Primakov as a Russian Foreign Minister in early 1996. Valentin Moiseev, "On the Korean Settlement," *International Affairs (Moscow)*, Vol. 43, No. 3, 1997.

[71] Kim Young Sam and Bill Clinton put forward a four-party (Two Koreas, China and the US) peace proposal on April 16, 1996.

demonstrated the limitations of Russian-South Korean cooperation, in both the political and military arenas, while the US and South Korea reinforced their military alliance based on the 1953 US-South Korean Treaty.[73]

Relations between Russia and South Korea entered an endurance test during this period. South Korea displayed dissatisfaction with Russia's policy of expanding and raising the level of political, economic, and cultural ties between Russia and North Korea. Furthermore, bilateral relations were seriously undermined by Russia's exclusion from the "Four-Way Talks."[74] During this period, Russian-South Korean relations proved to be a shaky partnership.

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[72] In mid-April 1996, North Korea sent armed troops into the Joint Security Area (JSA) of the Demilitarized Zone (DMZ) in violation of the Armistice Treaty that has maintained peace and stability on the Korean Peninsula for the past four decades. To maximize the effects of the provocation, the North violated the DMZ just days before the parliamentary elections in the South.

[73] During an interview with *The Seoul Shinmun*, South Korean Defense Minister Yi Yang-ho stated, "our military has established a firm defense posture by maintaining a perfect posture for an all-out war and by developing the ROK-U.S. combined defense posture." He continued that "following the end of the Cold War, international relations have become more complicated. The situation in neighboring countries is changeable, and conflicts have become diverse, amplifying uncertainty. Based on the ROK-U.S. alliance, we will diversify military diplomacy and increase cooperation with neighboring countries, including Japan, the PRC, and Russia in order to guarantee national interests," *The Seoul Shinmun*, February 12, 1996, p. 5.

[74] As regards the "Four-Way Talks," Yevgeniy Primakov stated that "relations between Moscow and Seoul are 'growing pains'." "Primakov Comments on Talks with South Korean Counterpart," *ITAR-TASS*, May 7, 1996 in FBIS-SOV 96-090, May 7, 1996. At the inauguration evening of the Korea-Russia Culture Council in March 1996, Russian Ambassador to Seoul, George Kunadze, also stated that "it is important for Koreans to know that Russia is one of the greatest countries in the world... Problems are temporary: Russia is forever." "MNU Minister, Russian Envoy Inaugurate Culture Council," *Yonhap*, March 25, 1996 in FBIS-EAS 96-058, March 25, 1996.

Conclusion

After the collapse of the Soviet Union, Russian foreign policy transformed during Yeltsin's first presidential term (Dec. 1991 - Jul. 1996). Russia, as a successor state to the former Soviet Union, undertook the same fundamental re-evaluation of its policies towards the Korean Peninsula in accordance with a newly emerging post-Soviet system and with rapid domestic changes as it did for relations with other countries during this transitional period.

Faced with entirely new domestic and international circumstances, Russia's relations with South Korea became one of its foreign policy priorities in the Asia-Pacific region. Following an initial period of realignment, however, Russia gradually pursued a more balanced Korean policy.

During this period (1991-96), Russia made an active effort towards South Korea on the Peninsula, concluding several important political and military treaties that would provide a new legal foundation for their post-Soviet relations. Nevertheless, Russia generally failed to accomplish its goals in relation to South Korea. This demonstrated an incapability to conduct an effective foreign policy on the Korean Peninsula, at least during Yeltsin's first presidential term. The top Russian leadership continued to hold contradictory and inconsistent views on the Russian-South Korean Basic Treaty. Given the uncertainties and unpredictability on the domestic scene in Russia, however, the lack of consensus may not be surprising. Moreover, as regards the Russian-South Korean military treaties, the post-Soviet international system had been favorable for neither side. Although the Cold War was over, Russian-Korean relations were still governed by the basic structure of the past. Despite this, Russia was no longer allied to North Korea and was now concluding the political and military treaties with South Korea, despite the ROK's Cold War-era

relationship with the US. In Northeast Asia, this was an unprecedented example of building a new relationship in the post-Soviet era, forgoing the previous ideological basis of the past 50 years.

