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North Korea's Negotiation Behavior toward South Korea:

Continuities and Changes in the Post Inter-Korean Summit Era


By Huh, Moon-Young



KOREA INSTITUTE FOR
NATIONAL UNIFICATION

STUDIES SERIES

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The Analyses, comments and other opinions contained in this monograph are those of the authors and do not necessarily represent the views of the Korea Institute for National Unification.

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I . Introduction

Since the June 2000 Inter-Korean Summit up until the end of October 2005, a total of 159 rounds of inter-Korean government and semi government-level talks have been held. Despite various North Korean and global crises—including the 9/11 terrorist attacks on the United States, the Afghanistan War, the second North Korean nuclear crisis over the country’s alleged highly enriched uranium (HEU) program, and the Iraqi War—talks between South and North Korea have continued: 26 meetings in 2000, eight in 2001, 33 in 2002, 38 in 2003, 25 in 2004, and 28 by the end of October 2005. Inter-Korea discussions have become regular, both working-level and specialized, have avoided debate, and have remained focused on important issues.

This brings us to the question, “Has Pyongyang’s negotiation tactics toward Seoul changed?” While some experts affirm that the North’s negotiation behavior has indeed shifted in the wake of the post-Cold War era, others believe otherwise. Perhaps we

should ask, then, whether the North's behaviors have changed slightly, if not fundamentally, in the aspect of continuity and change.

This research examines whether the negotiation behavior of the Democratic People's Republic of Korea (North Korea or DPRK) toward the Republic of Korea (South Korea or ROK) exhibits characteristics of continuity or change—or both—through a comparison of the strategies used in the Kim Il Sung era to those used by the Kim Jong Il regime after the inter-Korean summit. To this end, I will present a theoretical discussion on negotiation, outlining the meaning of the North's negotiating behaviors and factors influencing them. Features of the negotiation behaviors in the Kim Il Sung era will be dealt with first, followed by a discussion of the negotiation styles used after June 15, 2000, and concluding with a comparison and analysis of both approaches.

II . Theoretical Discussion

1. Composition of Negotiation Behavior

Although the definition of negotiation varies widely,¹ negotiation can be understood as a “process to coordinate conflicts of interests among two or more concerned parties.”² Essentially, negotiation behavior consists of the negotiation objectives,

¹ Chas W. Freeman Jr., *The Diplomat's Dictionary* (Washington, D.C.: United States Institute of Peace Press, 2001), pp. 177-96; Graham Evans and Jeffrey Newnham, *The Penguin Dictionary of International Relations* (London: Penguin Books, 1998), pp. 355-58.

² James A. Wall Jr., *Negotiations: Theory and Practice* (Glenview: Scott, Foresman and Co., 1985); David Churchman, *Negotiation Tactics: Process, Tactics, Theory* (Boston: University Press of America, 1993); Kim Do Tae, “Comparison of Negotiating behavior between South and North Korea” (Seoul: KINU, 1994); Kim Do Tae and Cha Jae Hoon, “A Study of Characteristics of North Korean Negotiation Tactics,” (Seoul: KINU, 1995); Song Chong Whan, *Understanding of North Korea's Negotiation Behavior* (Seoul; Oruem Publishing House, 2002).

strategies, and tactics expressed by negotiators in the process of negotiation, which we shall look at a little more closely.

A. Objectives

The goals of each country in the international negotiating arena are categorized as follows:³ extension agreement; normalization agreement; redistribute agreement; innovation agreement; and side-benefits.

B. Strategy

Classification of negotiation strategies also varies depending on the scholar.⁴ Negotiating strategy can be used aggressively, that is, as “a series of decisions and courses of policies to maximize one’s interests in the process of interactions where great confusion is anticipated (by changing the other)”; or as a passive tool, that is as “a basic attitude to lead negotiation for negotiators to achieve the objectives (not to distract from negotiation strategy).”

Such negotiation strategy can be further classified as a basic or applied strategy depending on the attitude of negotiators.⁵ Within the “basic strategy” classification, several categories can be seen. One is the problem solving (collaboration strategy), which

³ Fred Charles Ikle, *How Nations Negotiate* (New York: Harper & Law Publisher, 1964, joint translation by Lee Young Il and Lee Hyung Rae, *op. cit.*, pp. 38-54; Graham Evans & Jeffrey Newnhan, *op. cit.*, p. 356.

⁴ Dean G. Pruitt, “Strategic Choice in Negotiation,” *American Behavioral Scientist*, vol. 27, no. 2 (November 1983), pp. 172-85.

⁵ Dean G. Pruitt. “Strategy in Negotiation,” in Victor A. Kremenjuk ed., *International Negotiation: Analysis, Approaches, Issues* (San Francisco: Jossey-Bass Inc. Publishers, 1991), pp. 78-89; Roy J. Lewicki and Joseph A. Litterer, *Nnegotiation* (Homewood, Illinois: Irwin, 1985), pp. 116-21.

is an aggressive strategy whereby the chances of reaching an agreement or the need for solving the negotiating agenda are of the highest priority. It is used among negotiators with strong cooperative-high conflict relations. In this case, the negotiation goes in the direction of satisfying mutual interests; in other words, it has the “non zero-sum” aspect in that it is designed to maximize mutual interests with its “win-win” approach.⁶

A second is the competitive strategy (contending strategy), which is intended to fulfill the negotiation objective to the maximum possible extent through the selling of one’s ideas to the other party. This is used by negotiators with high conflict-weak cooperative relations, where controlling attitudes make it difficult to come to an agreement. In other words, it has the “zero-sum” aspect in that it is a strategy based on the idea of “I win, you lose.”⁷

The third is known as the yielding strategy (accommodative strategy). It is employed in the case of strong cooperative-low conflicting relations. The larger the concessions made, the greater the success of the negotiation. One’s goals are adjusted to those of the other to arrive at an agreement employing a mindset of “You win, I lose.” This tactic is opted for when the cost of confrontation is substantial or disaster is imminent.

These first three are referred to as “coping strategies,” in that every effort is made to come to an agreement.⁸

⁶ Roy J. Lewicki, eds., *op. cit.*, p. 120.

⁷ *Ibid.*, p. 120.

⁸ Dean G. Pruitt, *op. cit.* (1983), p. 167.

The fourth, however, is not, but rather a strategy of inaction, which is commonly used in weak cooperative-low conflicting relations, and aims at suspending negotiation through avoidance or ignorance. This is adopted when the party in an unfavorable position wishes for a turning point or hopes to make concessions through psychological pressure, even if it involves wasting time.

In the classification of applied strategy, several categories can also be identified. The first is the “mixed strategy,” and is usually employed in complicated negotiations⁹ when both competitive and problem solving strategies are required at the same time, as the parties involved each hold a different position and are seeking a new alternative. The second is the well-known “tit for tat” strategy (TFT), which is commonly used to trigger changes in the behaviors of the other party to the benefit of the side using the strategy by pushing the other party to predict which strategy the former party will choose.¹⁰ The third is gradual reciprocation in tension reduction (GRIT), which is a strategy to reduce tension through reply. This strategy leads to a process enabling the other party to reciprocate by mutually making minimal concessions (just enough to guarantee the other party cannot take advantage) among hostile relations. The interactions result in a de-escalation of the level of conflict and ultimately resolution.¹¹

⁹ Heu Man Hoo et al., “North Korea’s Military Style Negotiating Strategy: Analysis of Its Technique and Future Courses of Direction” (Seoul: Korea Institute for Defense Analysis, 1993), p. 29.

¹⁰ Robert Axelrod, *The Evolution of Cooperation* (New York: Basic Books, 1984).

¹¹ Charles Osgood, *An Alternative to War or Surrender* (Urbana, Ill.: University of Illinois Press, 1962); S. Lindskold, “Trust Development, the GRIT Proposal and Effect of Conciliatory Acts on Conflict and Cooperation,” *Psychological Bulletin*, vol. 85 (1978), pp. 772-93.

C. Tactics

If negotiating strategy refers to the detailed skills or techniques used to achieve the objectives of negotiation (pointing to a basic policy under the negotiating goals), then negotiating tactics refers to the concrete techniques or methods used to fulfill the purpose of the strategy. Accordingly, while strategy remains basically the same throughout the negotiation process, the tactics do normally change according to the circumstances or conditions of the negotiation.

James A. Wall divides negotiating tactics into rational tactics and irrational tactics by applying the concept of rationality.¹² The former is designed to ensure proper tactics are used according to the conditions or circumstances of the negotiation to prevent deviation from the negotiating. The latter, in contrast, ignores the responses of the other players and/or negotiating conditions by sticking to a unilateral argument or position so that negotiators ultimately abandon their interests to the maximum possible extent.

More specifically, rational tactics consist of bargaining approaches used to unilaterally change the other party's attitude and debate tactics in order to reach a mutual agreement. Bargaining tactics are composed of aggressive tactics, nonaggressive tactics, and posturing tactics. While aggressive tactics employ threat or actual coercive force as tools, non-aggressive tactics are based on conciliation and reward. Posturing tactics, however, are made up of tough, soft, and neutral tactics. Aggressive tactics are mainly employed by a competitive strategy,

¹² James A. Wall Jr., *op. cit.*, pp. 65-67.

whereas non-aggressive ones serve a yielding strategy. Debate tactics consist of debate in terms of negotiating structure, problem solving, and competition.

Once negotiations are underway, however, any number of negotiation tactics can be used.¹³

2. Factors that Determine Negotiating Behavior

There have been various views presented on the factors that shape North Korea's negotiating behaviors. For example, Chun In Young cites objective, circumstances, and negotiating power as factors that influence the North's negotiating behavior toward the United States.¹⁴ Hong Yang Ho suggests that the negotiating perspective, objective and structure, as well as the political system and mutual relations of negotiators, and cultural background, all influence the North's negotiating strategy. Scott Snyder cites the tradition of guerilla fighters, the socialist revolution model, Japan's colonial rule, Confucian moral ideals, "Juche" (self-reliance ideology), and the idolization of Kim Il Sung as factors that shape the North's negotiating pattern.¹⁵ Song Jong

¹³ David Churchman presents as many as 51 tactics used by negotiating representatives once a negotiation has been launched. These include: acceptance time (the time needed to accept ideas); agenda; ambiguity; bad guy/good guy (a team of negotiating representatives who share good guy/bad guy roles); bluffing; boulderism; deadline; precondition; salami slicing; sibylline books; silence; threats; and ultimatums. See David Churchman, *op. cit.*

¹⁴ Chun In Young, "Characteristics of North Korea's Negotiating Behavior Toward the United States," (in Korean) (Seoul: SNU, 1995), p. 8.

¹⁵ Scott Snyder, *Negotiating on the Edge* (Washington D.C.: USIP, 1999), translated by An Jin hwan and Lee Jae Bong (Seoul: Youngsoul, 2003),

Hwan presents his belief that North Korea's negotiating perspective is based on revolutionary ideology, political culture in North Korea, the North's ability to adapt to changing environment, and pursuance of practicalism.¹⁶

Taken together, it seems that the North's behavior is affected by how Pyongyang's view toward the negotiation is shaped by its leaders, circumstances inside and outside of the North in relation to the other party, and the level of negotiating capacity of its negotiators.

A. Negotiating Perspective

Negotiating perspective refers to basic views on the values and perceptions of negotiation, and can largely be divided into two areas. One is the positive "perspective of general negotiation," which uses negotiation as a tool to coordinate conflicting interests through compromise and concessions on the path to conciliation and peace. Accordingly, this idea is similar to merchant theory based on interest politics in which diplomacy benefits peaceful commerce, and is close to that of modern western countries.