In sum, Russia attempted to establish new bilateral relations with South Korea based on treaties during Yeltsin's first presidential term, but its policy was reactive for both internal and external reasons. Thus, this period (1991-96) became a test-bed: an estimation of how much further bilateral relations could develop after the conclusion of the Russian-South Korea Basic Treaty. The development of Russian-South Korean bilateral treaties were a central aspect of Russia's South Korean policy and its subsequent bilateral relations during Yeltsin's first presidential term.

International Journal of Korean Unification Studies

*Understanding the North Korean Human Rights Act of 2004**

Grace M. Kang

The North Korean Human Rights Act of 2004 introduces new considerations on how the United States should address the problems posed by North Korea. The Act calls for human rights to be a key element in negotiations on the current nuclear weapons crisis. It links non-humanitarian aid to substantial improvements in human rights. It calls for a Special Envoy on Human Rights in North Korea to coordinate and promote human rights efforts. The Act also authorizes $24,000,000 per year for the next four years to achieve its goals, which are to promote human rights in North Korea, promote a more durable humanitarian solution for North Korean refugees, increase monitoring and access to humanitarian assistance inside North Korea, promote information into and out of North Korea, and promote progress towards

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peaceful reunification under a democratic system of government. The Act emphasizes monitoring of humanitarian assistance inside North Korea to minimize the possibility that it could be diverted to political or military use. It also calls for pressuring China and the UNHCR to more vigorously protect North Korean refugees and recognizes the importance of nongovernmental organizations, UN bodies, and states in addressing the human rights issue. In addition, the Act contemplates a visionary, multilateral solution modeled after the Helsinki process that may allow for a fundamentally improved security situation in northeast Asia.

Introduction

The North Korean Human Rights Act of 2004 (the Act)[1] introduces substantial new considerations on how the United States (US) should address the problems posed by North Korea. Most notably, the Act raises human rights to a level of concern that makes it a key element for negotiations on the current nuclear weapons crisis. It also authorizes substantial funding for humanitarian assistance to North Korean refugees and other human rights-related causes. It links non-humanitarian aid to substantial improvements in human rights and recognizes the need for greater monitoring and access to humanitarian aid. US President George W. Bush signed the Act into law on October 18, 2004, after both the US House of Representatives and the Senate approved it unanimously.

This article first discusses the provisions of the North Korean Human Rights Act. Then it considers its implications beyond North Korean human rights. It concludes that the Act calls for a significantly altered approach in negotiating with North

[1] North Korean Human Rights Act of 2004, Public Law No. 108-333 (October 18, 2004).

Korea, offering a vision for a multilateral regional framework encompassing human and traditional security concerns that may provide greater hope for a fundamentally improved security situation.

The North Korean Human Rights Act of 2004

The Act includes major conceptual changes on how the United States should fashion its relationship with North Korea. Since the revelations in October 2002 of North Korea's pursuit of nuclear capabilities in violation of the Agreed Framework of 1994, the United States has been focused on resolving that issue exclusively, despite several other significant problems. It has steadfastly followed a multilateral approach by working with the Republic of Korea (ROK), China, Japan, and Russia in a series of negotiations aimed at solving the problem. Little progress has been made, however. The six-party talks have lost momentum, with the September 2004 talks canceled by North Korea. The North Koreans stalled to see if the outcome of the 2 November 2004, US Presidential election would perhaps favor them, but their failure to commit to another round has extended well beyond this date.

Significant Features

Without discussing the on-going nuclear crisis, the Act offers major conceptual changes on how to approach North Korea that would affect the issue. It specifically elevates human rights as a major consideration in how the US negotiates with North Korea. Section 101 of the Act states: "It is the sense of Congress that the human rights of North Koreans should remain a key element in future negotiations between the United States, North Korea, and other concerned parties in Northeast Asia." It creates the

position of Special Envoy on Human Rights in North Korea, who is to coordinate and promote human rights efforts and discuss human rights issues with North Korean officials.[2]

In addition, the Act expresses the sense of Congress that non-humanitarian assistance should be linked to substantial progress in human rights in North Korea. Section 202(b)(2) specifies areas for progress:

- basic human rights, including freedom of religion;
- family reunification between North Koreans and their descendants and relatives in the United States;
- information regarding Japanese and South Koreans abducted by North Korea and allowing them and their families to leave North Korea;
- reform of the North Korean prison and labor camp system and allowing independent monitoring of it; and
- decriminalization of political expression and activity.

The Act does not define "non-humanitarian assistance," but it has been interpreted to mean economic and other assistance that is not humanitarian. "Humanitarian assistance," as defined by Section 5 of the Act, is "assistance to meet humanitarian needs, including needs for food, medicine, medical supplies, clothing, and shelter." Although the Act does not mention the nuclear issue, it appears that "non-humanitarian assistance" refers to fuel or other materials that might be part of a negotiated solution to the nuclear problem. (The Act does not link humanitarian assistance to human rights improvements; rather it is to "be provided on a needs basis, and not used as a political reward or tool of coercion."[3] However, it does condition increases in assistance on transparency and opportunity for monitoring.[4])

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[2] *Ibid.*, Section 107.

[3] *Ibid.*, Section 202(b)(1)(B).

[4] *Ibid.*, Section 202(a)(2).

A third potentially major conceptual change is that the Act calls for consideration of human rights initiatives on a multilateral basis, such as that provided by the Organization for Security and Cooperation in Europe (OSCE). The OSCE developed as a result of the Helsinki process. The Act specifically invokes the OSCE as an example of a regional framework for discussing human rights, scientific and educational cooperation, and economic and trade issues. Section 106(b) states "the United States should explore the possibility of a regional human rights dialogue with North Korea that is modeled on the Helsinki process, engaging all countries in the region in a common commitment to respect human rights and fundamental freedoms."

These features fundamentally alter the current approach to North Korea. This is no surprise, given the fundamentally different basis for the Act. The human rights prism places the nuclear issue among many problems that require serious attention. These are reflected in the Act's purposes, stated in Section 4, which in sum are to:

- promote human rights in North Korea;
- promote a more durable humanitarian solution for North Korean refugees;
- increase monitoring and access to humanitarian assistance inside North Korea;
- promote information into and out of North Korea; and
- promote progress towards peaceful reunification under a democratic system of government.

Factual Basis

The Act grounds these purposes in stark findings by Congress as to the conditions suffered inside North Korea and by North Koreans who have fled the country. Section 3 states in effect that:

- North Koreans are subject to a "cult of personality" glorifying

Kim Jong Il "that approaches the level of a state religion;"

- personal religious activities are severely repressed "with penalties that reportedly include arrest, imprisonment, torture and sometimes execution;"
- the "Penal Code is draconian, stipulating capital punishment and confiscation of assets for a wide variety of 'crimes against the revolution;'"
- an estimated 200,000 political prisoners in camps suffer forced labor, beatings, torture, testing of chemical and biological weapons, and executions (including killing of newborn babies), and many die from disease, starvation, and exposure;
- more than 2,000,000 North Koreans have died of starvation since the early 1990s because of the failure of the government distribution systems;
- nearly one out of every ten children in North Korea suffers from acute malnutrition and four out of every ten children in North Korea are chronically malnourished;
- North Korean women and girls, particularly those who have fled into China, are at risk of being kidnapped, trafficked, and sexually exploited inside China, where many are sold as brides or concubines, or forced to work as prostitutes; and
- China and North Korea have been "conducting aggressive campaigns to locate North Koreans who are in China without permission and to forcibly return them to North Korea, where they routinely face torture and imprisonment, and sometimes execution;" and
- China has also imprisoned foreign aid workers attempting to assist North Korean refugees.

Section 3 also notes that since 1995, the United States has provided more than 2,000,000 tons of humanitarian food assistance to the people of North Korea, primarily through the World Food Program, which has been denied the access necessary to properly monitor the delivery of food aid.

These Congressional findings therefore create the factual foundation for the actions stipulated by the Act.