The other is the more negative "perspective of specific negotiation." This approach sees negotiation as a tactical tool for seeking unilateral victory. Therefore, the idea is similar to "warrior theory" in that diplomacy is regarded as a tool to win the war. Communist countries use such a negotiating perspective in that they regard negotiation as "a tool for fighting to achieve political

pp. 50-57.

¹⁶ Song Jong Hwan, *op. cit.*, pp. 63-129.

goals,” or ultimately as a means to fulfill the goals of the communist revolution.¹⁷

B. Negotiation Situation

The negotiation situation refers to the circumstances of the negotiators and other parties at home and abroad. In the case of North Korea, it applies the “strengthened three revolutionary forces” which was put in place to push ahead with “revolutionizing South Korea and national unification.”¹⁸ In other words, the current status of the three revolutionary forces, including the international landscape surrounding North and South Korea, and internal circumstances of the North, need to be reviewed.

C. Negotiating Power

Negotiating power in this study means the capacity of both representatives to negotiate, and the leadership of the North to offer guidelines behind the table. Negotiations with North Korea are run by a meeting team and working level team. The meeting team ensures that the general “atmosphere” of the meeting is well prepared by analyzing the outcome of previous talks and dividing hawkish and dovish presenters, as well as major and secondary proposals. The team eats fine meals and pays atten-

¹⁷ Richard. H. Solomon, *Chinese Negotiating Behavior: Pursuing Interests Through ‘Old Friends’* (Washington D.C.: United States Institute of Peace Press, 1999); Jerrold L. Schecter, *Russian Negotiating Behavior: Continuity and Transition* (Washington D.C.: United States Institute of Peace Press, 1998); also see Harold Nicolson, translated by Shin Bok Ryong, *Diplomacy* (Seoul: Pyungminsa, 1992), pp. 56-59.

¹⁸ *Complete Collection of Kim Il Sung*, Vol. 4 (Pyongyang: Chosun Rohdongdang Publishing House, 1968), pp. 77-96.

tion to its attire, and prepares to make humorous remarks prior to the negotiation. The working level group observes and directs the meeting team behind the scenes and directly reports to and receives instruction from the upper levels of the leadership. After the negotiation ends, large-scale talks begin under the direction and evaluation of the higher-level authorities. Based on the result, the working level groups do not dissolve while preparing for the next round of talks.¹⁹

3. Characteristics of Negotiating Behaviors

The characteristics of negotiating behavior can be described as follows. First, the behavior can be divided into genuine and fake negotiation according to the objectives and agendas of the negotiation. In genuine negotiation, agendas—the subjects of the negotiation—are discussed in line with negotiation objectives, and problems are solved or conflicts eased. On the other hand, fake negotiation intends to achieve hidden objectives by pushing for negotiation. In this case, objectives and agendas of negotiations do not coincide with each other.²⁰

Behavior can also be divided into balanced and unbalanced negotiation according to the status of the negotiators (the dynamics of both parties). Balanced negotiation is applied to cases where both parties have veto rights in reaching an agreement; whereas in unbalanced negotiation, one party dominates veto power. Therefore, unbalanced negotiation proceeds between strong and weak countries.

¹⁹ Interview of settler Jang, June 8, 2005.

²⁰ Fred Charles. Ikle, *op. cit.*, pp. 55-70.

Behavior can then also be divided into important and general negotiation according to the importance of the negotiation. Important negotiations are cases where the outcome of the negotiation could influence the security of the regime, whereas cases where security is not threatened belong to general negotiation. In important negotiation, agreements are unlikely to be reached due to the seriousness of the issues presented. In addition, even with the same issue, attitudes and negotiating power may differ between the party that has either “survival” or “vital interest,” and the other party who has either “major” or “peripheral” interest.²¹

A further division can be made into distribute negotiation with a zero-sum aspect, and integrative negotiation with a positive-sum aspect. This classification is based on how much the negotiators benefit from the negotiation outcome.²² As well, behavior can be categorized into positional and principled negotiation, depending on how much the negotiators are obsessed with their unilateral positions.²³

Taken as a whole, North Korea’s negotiating behaviors toward South Korea consist of objectives, strategy (basic/applied/crisis management strategy) and negotiating tactics. Those behaviors are influenced by the negotiating perspective of the North, circumstances inside and outside of North Korea, and situations linked to South Korea, and the North’s capacity to negotiate. Further, the negotiating style of the North is divided into general/fake, balanced/unbalanced, general/important, distribute/integra-

²¹ Gu Young Rok, *Korea’s National Interest: Reality and Ideal of Diplomatic Politics* (in Korean) (Seoul: Bobmunsa, 1995), pp. 19-36.

²² Dal Gon Lee, *Negotiation Theory* (Seoul: Bobmunsa, 1995), pp. 135-36.

²³ Roger Fisher and William Ury, translated by Park Young Hwan, *op. cit.*, pp. 33-47.

tive, and principled/positional negotiation approaches, depending on how much the North is willing to solve problems, the status and attitudes of negotiators, the importance of the negotiation, and how far-reaching the benefits of the negotiation are. Based on this, negotiating strategy and tactics are chosen. This study defines “fundamental change” as cases in which the negotiating pattern toward the South shifted on every level involving objectives, strategies, and tactics of negotiation; “partial change” as cases in which changes are made in the strategies and tactics of negotiation; and “superficial change” as cases in which only tactics changed.

III . Negotiation Behaviors toward South Korea before the June 2000 Summit: Tools to Create an Atmosphere to Revolutionize South Korea

*Issues involving the unification of South and North Korea can't be resolved by negotiating with the South. Violent revolution is the only answer.*²⁴

- President Kim Il Sung's welcoming address to Syrian president

1. Perspective of Specific Negotiation

In the course of the inter-Korea dialogue in the 1970s, North Korea applied the perspective of specific negotiation similar to the traditional negotiation style of communist countries.²⁵ The North, in its *Political Terminology Dictionary*, defines negotiation in relation to the unification of the two Koreas as “debates where representatives from both sides come to the table to real-

²⁴ *Rodong Sinmun* (Pyongyang), October 1, 1975.

²⁵ North Korea formed the regime solely aided by old Soviet Union and maintained the regime with the military support from China. That's why it embraced their negotiating perspective and behaviors.

ize unification.”²⁶ The definition is telling in that it shows both that the North recognizes negotiation as a means to accomplish the higher goal of unification, and that Kim Il Sung utilizes the perspective of “specific negotiation,” seeing negotiation as another tool for revolutionary struggle. Accordingly, North Korea, at the time, was thought to hold a different view on negotiation than that of western countries’ understanding of “general negotiation” in that the North set as a national goal the unification of the Korean peninsula through communizing it and maintaining a socialist regime, and used negotiation toward the South as a tactical tool to revolutionize South Korea.

This began to change in the 1980s. North Korea defines negotiation in its *Contemporary Korean Language Dictionary* as “diplomatic means or meetings used to peacefully resolve disputes among nations,” or “discussions (of mutual interests or questions raised).”²⁷ Thus, Kim Il Sung insisted on “relying on negotiation” when conflicts between the United States and North Korea intensified in the wake of its nuclear crisis in 1993.²⁸ Even so, Kim Jung Il maintained his dual standard toward negotiation.²⁹

²⁶ Social Science Institute, *Political Terminology Dictionary* (Pyongyang: Social Science Institute Publishing House, 1971), p. 117.

²⁷ Science Encyclopedia Publishing House, *Contemporary Korean Language Dictionary*, 12th ed. (Pyongyang: Integrated Printing Plant, 1981), p. 775; p. 2342; Social Science Institute Publishing House, *Chosun Word Dictionary*, (Pyongyang: Integrated Printing Plant, 1992), p. 961.

²⁸ *Kim Il Sung Works*, Vol. 44 (Pyongyang : Chosun Rodongdang Publishing House, 1996), pp. 171, 384.

²⁹ *Kim Jung Il Selected Works*, Vol. 9 (Pyongyang : Chosun Rodongdang Publishing House, 1997), p. 28.

2. Negotiation Situation: Adapting to the Changing International Landscape Following the Cold War

The fact that Pyongyang participated in inter-Korea talks, including meetings with the Red Cross and South-North Coordination Committee in the early 1970s, is evidence of the North responding to changes both internationally and in its relationship with South Korea on the path toward pursuing its national objectives. The North was faced with the U.S.-Soviet detente, improved relations between the United States and China and Japan and China, the South's pursuit of peaceful unification policy and economic growth, and the North's economic difficulties owing to poor performance of the "7-year Plan to Revitalize the Economy," all of which served to weaken its overall three revolutionary capacities, with the exception of the country's political and military forces. This weakened ability led Pyongyang into talks with Seoul.

The North, however, suspended the meetings as its revolutionizing ability in the international arena and in relation to the South was strengthened again as a result of growing anti-American sentiment and signs of the collapse of Vietnam, and the partial withdrawal of U.S. forces stationed in Korea. As such, the North once again employed a dual approach in its negotiation strategy. First, it made a fake proposal for peaceful unification as a propaganda campaign to convene the Grand Korean Council, but then launched military provocations, including efforts to build a so-called *gihadang*, a North Korean anti-South Korea covert operation, which had remained underground. It also attempted to assassinate former president Park Chung Hee, devised an ax-wielding incident at the border village of Panmunjom, made efforts to sink marine police boat No. 863 (June 1974), spear-

headed other terrorist activities, and built underground caves (1974).

In the 1980s, the North saw its revolutionary capacity strengthened in the international arena and North Korea but weakened in South Korea with the rise of a new U.S. and Soviet Cold War, China's pursuit of independent diplomacy, the South's dramatic economic development, and the official succession of Kim Jong Il. At the same time, the North pursued a "strategy to revolutionize South Korea" and terror and military provocations to strengthen its own regime and unify the Korean peninsula.

And in the North's resumption of talks with the South from 1984-1985, it appears the North recognized the need to establish stable inter-Korea relations as a way to induce foreign capital from other countries and promote economic development, including introduction of the Joint Venture Law. However, following the North's terrorist attacks in Rangoon, Burma, its ability to revolutionize on an international scale weakened.

In the meantime, the North saw the survival of its regime threatened amid economic and security problems in the latter part of the 1980s largely due to the drying-up of its foreign exchange reserve following the Pyongyang Festival of 1989 (a response to the Seoul Olympic Games in 1988), the normalization of diplomatic ties between South Korea and the Soviet Union in 1990, the collapse of the Soviet Union in 1991, the normalization of diplomatic ties between South Korea and China in 1992, the unification of West and East Germany by absorption (of the East) in 1990, and the tremendous firepower of the United States during the Gulf War in 1991. Under the circumstances, the North came to the high-level inter-Korean talks (September 1990-September

1992) and signed The South-North Korea Agreement on Reconciliation, Non-aggression, and Exchanges and Cooperation (the Basic Agreement) and the Joint Declaration on the Denuclearization of the Korean Peninsula, believing that this could deter ROK-led unification by absorption and any U.S. attacks on the DPRK.

3. Negotiation Power: Intervention from Top Leader and Leadership from the Unification Front Department

The inter-Korea dialogue during the Kim Il Sung era was thought to be solely led by the Unification Front Department (UFD). The secretary in charge of anti-Republic of Korea (ROK) operations, directed by top leaders in its policy, and the Unification Front Department, responsible for relations with the South within the (North) Korean Worker's Party, set the guidelines for inter-Korea talks. The National Peaceful Unification Committee (NPUC), leading a unit of the UFD, delivered messages to representatives of the North in a top-down manner, without any confusion.

Representatives and attendants who took part in the meeting with the South exhibited a couple of specific behaviors. Negotiation representatives of the North under the UFD used their titles under the NPUC, and those who were loyal to the Party, skilled at political struggle, trusted by Kim Il Sung and Kim Jong Il, and effective at negotiation were selected as negotiators. The North delegation was closely monitored by closed-circuit television during the talks, and negotiators received detailed instruction, spoke from memos (to prevent the airing of any personal opinions), and were heavily controlled by their accompanying

agents (usually their nominal No. 2).³⁰

The North would suddenly come to the agreement under intervention from the top leader if it appeared unlikely that the South would make concessions and to ensure that the agreement would be in line with the North's national goals. For example, there was active intervention and interest from President Kim Il Sung when Lee Hu Rak, South Korea's intelligence chief, visited the North in May 1972 to temporarily sign the foundation of the July 4th South-North Joint Communiqué. In addition, the North delegation disclosed that under the direction of President Kim Il Sung, they were obligated to aggressively push for adopting an "Agreement to form and operate a South-North Coordination Committee" at the second joint chairman meeting of South-North Coordination Committee in Pyongyang in November 1972.³¹

³⁰ Relations between Pak Sung Chul, the 2nd Vice-premier and You Jang Sik, head of Organization and Guidance Department during inter Korea talks in 1972, relations between Yon Hyong Muk Premier and Lim Dong Ok, an attendant (head of Unification Front Department) during high-level inter-Korean talks in 1991, Jun Kum Chul, lead representative, and Kwon Min, attendant during rice talks in 1998. Song Jong-Hwan, *op. cit.*, pp. 142-49, in an interview with the South's representative during rice talks in 1998.

³¹ Testimony of Lee Dong Bok, quoted from Song Jong Hwan, *op. cit.*, pp. 225-26.

IV. Negotiating Behavior: Warrior Negotiation

1. Negotiation Objectives

North Korea presented its national goals in the Cold War era in two parts.³² The first was to maintain its socialist regime as an immediate, minimal objective; the second was to unify the Korean peninsula and ultimately the rest of the world through communization.

In this period, in particular, its negotiating objectives toward the South were two-fold: create conditions so that the South could be communized as an ultimate goal, and escape from a disadvantageous situation in its regime competition with the South in order to keep its minimal objective. The former can be referred to as offensive negotiation, the latter as defensive negotiation.

³² “Rules of Workers Party (revised October 13, 1980),” in *Summary of North Korea 2004* (Seoul: ROK Ministry of Unification, 2004), pp. 504-5.

Examples of offensive talks include the Red Cross talks, the meeting of the South-North Coordination Committee and the Table Tennis World Championship held in Pyongyang in the 1970s, economic talks, and a preparatory contact to hold parliamentary talks in the early 1980s. The defensive meetings are as follows: talks to send a unified team to the 1984 Olympic Games in Los Angeles and the meeting of the Seoul Olympic Games in 1988; and the South-North high-level talks that took place in the late 1980s.

The North was thought to use inter-Korea talks to fulfill its offensive strategy of communizing the Korean peninsula by the mid 1980s, and to realize its defensive strategy of maintaining its regime from the late 1980s to the death of Kim Il Sung in 1994. During the Kim Il Sung era, the North emphasized communizing the entire Korean peninsula by force, taking a flexible position on setting negotiating objectives toward the South according to circumstances facing the Korean peninsula.

Accordingly, negotiations demanded by the North seemed, on the surface, to have the goal of establishing a “normalization agreement,” while underneath pursuing the goal of “redistribute agreement” through which it would induce the pull out U.S. forces from Korea and then communize the entire peninsula.

2. Negotiating Strategy

During the Cold War, the North used the concepts of “liberate the South by force,” “revolution of the South,” and the inter-Korea talks, separately or in combination and according to circumstances at home and abroad (depending on the condition of

each revolutionary force), as a part of its policy to “unify the Korean peninsula” (i.e., communize the peninsula).³³ The North was believed to have launched a dual strategy: a gesture of peace on a propaganda and nominal front to propose inter-Korea talks and “Federation” as a formula for unification; and a military provocation and Unification Front Strategy (underground anti-South activities) on a practical front to overthrow the South.

Consequently, the North, at the time, often executed competitive strategies in negotiation with the South. The North tended to make excessive demands at the beginning of all negotiations, insisting that their demands be met, and changed or added agendas. It made excessive demands from the agenda-setting stage during the armistice treaty of the Korean War. During North Korea’s nuclear talks in 1990, it called on the South to accept and support the “Koryo Federation,” a distant issue from the agenda of the meeting. This tactic can be regarded as a competitive strategy to elicit concessions from the other party.

Such a competitive strategy was regarded as “warrior style” in the process of negotiations. The North tends not to compromise or yield when it launches military operation style negotiations. Therefore its delegation, soft at the beginning of the negotiation process, turned into “fighters” when the negotiation entered full swing. That is, the North insisted on unilateral gains and concessions, rather than pursuing mutual gains or reciprocal benefits. Moreover, when their demands were unlikely to be met, the negotiators became obstinate and their behavior harsh toward the other party.

³³ Huh Moon Young, “North Korea’s Unification Policy,” in *North Korea’s Foreign Policy* (Seoul: Seoul Press, 1996).

Thus, the North stuck to a competitive strategy throughout the whole negotiation to fulfill its political objectives. If the demands were not met, the North executed an inaction strategy to unilaterally cancel talks.

In addition, in various crisis conditions, the North's negotiating strategy changes accordingly. Looking back on the process of the North's nuclear negotiation, the North initiated both tit-for-tat and defensive and offensive strategies under a "dialogue for dialogue" and "war for war" posture. This indicates that the North seeks to employ two negotiating strategies at the same time to enhance its negotiating power. One strategy is used to arrange negotiating conditions so that they are favorable to the North (for example, the North attempted to dominate the agenda-setting stage with such issues as the North's account of the possibility of putting a freeze on its nuclear programs), while the other strategy is used to opt for an efficient negotiating technique under the given circumstances (with brinkmanship stressing dialogue and the chances of waging war at the same time as an example of this strategy in action).

3. Negotiating Tactics

In consideration of previous research,³⁴ the negotiating tactics used during the Kim Il Sung regime were largely "taking the ini-

³⁴ Chuck Downs, *Over the Line: North Korea's Negotiating Strategy* (Washington, D.C.: AEI Press, 1999), translated by Song Seung Jong as, *North Korea's Negotiating Strategy* (Seoul: Hanul Academy, 1999), p. 404.; Lee Dong Bok, *op. cit.*, p. 209.; Scott Snyder, *Negotiating on the Edge: North Korean Negotiating Behavior* (Washington D.C.: United States Institute of Peace Press, 1999), pp. 76-79.

tiative” and “adjusting the speed.”

As for tactics to take the lead or initiative, the North implemented several techniques. One was making a proposal in advance and clinging to favorable agenda. In this case, the North would show a proactive attitude to lead negotiations by creating a festive mood at the initial stage of each preparatory contact, meeting and plenary meeting, making friendly gestures and rhetorical speeches on the first day, venue, agenda and other contents of the negotiations. The North at least did not withdraw or change agendas or the listing order of agendas that it proposed first, since the agenda and its order indicates the North’s objectives or intentions of negotiation.

A second tactic was to reach an agreement at closed-door and informal talks, and making public the agreement at open meetings. In this way, the North got the South to coordinate and agree to the North’s intention by opening secret contacts or informal talks in the course of launching the South-North Political Talks in the 1970s and South-North high-level talks in the 1990s. Pyongyang later obligated Seoul to publicize the agreement at open meetings.

A third was to propose preconditions. Here, the North would attempt to take the lead in talks by presenting prerequisites when it wanted to pressure its stance on the other party. For instance, the South’s spokesman for the Ministry of Unification urged the North to hold talks on the agreed date as the fourth round of inter-Korea high-level talks were delayed following the Gulf War in 1991. In response, the North issued a statement by announcing preconditions under the name of the vice chairman of the NPUC, which included a declaration of non-aggression, annul-

ment of south Korea's National Security Law, and an agreement to form the South headquarters of the Pan-Korean Alliance for Reunification.

A fourth technique was to leave and delay meetings. When the demands of the North were not met or remarks made contrary to its basic position during negotiations, the North has been known to "pass the buck," worsening the situation for the other player; or instead walk out of or unilaterally put off or refuse to talk. When Kang Young Hoon, head representative of the South, demanded the abandonment of the North's anti-South strategy at the second round of inter-Korea high-level talks held in Pyongyang in October 1990, Yon Hyung-muk, head of the North team, left the meeting, screaming and pointing his finger at the South Korean delegate for breaking down the talks. The North later unilaterally decided to resume the suspended talks.

A fifth technique that was readily observable has been the North's personal attacks on members of the opposing delegation, and as well showing contempt toward representatives it dislikes.

In regards to tactics to adjust the speed of negotiations, the North has used the following. The first has been to induce agreements in principle—a very favorable way to condemn the other for lack of will to negotiate if the other refuses to agree—and make concrete demands to the extent that the other party cannot accept. For example, during the Cold War era, the North reached an agreement containing general principle with the South in the process of the inter-Korea dialogue (1st phase). The DPRK then interpreted these principles advantageously for itself, and later demanded the ROK accept them in the subsequent negotiating process (2nd phase); the North then threatened that if the

demand was not met (3rd phase), it would suspend the meeting and condemn the South for breaking down talks.

Concession and compromise has also been boldly used as a conciliatory tactic to come to an agreement after the intentions of the other party are probed in the process of negotiation. The South-North Joint Communiqué of July 4, 1972 and the Basic Agreement are based on such a tactic. In particular, the Basic Agreement was concluded and embraced by the North, who had insisted on agreeing to a military “non-aggression declaration” in response to “cooperation, exchange and confidence-building” measures from the South, which centered on politics and economy.

A third has been going for a package deal and simultaneous steps. Although these help to reach an agreement, they are most commonly used to avoid carrying out the accord when two parties reach the stage of discussing how to implement the agreement.

A fourth tactic employed by North Korea is the delaying tactic, which helps control negotiating speed and is used to determine the other party’s chances of yielding or its final proposal in the middle of discussing real issues, thus frustrating the other player. The North makes unilateral demands or proposals demanding the South accept them when the two sides discuss ways to implement agreements. If the South rejects them, the North often takes a passive stance in opening the next round of talks. Consequently, intervals between meetings are long. For example, preparatory talks for the South-North Red Cross, and a preparatory meeting of the South-North high-level talks were held twenty-five times over one year and seven times in one and a half years in the early 1970s and late 1980s, respectively.

Compared to the general negotiating styles mentioned above, under the Kim Il Sung regime, the North appeared to take advantage of not only irrational tactics, but also aggressive bargaining tactics and competitive debate tactics according to the situation in order to attain its hidden goals. For instance, the North repeatedly argued for its own interpretation of the three principles of the Joint Communiqué, and stressed handling military issues first in order to improve inter-Korea relations by employing competitive debate tactics. When its idea did not sell, it executed irrational tactics by degrading the status of the South's negotiators.

4. Nature of Negotiation

Negotiations with the South under Kim Il Sung's leadership largely took the nature of fake negotiation aimed at achieving hidden goals or side benefits. For example, the purpose of negotiation was often to cover up its intention to create a condition for revolutionizing or invading the South (by holding meetings with the Red Cross and South-North Coordination Committee, and simultaneously building underground caves); to open political negotiation on a unification front tactic level (through preparatory contact for parliamentary talks and others); to acquire information of the other parties (by holding meetings with the Red Cross, economic and parliamentary talks in the 1980s, and others); and to overcome the disadvantageous position in its competition against the South (by holding sports talks and others) .