Implementation

The Act seeks to achieve its purposes by specifying actions, including monitoring and reporting requirements, and supporting them financially, under three titles that cover human rights, humanitarian assistance, and North Korean refugees respectively. Provisions of these titles include:

1) The Act authorizes US$2,000,000 for each fiscal year from 2005 to 2008 to support private, nonprofit organizations that promote human rights, democracy, the rule of law, and the development of a market economy in North Korea. Funds may also be used to support educational and cultural exchange programs.[5]

2) The Act also authorizes US$2,000,000 for each fiscal year from 2005 to 2008 to support freedom of information in North Korea by increasing sources of information not controlled by the North Korean government, such as radios capable of receiving broadcasting from outside North Korea.[6] The Secretary of State is required to submit a classified report on such actions to Congress not later than October 18, 2005 and in 2006, 2007, and 2008. The Act also calls for the Broadcasting Board of Governors to increase broadcasts to North Korea with a goal of providing 12-hour-per-day broadcasting, including broadcasts by Radio Free Asia and Voice of America. It must report to Congress not later than 120 days after the date of the enactment of this Act (which is February 15, 2005) on such broadcasting.[7]

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[5] *Ibid.*, Section 102(b)(1).

[6] *Ibid.*, Section 104(b)(1).

[7] *Ibid.*, Section 103.

3) The Act also recognizes the significant role the United Nations (UN) should play in improving human rights in North Korea and particularly lauds the UN Commission on Human Rights' appointment of a Special Rapporteur on the situation of human rights in North Korea. It also names other UN officials that should give particular attention to North Korea: two UN Working Groups (on Arbitrary Detention and on Enforced and Involuntary Disappearances) and five Special Rapporteurs (on extrajudicial executions; the right to food; freedom of opinion and expression; freedom of religion; and violence against women).[8]

4) The Act authorizes an additional US$20,000,000 for each fiscal year from 2005 to 2008 for humanitarian assistance to North Koreans outside of North Korea.[9] Such persons include refugees, defectors, migrants, and orphans, and women who are victims of trafficking or are in danger of being trafficked. In addition, the Act emphasizes monitoring of humanitarian assistance inside North Korea to minimize the possibility that it could be diverted to political or military use.[10] It stipulates that significant increases in assistance should be conditioned upon substantial improvements in transparency, monitoring, and access to vulnerable populations throughout the country.[11] It also encourages other countries to use monitored, transparent channels, rather than direct, bilateral transfers. The Act requires the US Agency for International Development (USAID) to report to Congress on humanitarian assistance and improvements in transparency, monitoring, and access not later than 180 days after the enactment of the Act (which is April 16, 2005) and in 2006 and 2007.[12]

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[8] *Ibid.*, Section 105.

[9] *Ibid.*, Section 203(c)(1).

[10] *Ibid.*, Section 202(a)(1).

[11] *Ibid.*, Section 202(a)(2).

5) In addition to providing humanitarian assistance to North Korean refugees, the Act pressures China and the UN High Commissioner for Refugees (UNHCR) to do more to support them. It takes the legal position that China is obligated to provide UNHCR unimpeded access to North Koreans inside its border to enable the UNHCR to determine whether they are refugees (as opposed to "economic migrants," as China routinely classifies them.[13] Furthermore, the UNHCR must be allowed to determine whether these refugees require assistance, pursuant to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees and Article III, paragraph 5 of the 1995 Agreement on the Upgrading of the UNHCR Mission in the People's Republic of China (PRC) to the UNHCR Branch Office in the PRC.[14]

   The Act calls on the UNHCR, the United States, and other UNHCR donor governments to persistently urge China to abide by these commitments. It also stipulates actions UNHCR should take to effectively protect refugees. It even states that if China continues to refuse to provide UNHCR with access to North Koreans within its borders, the UNHCR should initiate arbitration proceedings pursuant to Article XVI of the UNHCR Mission Agreement and appoint an arbitrator for the UNHCR. The Act considers that any failure to do this "would constitute a significant abdication by the UNHCR of one of its core responsibilities."[15] The implication is that US funding to UNHCR may be at risk should UNHCR fail in its responsibilities. The Act states that if China begins fulfilling its obligations to North Korean refugees, the US should

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[12] *Ibid.*, Section 201.
[13] *Ibid.*, Section 3(18).
[14] *Ibid.*, Section 304(a).
[15] *Ibid.*, Section 304(b).

increase humanitarian assistance in China to help defray the costs.[16]

6) The Act requires that the Secretary of State shall undertake to facilitate applications pursuant to the US Immigration and Nationality Act by North Koreans seeking protection as refugees.[17] The Act clarifies that North Koreans are not barred from refugee status or asylum in the US, including under the Immigration and Nationality Act, because of any right to ROK citizenship under the ROK Constitution.[18]

   The Act requires the Secretary of State to report to Congress on these and other refugee-related issues, such as the circumstances facing North Korean refugees and migrants in hiding, particularly in China, and of the circumstances they face if forcibly returned to North Korea, and whether refugees have unobstructed access to US refugee and asylum processing.[19] Additional reporting requirements include measures taken to assist individuals who have fled countries of particular concern for violations of religious freedom, identified pursuant to the International Religious Freedom Act of 1998.[20]

Thus the Act sets forth US$24,000,000 per year for the next four years to achieve its goals, with emphasis on the need for transparency in the use of these funds; requires extensive reporting to Congress to determine progress made; pressures China and the UNHCR to more vigorously protect North Korean refugees; recognizes the importance of nongovernmental organizations (NGOs), other UN bodies, and other states in

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[16] *Ibid.*, Section 304(a)(6).
[17] *Ibid.*, Section 303.
[18] *Ibid.*, Section 302.
[19] *Ibid.*, Section 301.
[20] *Ibid.*, Section 305.

addressing the human rights issue; highlights this importance and the significance of human rights by appointment of a Special Envoy and by elevating human rights to a "key element" in negotiating with North Korea; and contemplates a visionary, multilateral solution modeled after the Helsinki process.

Implications

The implications of this Act may be monumental. It is a paradigm shift away from the current single-issue approach focusing solely on North Korean nuclear activities. It is a rejection of the 1994 Agreed Framework approach by espousing that no fuel should be provided to North Korea without a substantial improvement in human rights. It also substantially rejects the ROK's Sunshine Policy and its variants. It seeks a visionary, multilateral security structure for the region that recognizes human security as well as military security.

Given its strong shift from the status quo, it is hardly surprising that it has not been well received by some parties. North Korea, of course, vehemently rejects it as part of a hostile US policy to "realize its wild ambition for regime change."[21] The ROK also disapproves, considering it counter-productive. ROK Prime Minister Lee Hae Chan has been quoted in response to the Act, "In no way do we want a collapse of North Korea."[22] In addition, China has been predictably cool, given the Act's pressure on it. Even the Bush Administration has been less than enthusiastic, as it tries to push for negotiations. Secretary of State Powell has been careful not to say that he would definitely make human rights part of his negotiations with Pyongyang.[23]

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[21] "North Korea Says Prospects Gloomy for Nuclear Talks," *Reuters*, October 21, 2004.

[22] James Brooke, "In Koreas, High Hopes for an Industrial Marriage," *New York Times*, October 20, 2004.

That the Act would necessarily lead to the toppling of the Kim Jong Il regime, however, is a presumption that the Act itself does not make. Considering human rights does not necessarily equal the collapse of North Korea. Others have supported greater human rights considerations with respect to North Korea, most notably the Europeans. Kim Jong Il has been reaching out to Europe and seeking greater ties, demonstrated for example when he ordered that Euros replace US dollars in foreign commerce. North Korea even allowed a British Foreign Office Minister responsible for human rights to visit the country in 2004. European interest is therefore significant, potentially bolstering the notion of a Helsinki-style framework for comprehensively resolving the problems posed by North Korea. European states were invaluable in multilateralizing US-Soviet relations during the Helsinki talks, and they may facilitate the same effect in overcoming the US-North Korean impasse.

The Helsinki talks, the informal name for the Conference on Security and Cooperation in Europe (CSCE), which is the predecessor to the Organization on Security and Cooperation in Europe (OSCE), took place from 1973 to 1975.[24] In the Final Act, the participating states agreed to continue the multilateral process with periodic meetings. The CSCE offered a comprehensive view at a time when most negotiations and security organizations took a piecemeal approach to security. It was able to make progress by linking different elements of security. It gave participating states a stable channel of communication and created norms of conduct in addition to long-term cooperation. This was significant particularly given the climate of the times. During the Cold War,

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[23] Steven R. Weisman, "Powell and Japan Ask North Korea to Resume Talks," *New York Times*, October 24, 2004.