Regarding the status of its negotiators, the North pursued unbalanced rather than balanced negotiation, putting itself in the more

favorable position. As well, the North made it difficult to reach an agreement by not recognizing the South as its legitimate negotiating partner and abrogated or refused to implement agreements that had been concluded if the agreements were disadvantageous to the North. Pyongyang tended to seek its gains to the maximum extent by triggering unequal relations among negotiators.

As for the importance of negotiation, the North pursued “important negotiation,” emphasizing political importance in order to manage fake and unbalanced negotiations. In order to turn the process of negotiation in its favor, North Korea seemed to prefer “important negotiation” that centered on politics and that would not easily lead to agreement over “general negotiation.”

V . Negotiation Behavior toward South Korea after the June 2000 Summit: Defensive Genuine Negotiation

Eat birds and their eggs, and make a fire with their nest.

- North Korean proverb

Inter-Korea relations have improved in several areas over the five years since the Inter-Korean Summit of June 15, 2000. On the political front, a total of 159 bilateral talks have been held (an average 30 a year) from that time up to and including October 2005. During that span, South and North Korea opened meetings in various areas including the economy, the military, and sports, and as well held Red Cross meetings and 16 rounds of ministerial level talks. In the economic field, trade volume with the North has grown from about US \$400 million in 2001, to US \$640 million in 2002, US \$720 million in 2003, US \$690 million in 2004, and US \$880 million in 2005 (up to October), making South Korea the North's second largest trading partner after China.³⁵ People exchanges between the two Koreas have

been steadily rising from 7,280 in 2000, to 8,742 in 2001, 13,877 in 2002, 16,303 in 2003, 26,534 in 2004 and 71,967 in 2005 (to October). The cumulative figure since 1989 stands at 157,367 (South→North: 152,374, North→South: 4,993). A total of 12 rounds of family reunions—one of the long-cherished dreams of many Koreans—have been held since the inter-Korea talks in November 2005, with a total of 12,003 divided families reuniting with their lost family members over a three-day visiting period. Most of all, the re-linking of railroads and roads between the two Koreas serves as a chance to not only reconnect Koreans, but also form an inter-Korea economic community and relax military tensions after sixty years of separation.

In this environment, the North seems to use the inter-Korea talks to relieve its economic difficulties and enhance its legitimacy by taking a full advantage of the first (independency) and fourth (balanced economic development between the two Koreas, and active exchange and cooperation) clause of the South-North Joint Declaration announced on June 15, 2000. When the George W. Bush administration came to power in the United States (beginning in January 2001), it took a harsh stance toward the North in its declaration on the war on terror following the 9/11 terrorist attacks on the continental U.S., citing the DPRK as a part of the “axis of evil” that should be destroyed. Likewise, the North responded by utilizing meetings with the South to relieve its security concerns.

Moreover, since Roh Moo Hyun—a relatively more progressive candidate compared to Lee Hoi-Chang—was elected as President

³⁵ *Current Status of Peace and Prosperity Policy* (Seoul: ROK Ministry of Unification, November 15, 2005).

of the ROK in the December 2002 election, the North has taken proactive steps toward the inter-Korea talks and has pushed for a unification front operation, an issue that once took a back seat. In short, it has initiated a strategy to eat “eggs” (economic gains), “birds” (easing of security concerns) and “make a fire with the nest” (carrying out a unification front operation to unify the Korean peninsula).³⁶ In other words, the North is seeking to achieve economic gain by cooperating with the South; resolve its security concerns by taking a collective stance against the United States; and unify the Korean peninsula in collaboration with the South.

³⁶ Huh Moon Young, “Six Party Talks and Prospect for Inter Korea Relations,” paper to 2005 autumn meeting, INAS, Sunkyunkwan University, Seoul, Korea, November 24, 2005, pp. 63-71.

VI. Characteristics of Each Area

1. Ministry Level Talks

The North's goal in ministerial meetings is twofold. The first is to win economic aid and gains from the South (regular support of 400,000 tons of rice and 300,000 tons of fertilizers); and the second is to secure protection from U.S. unilateral attacks by maintaining a minimum level of talks with the South under the name "South-North Cooperation" if extreme situations are brought about in its negotiation with the United States. Namely, the North uses ministerial talks in three different ways: to receive economic aid from the South, build a negotiating base with the United States, and push for a unification front operation against the South.

Chronologically, the North has taken advantage of the talks as a chance to secure economic profit first, placing much emphasis on inter-Korea cooperation against the United States as a way to

deal with its nuclear crisis from the mid stage (8th meeting); and as an outlet to promote various cooperation and exchange from the later stage (10th meeting: participatory government). Taking a closer look, the following characteristics are revealed.

First, the North secured economic benefits by linking to or using the schedule of the South-North Joint Economic Cooperation Committee. The North agreed to establish the committee at the third ministerial meeting (September 27-30, 2000 on Jeju Island), and responded to the first committee meeting (December 28-30, 2001). And from the time that special envoy to the president Lim Dong Won met with DPRK leader Kim Jong Il in April 2002, inter-Korea ties improved, and various agreements were made at the seventh meeting (August 12-14, 2002). This led to opening of the second committee meeting (August 27-30) where the North obtained 400,000 tons of rice and 100,000 tons of fertilizer. Since then, holding the ministerial talks first and committee meeting second (one month later) in the same place has become the standard practice.³⁷

However, the “condolence incident” and the entry of North Korean defectors into South Korea en masse strained ties

³⁷ The 8th ministerial meeting (2002.10.19-23: Pyongyang) was held and the 3rd South-North Joint Economic Cooperation Committee is underway (11.6-9: Pyongyang), 9th ministerial meeting (2003.1.21-24: Seoul) and 4th committee meeting (2.11-14: Seoul), the 10th ministerial meeting (4.27-29: Pyongyang) and the 5th committee meeting (5.19-23: Pyongyang), the 11th ministerial meeting (7.9-12: Seoul) and the 6th committee meeting (8.26-28: Seoul), the 12th ministerial meeting (10.14-17: Pyongyang) and the 7th committee meeting (11.5-8: Pyongyang), the 13th ministerial meeting (2004.2.3-6) and the 8th committee meeting (3.2-5: Seoul), 14th ministerial meeting (5.4-7: Pyongyang) and the 9th committee meeting (6.2-5: Pyongyang) were held.

between the two Koreas in the latter part of 2004, and ministerial meetings were suspended. As a result, the committee meeting also came to an end. When the 15th ministerial talks resumed in Seoul on in June 2005, and the 10th committee meeting reopened in July. The North disclosed that its policies continued to favor politics, but did not show its efforts to overcome economic hardship to the extent that the stability of its regime and its “Great Leader socialism” is not threatened.

Second, regarding the first clause of the 6.15 Joint Declaration (independent handling of unification issues), the North actively responded to private level joint events including sporting events, and more recently cultural events, and agreed to suspend mutual slandering. In terms of sporting events, it agreed to participate in goodwill soccer games (3rd, 7th meeting), the Pusan Asian Games (7th), the Daegu Universiade (10th meeting), and to exchange Taekwondo Korean martial arts trainers (3rd, 5th, and 7th meetings). The North strongly demanded the suspension of anti-North Korea slandering by defectors based on a deal to stop broadcasting mutual accusations (13th meeting), and also agreed to publish the *Korean Big Dictionary* (16th meeting), as well as invalidate the Eulsa Treaty of 1905, Korea-Japan to mark the 50th anniversary of liberation from Japanese colonial rule (15th). As for joint events on the private level, the North participated in the August 15 (Liberation Day) event (1st, 11th, and 15th meetings) and the Korean Unification Festival (10th meeting) to celebrate the June 15th North-South Joint Declaration. In the process, it skillfully executed a unification front operation by displaying unusual behaviors including the North’s unprecedented visit to the National Memorial Cemetery in Seoul.

Third, concerning the third clause of the June 2000 Joint Decla-

ration (resolving humanitarian issues), the North placed emphasis on the members of *Chochongnyon* in Japan, pro-North Korea organization visits to their hometowns (1st meeting), and recently showed interest in resolving issues of South Korean POWs (prisoners of war) and South Koreans kidnapped by the North (16th meeting). It also agreed to allow reunions for separated families (2nd, 4th, 5th, 10th, 11th, 13th, 14th, 15th, and 16th meetings). In addition, the North consented to determining the status of family members and allowing letter exchanges, as well as to setting up a meeting place for the reunions (3rd, 4th, 8th, 15th meetings). And during the 15th and 16th meetings, the North agreed to allow separated families to meet via video conferences. From the North Korean perspective, the North came forward to address the separated family issue in return for economic aid from the South. In other words, the South wants to link economic support to military issues, whereas the North wants to tie economic assistance with humanitarian issues.

Fourth, the North's attempts to gain economically were exposed in the agendas of the ministerial level talks. Unanimously agreed on by both sides was the fourth clause of the Joint Declaration (to promote the economy of the two Koreas, inter-Korea exchange, and cooperation) in the course of the entire sixteen rounds of talks. The North was eager to launch three economic cooperation projects: the Gaesung Industrial Project (5th, 8th, and 13th meetings); the Mt. Kumkang Tourism Project (5th and 8th meetings); and the Gyeongui and Donghae Railroad and Road Connection Projects (1st, 2nd, 5th, and 8th meetings); and also agreed to create an institutional device for economic cooperation (the 2nd, 3rd, 4th, 5th, and 16th meetings). In addition, the North agreed to launch an anti-flood project for the Imjin river (2nd, 5th, and 13th meetings), begin inter-Korea fishery

cooperation (4th, 5th, and 8th meetings), establish an exchange tourism delegation (2nd and 4th meetings), send an economic inspection team from the North (4th and 7th meetings), allow civil ships to pass through each country's territorial waters (5th and 15th meetings), sign a maritime treaty (8th meeting), and launch a joint investigation of the dam in Innam (7th meeting).

Fifth, regarding the fifth clause of the June 2000 Joint Declaration (government level talks and Chairman Kim's return visit to Seoul), the North was eager to take part in government level talks of politics, economics, society, culture, and the military, in that order. At the first ministerial meeting, the North agreed to resume operation of a liaison office, located in the border village of Panmumjom, and to open and proceed with committee meetings of South-North Joint Economic Cooperation (3rd, 4th, 5th, 7th, 9th, 10th, 11th, 12th, and 15th ministerial meetings). At the eighth talks, North Korea agreed to set up a working level consultative body at the Gaesung Industrial Complex; and at the 11th and 14th talks, to open and continue the Subcommittee of Social and Cultural Cooperation. The North has agreed to hold several working level military meetings designed for reconnecting railways and roads, and for easing tensions on the Korean peninsula at the 7th and the 13th meeting, respectively. From the 14th-16th meetings, the two countries continuously agreed to launch general level talks. As well, government level conferences resulted in the formation of a working level consultative body of Maritime Cooperation in the West Sea and an Agriculture Cooperative Committee. The second clause of the Joint Declaration (unification formula), however, has not seen any progress in the inter-Korea ministerial meetings.

The North has displayed its intention to secure safeguards by

linking the schedule of inter-Korea ministerial talks to that of the Six Party Talks. For instance, when suspicion over the North's nuclear development was growing internationally (October 17, 2002), Pyongyang agreed to solve the issues through the eighth ministerial talks (October 19-22 in Pyongyang). And as the United States intensified its harsh policy toward the North, the North struck back with a declaration that it would resume its nuclear programs and reopen nuclear facilities (December 12, 2002), and even withdraw from the Nuclear Non-proliferation Treaty (NPT) (January 10, 2003). Since then, the North has tried to avoid aggravating the situation by turning up at the ninth ministerial meeting (January 21-24 in Seoul). In addition, when the United States showed little interest in negotiating with the North following the first round of the Six Party Talks, the North repeatedly announced that it would complete reprocessing of spent fuel rods (October 2) and at the same time asserted the uselessness of the six-party process as a way to attract U.S. interest. The North participated in the 12th ministerial talks (October 14-17 in Pyongyang) to calm the aggressive stance held by the United States and to keep the situation on the Korean peninsula from worsening; it also expressed its intention to take part in the second round of Six Party Talks (October 30), and demonstrated its willingness to take a flexible position on the non-aggression guarantee and principle of simultaneous steps (November 15).

2. Economic Talks

On the economic front, the South-North Economic Cooperation Committee (SNECC) and various working level talks deal with the committee's working level contacts, the economic coopera-

tion system, the clearing arrangement, maritime cooperation, the anti-flood project in the Imjim River, the Gaesung Industrial Complex, the building of roads and railroads, etc. In particular, the committee discussed several items in the process of holding ten rounds of talks. A separate working level consultative body was established under the committee to push for three economic cooperation projects (the Gyeongui and Donghae Railroad and Road Connection Project, the Gaesung Industrial Complex Development Project, and the Mt. Kumgang Tourism Project). Institutional frameworks regarding passage, trade and customs clearance have been worked out based on the Four Points Economic Cooperation Agreement (clearing arrangement, double-tax avoidance, arbitration of commercial dispute, and guaranty of investments).

Although several conferences and agreements have been held over the last five years, little progress has been made in carrying out the agreements, with the exception of humanitarian assistance and the three economic cooperation projects. However, at the 10th SNECC meeting, there were some signs that the North is changing. First of all, the North has put forth more concrete demands. Specifically, it proposed a new style of economic cooperation by combining the economic factors of the two Koreas. While the North focused on assistance from the South in the beginning, it is now looking for more joint business, and many ideas from the North have materialized. The North is placing more and more emphasis on establishing mutual cooperation and initiating new businesses, and now seems to proactively respond to suggestions from the South.

3. Military Talks

Inter-Korea military confidence building, easing tension and working for peace were not included in the five clauses of the Joint Declaration. Nevertheless, the South and North have held various military talks, including one ministerial level meeting. Both sides agreed to a grand principle of providing a military guarantee in carrying out the agreement of the Joint Declaration, and, at the first inter-Korea defense ministerial talks (September 25-26, 2000 in Jeju) made joint efforts to prevent another war on the Korean peninsula. The two sides also agreed to address military issues following the exchange of citizens, future cooperation, security issues, and projects to connect the Gyeongui railway and build roads. In addition, the North agreed to hold the second round of defense ministerial talks. However, the second meeting has yet to be held, despite urging from the South. In the meantime, working-level military talks to support inter-Korea economic cooperation have opened (November 28, 2000 in Panmunjom) based on the agreement of the first round of defense military talks. A total of 33 rounds of military talks have been held from October 2005 up to now. In particular, at the fifth working-level military talks (February 8, 2001), both sides came to a 41 points-agreement on ways to use the DMZ peacefully by setting up a “Joint Management Zone” and pushing for the Gyeongui railway/roads project. Both sides adopted and put into force a “tentative agreement on military guarantee for passage through temporary roads in the east and west coastal areas under control of the North and South sides” at the 8th military working-level talks (September 17, 2003). This has led to smooth restoration of railways and roads, promoting inter-Korea economic cooperation. Ultimately, the North participated in the military talks for the purpose of economic gain.

But on militarily sensitive issues, the North has showed little change in its position. Without mentioning the second round of military engagement in the West Sea in late June 2002, during the general level talks at Panmunjom in March 2003, the North representative suspended regular contacts between officers on both sides of Panmunjom, and threatened to announce new and grave measures regarding the armistice treaty. Throughout history, the North has made continuous efforts to annul the armistice treaty and exclude South Korea as a retaliatory measure.

Meanwhile, the North agreed to build military confidence by adopting the four-point agreement at the general level talks on measures to prevent military engagement along the Northern Limit Line (NLL)—the demarcation line on the West Sea between South and North Korean waters—and cease propaganda along the Military Demarcation Line in 2004. Since then, however, the number of North-incurred NLL violations has increased. The North demonstrated that it still wants to take the initiative on the military front in inter-Korea relations and escalate and de-escalate tensions whenever it wants.³⁸

North Korea attended only one defense secretary talk, two general level talks, and several working-level meetings. This proves that the North reacts to military meetings only at the inter-Korea cooperation level as a way to ease its economic trouble, while avoiding discussion on security issues on the Korean peninsula.

³⁸ The South's navy began their bombardment on the North's warship that crossed NLL. In response, the North didn't attend the planned 3rd general working-level meeting, scheduled for July 19, 2004.

4. Talks on the Cultural and Societal Level

On the level of societal cooperation and cultural exchange, Red Cross meetings, sporting events (2002 Pusan Asian Games, 2003 Daegu Universiade), humanitarian aid for the Yongchon (Ryongchon) disaster, and the building of a reunion venue for separated family members, have all progressed. When the North chooses the location of the reunion of family members, it receives instruction from North Korean leader Kim Jong Il, chairman of the National Defense Commission. Chairman Kim was said “not to make Pyongyang a place for crying.”³⁹ Therefore, the North agreed to build a reunion venue at Mt. Kumgang.

In addition, the North began to respond to issues persistently raised by the South including South Korean POWs. After Seoul first took up the issue of the prisoners indirectly at the second ministerial meeting (August 29 to September 1, 2000), it presented the issue again at the third plenary session of the Red Cross working level contact in January 2003. The North responded at the 12th ministerial talks (October 14-17, 2003) that “the issue of prisoners was put to an end following deportation under the armistice treaty.” Following the South’s remark at the plenary session of the 13th ministerial meeting in early 2004, the North comprehensively agreed on the third clause of the Joint Statement at the 15th ministerial conference (June 21-24, 2005). Since then, the South and North again arrived at an agreement on the issue at the 16th ministerial talks (September 13-16, 2005). The North had first vehemently refused to tackle the issue, but agreed to address it, albeit indirectly, as time passed.

³⁹ Interview of Settlers, November 3, 2005.

VII. Factors that Determine Negotiating Behaviors

1. Perspective of Negotiation: Continuity

Since the June 15th North-South Joint Declaration, the North has maintained the perspective of specific negotiation, sticking to the logic of “revolutionizing South Korea first and then communizing it” as a way to unify the Korean peninsula. Although the “Rules of the Worker’s Party” have been revised three times (in 1961, 1970, and 1980), the ultimate goal of building a communist society has not changed. In addition, Chairman Kim Jong Il is thought to follow the will of his father, the late Kim Il Sung, in regard to his anti-South Korea strategy and use of a federation system as a unification formula. He emphasized that his source of power came from unity and military power, saying that “relations with foreign countries are determined by military power . . . even if the North keeps friendly relations with other countries, it still needs to possess military power.”⁴⁰

The North also presented its basic principles and directions of unification under the Kim Jong Il regime in 1997 by combining the “Three Big Principles of Unification” in 1970, the “Democratic Confederal Republic of Koryo” in 1980, and the “Ten General Principles of Solidarity of Koreans” in 1990 into “Three Chapters of Unification.”⁴¹ Since 2000, the North has stressed a “Unification Front” centering on laborers under the slogan “Solidarity of Koreans” (with a focus on North Koreans); and the “cooperation of the Koreans” under the big catchphrase “by ourselves.”

2. Perspective of Negotiation: Changes

However, there have been some changes. Around 1998, when Chairman Kim Jung Il took office, the North’s views on the South and western capitalist countries began to shift. Such a change has provided chances to embrace the general negotiation perspective. The Joint Declaration furthered the scope of this perspective.

Since the Joint Declaration, the North has emphasized the development of inter-Korea talks and negotiation for the sake of national unification. It underscored advancing the relations of the two Koreas, claiming that the Joint Declaration was a “declaration to the world that the two Koreas will unify independently through Koreans cooperating with each other.” In the New Year’s editorial of the (North) Korean Central News Agency (KCNA) in

⁴⁰ *Joongang Ilbo* (Seoul), August 14, 2001, pp. 3-4.

⁴¹ *Kim Jung Il Selected Works*, Vol. 14 (Pyongyang: Chosun Rodongdang Publishing House, 2000), p. 344.

2002, the North highlighted the importance of improving inter-Korea relations, using the phrase “cooperation between the two Koreas.”⁴² In its joint editorial in 2003, the North said the “...mutual benefits of the two Koreas should be placed as a priority, and national grand solidarity should be pursued based on national independence and patriotism.”⁴³ North Korea also made it clear that the foundation of its policy toward the South is one based on cooperation between the two Koreas, insisting that realizing inter-Korea cooperation is essential to developing inter-Korea relations.⁴⁴ And in 2004, the North placed emphasis on thoroughly clinging to and carrying out the Joint Declaration, the grand principle of national unification, through cooperation between South and North Korea,⁴⁵ designating 2004 as the year of the National Unification Movement. The KCNA joint editorial in 2005 also categorized cooperation between the Koreas into three areas: national independence, antiwar and peace, and patriotic unification.⁴⁶ The North also stressed that U.S. forces in Korea (USFK) be pulled out of the South, claiming that USFK has the potential to be the source of the start of a nuclear war on the peninsula.

The North received economic support from the South without any reluctance before issues of the HEU nuclear program came to light in October 2002, and used cooperation between the Koreas to get more aid. As the nuclear issue grew more serious,

⁴² *Rodong Sinmun*, January 1, 2002.

⁴³ *Rodong Sinmun*, January 1, 2003.

⁴⁴ *Rodong Sinmun*, January 5, 2003.

⁴⁵ *Rodong Sinmun*, January 1, 2004.

⁴⁶ *Rodong Sinmun*, January 1, 2005; Kang Choong Hee, *Three Cooperative Tasks of National Unification* (Pyongyang: Pyongyang Publishing House, 2005).

the North defined the crisis not as a U.S.-DPRK conflict, but as a conflict between the United States and “Chosun people,” demanding national cooperation against the United States. The North also began highlighting national cooperation for unification after it grasped the gist of the “Peace and Prosperity Policy” of Roh Moo Hyun’s participatory government in 2004.

3. Negotiating Condition

When the Joint Declaration was signed in 2000, the North was forced to place greater emphasis on its economy, as its food shortage and economic situation had become increasingly more serious following the “Arduous March” of the mid-1990s. According to Hwang Jang-yop, former secretary of the North Korean ruling Workers’ Party, 500,000 people—including 50,000 party members—starved to death in 1995, with this number jumping to one million in 1996.⁴⁷ Official data released by the North authority showed that the average life expectancy of its residents in the 1990s dropped by more than six years, and that 220,000 people died from 1995-1998.⁴⁸

The North has made some changes since the late 1990s to cope with the reality. When Kim Jong Il took office in 1998 under the slogan of building a powerful nation, the North partially introduced a market economy—including price and profitability—through revising the constitution. In the KCNA’s annual joint editorial in 2001, the North stressed “a new way of thinking” as

⁴⁷ Hwang Jang-yop, *I Saw the History of Truth* (in Korean) (Seoul: Hanul, 1999), p. 286; Monthly Chosun, December 2000, p. 184.

⁴⁸ See *New York Times*, online at www.nytimes.com.

a way to guarantee “practical gains.” The North proceeded with economic reform at home and abroad in 2002 by introducing the July 1st, 2002 Economic Measures, and further opened its economy by expanding the designation of special economic zones (i.e., Sinuiju on September 12, Mt. Kumgang on October 23, and Gaesung on November 13).