[24] *The OSCE Handbook, at* http://www.osce.org/publications/handbook/files/handbook.pdf (last visited November 30, 2004). Follow-up meetings took place in Belgrade (October 4, 1977 - March 8, 1978), Madrid (November 11, 1980 - September 9, 1983) and Vienna (November 4, 1986 - January 19, 1989).

the CSCE multilateralized aspects of East-West relations by bringing neutral countries into the European security system on an equal basis with the members of NATO and the Warsaw Pact and thus changed the relations qualitatively. It broadened the scope of relations by introducing new fields of cooperation - most significantly, human rights.

The Helsinki Final Act encompassed three main sets of recommendations, known as "baskets." Basket 1 related to the politico-military aspects of security, including a "Decalogue" of principles for guiding relations among participating states. Basket 2 concerned cooperation in several fields, including economics, science and technology, and the environment. Basket 3 dealt with "cooperation in humanitarian and other fields," including human rights. The Decalogue consisted of:

1. Sovereign equality, respect for the rights inherent in sovereignty;
2. Refraining from the threat or use of force;
3. Inviolability of frontiers;
4. Territorial integrity of States;
5. Peaceful settlement of disputes;
6. Non-intervention in internal affairs;
7. Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief;
8. Equal rights and self-determination of peoples;
9. Cooperation among States; and
10. Fulfillment in good faith of obligations under international law.

Achieving a similar list of norms for East Asia would admittedly be a challenge. The long-standing internal human rights problems of China would once again raise a potential obstacle. But applying some of the Helsinki concepts to North Korea may well lead to a solution that is more durable than a piecemeal agreement addressing the nuclear issue in isolation. Bringing in additional issues allows more opportunities for linkage, a key

factor in the success gained during the Helsinki process. Indeed, the North Korean Human Rights Act may not broaden the scope far enough, given that North Korea may possess one of the world's largest chemical weapons arsenals as well as some biological weapons capability. It also does not address missile proliferation, nor does it consider North Korea's trade in criminal wares, such as illegal drugs. Indeed the Act does not exhaust all of the human rights remedies that may be pursued against Kim Jong Il, such as prosecuting him for crimes against humanity.

Nonetheless, the North Korean Human Rights Act holds the seeds of potentially monumental change for the Korean peninsula. In addition to its legal requirements, it is a political statement; a manifesto for no longer tolerating the Kim Jong Il regime's horrendous excesses. The firm political grounding of the Act is evident in its legislative history. The version of the Act that passed the Senate on September 28, 2004 added two provisions to the version that had passed the House of Representatives on July 21, 2004. The Senate version added the notion of a regional OSCE-style framework as well as a Special Envoy on Human Rights in North Korea. The Special Envoy was based on the "Danforth model" for Sudan. As Special Envoy for Peace in Sudan, former Senator John Danforth became the focus of US policy for Sudan and was therefore able to raise Sudan to a much higher priority than it otherwise would have had.[25]

The Act was able to pass both the House and Senate with unanimous, bipartisan support a mere five weeks before a highly divisive American presidential election. This remarkable action was due primarily to the mobilization of evangelical Christians. The Korean-American Church Coalition (KCC), for example, gave the North Korean human rights issue momentum. Some

[25] Stan Guthrie, *North Korean Human Rights Act a 'Miracle,' interview of Michael Horowitz*, at http://www.christianitytoday.com (October 4, 2004).

1500 Korean-American pastors met in Los Angeles to create a powerful force that Congress heeded. In addition, Senators Sam Brownback and Evan Bayh worked with evangelicals on the issue, as did Jewish groups.[26] The religion-related provisions of the Act thus have added meaning, considering the Act's very existence is due to evangelical support. The result of these efforts has been overwhelming support for the Act and the sense that if a politician failed to support it, a member of the evangelical coalition would appear in his home town to air a film on the gulags of North Korea. That heart-felt support and the unanimous passage of the Act in both houses of Congress bodes well for the effectiveness of the Act. Time will likely prove that principle trumps diplomatic expediency in making true progress on North Korea.

Conclusion

The North Korean Human Rights Act of 2004 elevates human rights to its rightful place in negotiations with North Korea as a serious issue that must be addressed in addition to the nuclear problem. It calls for a Special Envoy on Human Rights in North Korea and calls for consideration of a regional framework based on the Helsinki process model. It authorizes substantial funding for humanitarian assistance and promotion of human rights. Its vision for a multilateral solution that addresses North Korea's problems comprehensively has the potential to improve fundamentally the security situation of East Asia.

[26] *Ibid.*