Second, when the Bush administration was inaugurated into office in January 2001, with its hard-line policy toward the North, the DPRK security concerns heightened. The inter-Korea dialogue that progressed smoothly during the Clinton administration suffered difficulties in the first half of 2001, and came to a halt in the latter half of the year. After President Bush announced that he would overhaul U.S. policy toward the North, talks between the United States and North Korea, and North Korea and Japan, were suspended. Inter-Korea talks were also discontinued after the sixth ministerial meeting broke down in November 2001. However, the North expressed its intention to reopen dialogue with the South in March 2002, and allowed Lim Dong Won, a presidential special envoy, to visit Chairman Kim Jong Il in April. The shift from a hard-line attitude to dialogue was most likely caused by the North’s willingness to address economic hardship,⁴⁹ successfully host the “Arirang Festival” (April 29 to June 29) and ease pressure from the Bush administration’s strategy toward the North.

Consequently, the North received 400,000 tons of rice and 100,000 tons of fertilizer through the seventh ministerial talks, which resumed after nine months hiatus, and through the second Inter-Korean Economic Cooperation Committee (August 27-30,

⁴⁹ *Monthly Joongang* (Seoul), May 2002.

2002), which restarted after a 20-month lull.

Third, South-South conflict has deepened since Lee Hoi-chang, a conservative candidate, unsuccessfully ran for the presidency in February 2003, and progressive hopeful Roh Moo Hyun was elected president. Fierce debate over views on North Korea and methods to reconcile with the North have stirred in the South's society since the Joint Declaration was signed in 2000. Major issues of dispute are the apparent lack of reciprocity from the North for the South Korea largesse, speed of the reconciliation projects, economic assistance to the North, and unification formula. Conflicts involving such policies toward the North intensified in connection with the existing feud between the ruling and opposition parties, and due to ideological and regional conflicts. The start of the Roh government brought with it a new generation (the "386" generation) to challenge the political establishment and the older generation, but this has also led to deepening division within South Korean society. In addition, in the course of the changing order in Northeast Asia, the U.S.-DPRK conflict, friction in the U.S.-ROK alliance, and realignment of the USFK worsened the crisis on the Korean peninsula. Accordingly, the North gained economic benefits, enhanced its negotiating power toward the United States and laid the basis for a federated system as a unification formula. In short, the North gained an opportunity to restart its unification front operation.

4. Negotiating Power

A. Continuity in Wielding the Top Leader's Influence

Even after the inter-Korea summit, influence from the top leader

remained essential whenever important decisions were made between South and North Korea. Negotiation was deadlocked in the course of discussing the Joint Declaration in 2000 when the North's idea of a "Democratic Confederal Republic of Koryo" collided with the South's proposal of a confederation (South-North confederation), and when the North insisted on Kim Young Nam, president of the Supreme People's Assembly and representative of the DPRK (as stipulated in the 1998 Constitution), as the signatory of the declaration.

Chairman Kim Jong Il then stepped in, offering "a low level of federation" to lead to an agreement of the second clause; he then directly signed the agreement, breaking the stalemate. In addition, when Lim Dong Won, a special envoy, visited the North in April 2002, and with inter-Korea talks suspended and the North delegation unable to breakthrough in regard to implementing the declaration, Chairman Kim personally visited Paekhwawon State Guesthouse to provide an opportunity to agree to and declare an inter-Korean six-point joint press release.⁵⁰

In addition, it has been said that when the two sides were drawing a military agreement in regard to the Gyeongui and Donghae railway and road connection project at the working level military talks on September 14, 2002, the North negotiators were eager to work out an agreement, saying that Kim Jong Il, as Supreme Commander of North Korean Army, "told them to do so, even if it took all night."⁵¹

However, Chairman Kim did not meet with the South's delega-

⁵⁰ Press release available at www.korea-np.co.jp/pk/179/2002040601.htm.

⁵¹ *Chonsun Ilbo* (Seoul), February 16, 2002.

tion after meeting Park Jae Kyu, former ROK Minister of Unification, at the second inter-Korea ministerial meeting in August-September 2000. This helped the North's representatives to maneuver while indirectly controlling the meeting and keeping the status of Kim Jong Il from declining. In this context, Chairman Kim, who had exchanged opinions with special envoy Lim for five hours in his first visit in April 2002, convinced Kim Young Nam to meet with him on his second visit in January 2003, sending him a handwritten note citing the chairman's tour to local cities.⁵² Meanwhile, when special envoy Chung Dong Young visited the North, Chairman Kim met with him in June 2005 to secure 200KW electricity for the North, while at the same time using the opportunity to get a security guarantee from the United States by agreeing to return to the Six Party Talks.

B. Expanding the Unification Front Department

Since the inter-Korea summit, the North has expanded and reorganized its Unification Front Department in order to lead the dialogue with the South.

First of all, the North increased the number of personnel of the department. The number stood at about 1,600 during the summit in 2000, and increased to 2,500 by the end of 2004 after the recruitment of 900 professionals outside the department.⁵³ Those recruited included historians, philosophers, doctors of politics and economy, doctors of literature, writers and poets. The goal was to actively prepare for ever increasing inter-Korea talks and exchanges and at the same time prevent the South's

⁵² *White Paper on Korean Unification 2003*, pp. 77-84.

⁵³ Interview of Settlers, June 8, 2005; Interview of Settlers, October 3, 2005.

capitalism from influencing the North by keeping residents in the North out of contact with the South.

Sub-organizations from the department were restructured and others were newly created. Units responsible for exchange and cooperation between the two Koreas for each area were temporarily created and put under the department. For instance, the Council for Reconciliation and Cooperation of Korean Nationals (CRCKN)⁵⁴ fully took charge of exchanges with the South's media, cultural, and art organizations, as well as socio-cultural businesses, including the South's NGOs. Some businesses once belonging to the Chosun Asia Pacific Peace Committee were known to be transferred to the CRCKN, which is directed by the first division of the UFD. The first division handles all kinds of religious exchanges with the South behind the scenes. The National Korea Economic Cooperation Committee (NKECC) was created to be put under the cabinet (July 2004) and deal with inter-Korea economic cooperation under the direction of Kim Jung Il on June 9, 2004. Cooperative businesses between the two Koreas, as part of the unification operation toward the South, were instructed by the division of the UFD in charge of South Korea (negotiation).⁵⁵

With such an increase in the number and kinds of inter-Korea dialogue, the UFD itself has expanded, while the negotiating

⁵⁴ Council for Reconciliation and Cooperation of Korean Nationals is the North's organization consisting of politics, society, culture and religion and formed on June 8, 1998 before the North proposed to open the August 15 Grand Festival. It acts as a working level unit to realize "contact, dialogue and consolidation, affiliation," mentioned in Kim Jong Il's "five principles toward grand national solidarity" (April 1998).

⁵⁵ *Minjog* 21, May edition in 2005, pp. 96-101.

representatives once led by the UFD have increasingly consisted of experts from economy, military, and diplomatic areas and beyond. Because the North takes advantage of inter-Korea talks to relieve economic and security concerns on a regime defense level, and to push for the unification operation on a regime expanding level, it needed working-level professionals from various fields to accomplish its goals. It is said that although officials from the National Peaceful Unification Committee who once dominated the inter-Korea meetings still participate in political talks with the South, they now take a back seat in negotiating strategies and tactics, and only take part in economic and military talks as members of the negotiating team. Of course, the UFD still leads the framework of inter-Korea relations and controls the negotiating delegation behind the scenes.

C. Increasing Flexibility from Negotiating Representatives

Although members of the North Korea delegation are still controlled in their remarks by the upper authority, they have started to express their own opinions depending on the issue and level of negotiating representative. The South's team testified that their North counterpart mentioned and acted thoroughly following memos from outside the meeting room at the sixth ministerial talks in November 2001. Some members of the South's delegation, however, observed a changing generation in the delegation, with members displaying a softer attitude than the past (coming as they do from areas other than the UFD), and showing more of an interest in addressing practical matters.⁵⁶

⁵⁶ Interview with the South's representatives from ministerial and working-level meeting in January 2003.

VIII. Characteristics of Negotiation Behaviors: Merchant Negotiation

1. Negotiating Objective

From the inter-Korea summit in October 2002 to the U.S. suspicion over the North's HEU nuclear development program, the negotiating pattern of the North seemed to focus on maintaining the regime's stability and continuity in negotiating its goals. In other words, Pyongyang had to address economic troubles and security concerns to boost Kim Jung Il's stability and continuity.⁵⁷ Accordingly, the North's negotiating goal toward the South at this time seemed to be securing material gains. It was already analyzed that economic factors were the major reasons behind the North's participating in the summit and various working-level meetings after fifty-five years of separation. This was evi-

⁵⁷ Huh Moon Young, "North Korea's Survival Strategy and Future Course of Direction," *Policy Studies*, No. 132 (Seoul: National Security Policy Institute, 1999), pp. 153-235.

denced in the North's decision to hold a summit with the South, a country it regarded as "colonized by U.S imperialists," in return for \$500 million in cash from the South. And later, when the South failed to transfer the money on the promised day, the North unilaterally decided to delay the summit by one day. In addition, the North called on the South to pay compensation in return for the Mt. Kumgang tour, saying that the fifth ministerial talks resumed at the request of the Hyundai group and a subsequent order from Kim Jong Il.⁵⁸ This indicates that the reason behind the North's participation in the government level talks was to seek economic benefits from the South.

However, the "practical socialism" policy the North pursued suffered a setback in October 2002 due to suspicion over its HEU nuclear weapons programs and bilateral ties with Japan; and the inter-Korea talks suffered a loss when the North acknowledged its abduction of Japanese citizens. From the time Roh Moo Hyun, supported by the progressive "386 generation," was elected to president in December 2002, the North not only started to seek practical gains but also energetically relaunched its unification front operation (an example of which is the "Doctrine of Cooperation between the two Koreas"). According to a New Year's editorial in 2003, the North emphasized inter-Korean cooperation as the main policy toward the North, arguing that "the U.S. attempt to wage a war should be blocked through inter-Korean cooperation." Since then, the North—once passive in meetings with the South due to a lack of working-level personnel—began to vigorously participate in inter-Korea government, semi-government and unofficial government level talks based on inter-Korean cooperation.

⁵⁸ *Chosun Ilbo* (Seoul), October 3, 2001, pp. 1, 3.

The North uses the doctrine of cooperation between the two Koreas in three different ways.⁵⁹ First, the doctrine is used to ease the North's security concerns by driving a wedge between the ROK and U.S. alliance with anti-U.S. arguments and calls for the withdrawal of the USFK.⁶⁰ Second, it is used to secure government assistance and private enterprise capital and technology from the South to ease the North's economic problems. This is demonstrated in the "Strategy to strictly follow the 6/15 Joint Declaration." Third, the doctrine is used to create a pro-North force in the South, laying the groundwork for "coexistence and communization of the South" on the unification front operation level. This has appeared as a unification front strategy aimed at abolishing the ROK National Security Law and legalizing *Hanchongryun*, a leftist student organization.⁶¹

2. Negotiating Strategy

Since the inter-Korea summit, the North has utilized inter-Korea dialogue for multiple purposes. The North launches a combination of strategies based on inaction, contending and problem solving, depending on the area, circumstance, and stage. The North's approach began to shift from an inaction strategy to a more a problem solving strategy, but abruptly returned to an

⁵⁹ *Rodong Sinmun*, January 1, 2005; Kang Choong Hee, *Three Cooperative Tasks for National Unification* (Pyongyang: Pyongyang Publishing House, 2005).

⁶⁰ Kang Choong Hee, Won Young Soo, *The Era of Independent Unification after 6-15 Joint Declaration* (Pyongyang: Pyongyang Publishing House, 2005).

⁶¹ Huh Moon Young and others, *Action Strategy to Build Peace on the Korea Peninsula* (Seoul: KINU, 2003), p. 149.

inaction strategy after the “axis of evil” remark made by the Bush administration in late January 2002. The hard-line policy of the United States toward North Korea not only strained U.S. and DPRK ties, it also resulted in a high conflict-weak cooperation condition in the process of coordinating policy toward the North between the United States and South Korea. Since the sixth ministerial talks collapsed without making any agreements, the North has grown more passive in inter-Korea meetings. Since military engagement in the West Sea (June 2002) aggravated inter-Korea relations, the North resumed inter-Korea dialogue with the South and energetically opted for problem solving under a high conflict-strong cooperation condition. This can be summarized in each field in the following way.

First, the four major governmental talks covering politics, the military, and economic and humanitarian issues (sports) have proactively begun and are currently underway. In politics, a total of twenty rounds of talks including four special envoy and sixteen ministerial meetings have been held. In economy, a total of fifty-eight rounds of meetings are in progress, including ten committee meetings of economic cooperation, four working-level contacts of economic cooperation, one working-level meeting of electricity cooperation, three working-level meetings of Imjin river flood control, four working-level council meetings and eleven working-level contacts to link railway and roads, two working-level council meetings and one contact to build the Gaesung industrial complex, four working-level council meetings on the economic cooperation system, two government level meetings of the Mt. Kumgang tour, four working-level contacts of marine cooperation and one working-level contact to jointly investigate the Innam Dam. In the humanitarian area, six Red Cross talks, six working-level contacts of the Red Cross, three

contacts to build a meeting venue for separated families, two working-level contacts for the Pusan Asian Games, one working-level contact on the Daegu Universidade, and one working-level contact for joint entry at the Athens Olympic Games, amount to a total of twenty-one rounds of meetings. The military area, although deemed the most difficult, has been active with contacts and talks. A total of thirty-three meetings were held including one Defense Secretary meeting, two general level meetings, ten military working-level meetings and contacts of lead representatives, ten working-level military contacts, and one working-level contact of military communication.

Second, as for the meeting venue, the inter-Korea talks, which had not been held on the Korean peninsula since 1995, have started to be held in Korea. The meeting place, once limited to Panmunjom, has been diversified to include Seoul, Pyongyang, Mt. Kumgang and Jeju.

Third, as for the number of agreements, eighteen joint announcements and twenty-two agreements have been adopted, and most were carried out from the summit to January 2004.

Fourth, the North steadfastly responded to inter-Korea talks despite suspicion over its nuclear weapons development and subsequent condemnation and pressure from the international stage. As the issue was raised just two days before the eighth ministerial talks on October 17, 2002, the prospect for the talks became unclear. However, the eighth ministerial meeting was delayed for only two days, taking place from October 19-23 in Pyongyang. At the meeting, the South clearly pronounced its stance against the North's nuclear development, while the North defined the nuclear problem as a "DPRK-U.S. issue," emphasize-

ing the need for implementing existing agreements and forging various kinds of inter-Korea dialogue.

Fifth, in the economy, the North chose a problem solving strategy in many cases. The Gyeongui and Donghae projects were reopened and got underway. Restarting the Gyeongui line and launching the Donghae line played a major role in enhancing inter-Korea relations, as the North regarded the Trans-Korea Railway and Kim Jong Il's visit to Seoul as the keys to realizing the unification of Korea.⁶² President Kim Il Sung on July 7, 1994, decided to pay a visit to Seoul by the newly connected railway, and signed it at the politburo's decision of the Communist party's central committee before he passed away. The task was then passed to Chairman Kim Jong Il as teachings of the late Kim Il Sung to materialize unification. In this context, when special envoy Lim Dong Won visited the North, the importance of the project to connect the South-North transportation network was demonstrated by describing the project in the third clause of the inter-Korean joint press statement in April 2002, separating it from the fourth clause covering general tasks.

Sixth, when negotiations do not go as planned, the North often executes an inaction strategy. At the fourth inter-Korea ministerial talks in 2000, for example, the North stalled substantive negotiations by demanding an apology from Seoul for naming North Korea as its main enemy in the 2000 "White Paper on Defense," and harshly criticized the South for failing to deliver on its promise of electricity. In another example, the North unilaterally postponed the fifth ministerial talks by six months. In

⁶² Han Ho Suk, "Prospect for Realizing National Unification since the 6.15 Joint Declaration," July 23, 2002, online at www.onekorea.org.

addition, the North demanded understandable measures on the South's emergency actions following the 9/11 terrorist attacks at the sixth ministerial talks in 2001. As the South reacted stubbornly, the North extended the meeting schedule by two days to get its demand accepted, and terminated the talks without agreeing to the date of the seventh ministerial talks. For the next nine months through the seventh ministerial talks, the North took a passive attitude toward the meeting. As well, the North employed an inaction strategy at the 13th ministerial talks on a hard won agreement to hold a military working-level meeting. As the ROK participatory government did not allow South Korean people to pay tribute at the 10th anniversary of the late President Kim Il Sung, and defectors from the North began to enter Seoul en masse, the North delayed opening the 15th ministerial talks for ten months.

Seventh, in the military area, problem solving and contending strategies were promoted in parallel. A total of eighteen inter-Korea military talks were held to propel the project to link the Gyeongui and Donghae railways and roads, thus enabling tours to Mt. Kungang to travel by inland route. The successful implementation of the project was possible since the North chose an efficient problem solving strategy over an unproductive contending strategy during armistice and military representative negotiations.⁶³ However, the North continued its efforts to strengthen its regime by utilizing a contending strategy internally. Moreover, when the South actively suggested setting up a permanent liaison office in Seoul and Pyongyang and resuming military working-level talks during the 16th ministerial level conference (September 13-16, 2005), the North struck back, demanding—based on a

⁶³ *White Paper on Korean Unification 2005*, pp. 41-47.

contending strategy—the abolishment of the National Security Law and the suspension of U.S.-ROK joint military training.

Eighth, unlike anticipation, the North embraces a problem solving strategy in social and humanitarian areas, including reunions of separated family members and private level exchanges. Some conservative North Korea experts predicted that the North would only respond to reunions two or three times due to the side effects of the get-togethers and the huge impact on the North's residents and regime. Therefore, it was predicted that although the North would embrace the reunion proposal from Seoul in order to garner economic support, it would reject follow-up meetings after two or three sessions. However, Pyongyang has in actuality responded to twelve rounds of exchanges and reunions as of November 2005, has related the status of missing family members and allowed letter exchanges. In addition, family reunions via video conferences were started during a ceremony to mark the 60th anniversary of national liberation on August 15, 2005. The North also agreed to build a reunion venue for separated family members, and construction is now underway.

In addition, the North now refrains from slandering the South in its propaganda and is enthusiastic in promoting societal, cultural, sports, educational, religious, and other exchanges. On the one hand, these moves seem intended to block any offensive propaganda on the North from coming out of the South. But on the other hand, they are also used to garner as much humanitarian support as possible from the South in order to ease the North's economic hardships and carry out its unification ambitions.

Consequently, the North's policy toward the South, although it has not changed fundamentally in its contents, reaches beyond

phenomenal or tactical change to strategic change. In addition, the nature of the North's policy has gone from one of conflicting coexistence, to competitive coexistence, to the initial stage of cooperative coexistence.⁶⁴

3. Negotiating Tactics:⁶⁵ Change and Continuity

Since the summit talks, the North has adopted a negotiating attitude and compromise tactics in inter-Korea negotiation,⁶⁶ demonstrating some change. First, the North has started to seek practical gains in negotiation; that is, a new way of thinking on the part of the North residents and military has started to emerge, one that places more value on material gain. Second, representatives from the North have changed the way they approach the inter-Korea talks, showing more willingness to listen to the South's delegation and offer personal and persuasive arguments on issues. Third, the nature of inter-Korea negotiation has shifted to a working-level style. Currently, "Important Negotiation," political in nature, is limited to ministerial talks. Most inter-Korea dialogues include military working-level meetings that take the form of "General Negotiation" with a working-level style. Military working-level talks designed to support the Mt. Kungang tour, construction of inter-Korea railways and roads, and the Gae-

⁶⁴ Heo Moon Young, *Dismantlement of Cold War Structure in Korea and Implementation of Inter Korea Basic Agreement* (Seoul: KINU, 1999), pp. 9-11.

⁶⁵ Interview with the South delegation of inter-Korea talks, July 7, 2003; interview with the South's working-level personnel of inter-Korea talks, November 25, 2005.

⁶⁶ Interview with the South delegation of inter Korea talks, September 28, 2003; interview with the South's working-level personnel of inter-Korea talks, November 25, 2005.

sung Industrial Complex are not regarded as full-scale military negotiation. Accordingly, the North's representatives take a reasonable approach and sometimes make concessions in the course of negotiation, meaning that non-offensive, moderate, and problem solving tactics are mainly used.

Fourth, ministerial talks, suspended three times, were resumed about a year ago. This is largely due to the North's dissatisfaction with the hard-line showed by the United States toward the North, and the North Korea policies of the Kim Dae Jung and Roh Moo Hyun governments. At the same time, the military's anxiety following inter-Korea exchanges and the residential unrest after family reunions formed part of the reason behind the suspension of talks. It is known that the North's military opted for a dialogue strategy toward the South because it would not have been able to secure the massive amount of material and economic assistance it needed following the introduction of Mt. Kumgang tour, summit talks, and various meetings.⁶⁷

Fifth, although in the past the North's negotiating representatives tended to point fingers at the South over problems of negotiation, they have recently begun pointing out their own problems. For instance, the North cited lack of Internet access and the difficulty of tracking missing family members after the "Arduous March" as major stumbling blocks to reuniting separated families.

Sixth, unlike the past, the North's representatives have enhanced their understanding of the South's regime. For example, when the two sides meet personally, the North negotiators ask about

⁶⁷ Interview with the South's senior executive in charge of business with North Korea, October 25, 2003 and November 30, 2005.

economic conditions in the South, rather than about the economic position of the South's counterparts; they also inquire into the internal circumstances of the South, including the South-North Economic Cooperation Fund and the media's response to inter-Korea economic cooperation and aid to the North. Considering the North's negotiating tactics post-summit, inter-Korea talks are expected to continue unless significant changes occur in inter-Korea relations inside North Korea or in U.S. policy toward the North.

Continuity is observable as well. Even after the Joint Declaration, the North continued to use tactics to dominate the initiative and adjust the speed in negotiations. Opening the inter-Korea summit of 2000 was agreed upon through closed and unofficial talks. On two occasions when inter-Korea talks hit a snag after the summit, breakthroughs were made, once by Park Jae Kyu (the then unification minister) in an unofficial visit to Chairman Kim (September 9, 2000 at Hamkyungdo), and on another occasion by Lim Dong Won (presidential special envoy) in a personal conversation with Chairman Kim (April 3-6, 2002).

Chairman Kim began to regard tactics as a way to secure the initiative of talks. In an interview with the presidents of media corporations from the South on August 12, 2000, when asked whether he was willing to travel abroad, he answered "why should I visit big powers when they can come visit me."⁶⁸ Interestingly, in the North, the chairman is referred to as "the sun of the 21st century," making the world's leaders merely stars. And world leaders have come, with visits to Pyongyang by former South Korean president Kim Dae Jung, President Jiang Zemin

⁶⁸ *Joongang Ilbo*, August 14, 2000; *Chonsun Ilbo*, August 14, 2000.

of China, Russian president Vladimir Putin, and Prime Minister Junichiro Koizumi of Japan. By holding talks in the North, it intended to take the lead in negotiations and strengthen its regime legitimacy by promoting Chairman Kim's international status among residents of the North.

Since the summit, the North has been fairly polite toward the South's delegation except in some cases where its counterparts were openly opposed to the North's position, at which time the North began personal attacks on the South, just as it did in the past. As an example, on November 30 2000, Jang Jae Un, head of the North Korea Red Cross, criticized comments made by President Chang Choong-shik of the South Korea Red Cross during his interview with *Monthly Chosun*, refusing a face-to-face meeting with his counterpart.⁶⁹ In addition, when the sixth ministerial level talks collapsed in June 2001, the North shifted blame to Hong Soon Young, lead representative of the South, citing his confrontational attitude toward the North.⁷⁰

Even after the summit, the North employed a strategy of leaving or delaying talks countless times. But unlike past cases, the reasons for the delays were not specified. At the sixth ministerial talks, held at Mt. Kumgang in November 2001, the North demanded the independent addressing of unification-related issues, a lift of emergency measures, and the holding of various kinds of meetings at Mt. Kumgang. When the South failed to satisfy the demands, the North halted the negotiation process without agreeing to anything, passing the buck to the South and

⁶⁹ *Chosun Ilbo*, January 4, 2001.

⁷⁰ *Rodong Sinmun*, November 5, 2001; Ministry of Unification, "Current Movement of North Korea," 567th issue (Seoul: MOU Information Analysis Department, November 24-30, 2001), p. 15.

delaying the opening of the seventh ministerial meeting. On June 10, 2000, the North put off the planned inter-Korea summit until June 12 for reasons of “technical preparation.” And a contact to exchange an agreement to link the Gyeongui railways and roads, and the fifth ministerial talks scheduled for March 13, 2001, were delayed for “administrative reasons” and “various reasons.” In addition, since the launch of the Roh government in January 2003, the North has consistently used tactics to take the lead in talks with the South, one of these being delaying the 10th ministerial meeting.

The North has continuously employed existing techniques including agreement in principle, yielding, and compromise tactics to adjust the speed of negotiations. The North’s proposals and later acceptance of independent unification and federation in the first and second clause of the Joint Declaration can be seen as a repetition of the agreement in principle tactic used during the Cold War era. When the negotiations did not go as the North planned in terms of implementing agreements of the Joint Declaration and inter-Korea talks, the North condemned Seoul’s domestic and foreign policy, and demanded to change Seoul’s policies by interpreting the same principles of the declaration to the benefit of North Korea, a strategy used to dictate meetings.

Since the historic summit, the North has urged the South to follow the June 15th Joint Declaration, firmly keep the principle of national independence and make subsequent efforts to realize national independence. It has also insisted on a federation system and that the USFK pull out of Korea.⁷¹ The North, which had previously stuck to a “high level of federation” as a unifica-

⁷¹ *Rodong Sinmun*, September 26, 2001.

tion formula in adopting the Joint Declaration, agreed to a “low level of agreement” through concessions or compromise in response to opposition from the South.⁷² However, delaying tactics have also been used often since the Joint Declaration was signed. The ministerial talks held after the inter-Korea summit were held every month through the third round of meetings. But from the fourth meeting, the interval was prolonged and the talks were suspended for eight months since the sixth negotiation broke down. As well, the North delayed having the 15th ministerial meeting for almost one year, citing the South’s unfriendly policy toward the North. In fact, the North analyzed the impact of two things, its July 1st, 2002 Economic Adjustment Measures and the inter-Korea talks and exchanges that took place after June 2000, on the North’s regime, based on which Pyongyang overhauled its regime. This whole process was based on the tactic to adjust the speed of negotiations.

4. Nature of Negotiation

Overall, although the North displayed a genuine negotiating style to implement the Joint Declaration, it still launches fake negotiating patterns in adverse conditions. The North promoted the inter-Korea summit and Joint Declaration as a follow-up to the late President Kim Il Sung’s will and Chairman Kim’s leadership. Therefore, the North should carry out the declaration through additional inter-Korea talks. In this context, the North has executed a genuine negotiating style to put the agreement into practice in its own way. However, the North later adopted a

⁷² Choi Won Gi and Jung Chang Hyun, *600 Days Before and After Inter-Korea Summit Talks* (Seoul: Gimmyoung, 2000), pp. 73-75.

fake negotiating style by not making serious efforts in approaching various talks, including ministerial meetings, as it failed to achieve its intended goals from the South amid the continuous hard-line policy of the Bush administration and the North's senior officials' concerns over the side effects of rapidly improving inter-Korea relations.

In addition, the North often takes a two-sided attitude by applying both fake and genuine negotiation patterns, taking advantage—as it does—of the inter-Korea talks as a negotiating tool to be used with the United States. In other words, the North promotes dialogue with the South as a means to enhance (in positive cases) or build (in negative cases) negotiating power toward the United States, believing that negotiating with the United States is the key to the survival of its regime.

Since 2004, the North has seemingly pushed for its unification front operation via inter-Korea meetings. For example, the August 15th Grand National Unification Festival seems to have been based on using both high and low unification front tactics at the same time.

Regarding the status of negotiations, the North makes efforts to maintain an unbalanced negotiation style, giving one-sided advantage to its own interests. However, its acute food shortage and economic hardships often lead it to adopt a more balanced negotiation style, giving the South the advantage.

As for the importance of negotiation, the North seems to have focused on practical matters in implementing the Joint Declaration, a stark contrast from “Important Negotiation” centering on the politics of the Kim Il Sung era. The North tends to pursue

practical matters by focusing on carrying out already agreed to cooperative businesses rather than on concluding several agreements at every meeting, even stating that it has many cooperative plans in mind at the inter-Korea ministerial meetings.

IX. Conclusion: Before vs. After

Overall, it has been asserted that the North's negotiating behavior has partly changed, reaching beyond superficial (phenomenal) change but not quite to the level of fundamental change, since the June 15th Joint Declaration. Namely, there has been partial change from offensive fake negotiation to defensive genuine negotiation.

First, even though the *negotiating objective* has not shifted in content, the priority has been changed. Before the Joint Declaration, the North—while promoting a normalization agreement on the surface—was actually, under the surface, pursuing a redistribute negotiation strategy focused on strengthening its regime and communizing the South. After the declaration, the North clung to a low level of redistribute style to lay a foundation for communizing the South over the long run, while giving priority to the normalization agreement to enhance efficiency and solidarity and ensure the stability and sustainability of the Kim Jong

II regime amid overall weakening of the three revolutionary forces.

Second, regarding *negotiating strategy*, there has been continuity and change. Prior to the declaration, the North chose forceful liberation, revolution of South Korea and inter-Korea dialogues to “realize the unification of Korea” (i.e., communize the whole Korean peninsula) differently according to circumstances at home and abroad. It often used a contending strategy to persuade the South when talks between the two Koreas were underway, and an inaction strategy to unilaterally cancel negotiations when the North failed to sell its ideas to the South. And when crisis occurred, it employed an offensive crisis management strategy.

Since the Joint Declaration was made, the North has used inter-Korea talks in a multitude of ways and employed a combination of strategies that include problem solving, inaction, and contending. As a result, the North gained economically using a problem solving strategy at the initial stage after the declaration was made, while maintaining a contending strategy to consolidate its regime. When the Bush administration came to power (at least in the beginning), Pyongyang stressed cooperation between the two Koreas, utilizing a problem solving strategy, and at times an accommodative strategy, to address its security problems. In addition, it also launched a “defensive crisis management strategy” to keep the Kim Jong Il regime intact. Lastly, it employed a “mixed strategy” since the start of the Roh Moo Hyun’s Participatory Government to address economic gains, security concerns, and push for its Unification Operation against the South. This can be referred to be as the “eat eggs, birds and make fires of the nest” strategy.

Third, in regards to *negotiating strategy*, before the Joint Declaration, the North tried to take control of inter-Korea talks and adjust the speed of negotiations by applying both “aggressive bargaining” and “competitive debate” tactics. In contrast, after the declaration, the North used both a compromise tactic, and aggressive and delaying tactics, showing a change in negotiating attitude.

Fourth, while the *nature of negotiating* has largely remained the same, there has been some change. Compared to the pre-inter-Korean summit era, when the North handled inter-Korea talks with a “fake” and “unbalanced negotiation” style that gave an edge to the North, and an “important negotiation” style centering on politics, it vigorously pursued a “genuine” negotiating style to cope with economic matters after the summit. At the same time, the North actively involved itself in balanced negotiation giving an advantageous position to the South, and working-level talks to obtain economic benefits.

Fifth, some changes have been made in *negotiating style* amid the North’s continuity. Before the summit, the North launched a “combative” negotiating style, using both negotiation and propaganda at the same time under the control of its leadership. While the North still uses negotiation and propaganda in its basic framework post-summit era, it is slowly embracing a more merchant-style negotiating pattern under a more relaxed centralized regime.

To sum up, North Korea, which mainly chose “aggressive fake” negotiation to create an atmosphere to revolutionize the South prior to the creation of the Joint Declaration, has more and more opted for “defensive genuine” negotiation afterward in order to

seek realistic gains and strengthen its regime.

Accordingly, it is essential for the South to create a mood where the North itself can bring about changes in a stable way, so that it can choose overall changes in its negotiating behaviors and policy toward the South, and form its own action plans. The way to accomplish this is not by slogans, but through the South gaining the trust of the North authorities and promoting consistent policy toward the North. To this end, an honest policy needs to be drawn up. And while the South should show some flexibility toward the North, it should also openly demand the changes and corrections it deems necessary.

Table 1. Negotiating Behavior and Determining Factors

$Y = a X(x_1, x_2, x_3) + b$
Y (negotiating behavior) y1 (objective), y2 (strategy), y3 (tactic)
X (determining factors behind negotiation) x1 (perspective), x2 (circumstances), x3 (capacity)

Table 2. Comparison of North Korea’s Negotiating Behaviors toward South Korea

Period and Division		After the June 2000 Joint Declaration				
Negotiating Behaviors	Characteristics	Aggressive Fake agreement	Defensive Genuine agreement			
	Negotiating Objectives	Normalization agreement (phenomena), Redistribute agreement (essence)	Innovation agreement (main), Redistribute agreement (secondary)			
	Negotiating Strategy	Contending Strategy, Inaction Strategy, Offensive Crisis Management Strategy	Politics	Economy	Military	Society
			Problem Solving Strategy, Inaction Strategy	Problem Solving Strategy	Problem Solving Contending Strategy	Problem Solving Strategy
	Negotiating Tactics	Aggressive Bargaining Tactics, Contending Debate Tactics	Non-aggressive Bargaining Tactics	Posturing, Soft Tactics/Problem solving Debate Tactics		Problem solving Debate Tactics
			Tactics to take the lead/adjust speed	Tactics to take the lead/adjust speed		
Negotiating Style	Combative Negotiation	Embracing Merchant Negotiation				

Period and Division		Before the June 2000 Joint Declaration				After the June 2000 Joint Declaration			
Negotiating Behaviors	Negotiating Nature	Fake Negotiation (favorable to the North), Unbalanced Negotiation		Important Negotiation	General Negotiation	Working level Negotiation	General Negotiation	Genuine Negotiation (favorable to the South), Balanced Negotiation	
		Important Negotiation		Perspective of specific negotiation sustained/general negotiation gradually embraced					
Determining Factors of Negotiating Behaviors	Negotiating Perspective	Response to changes following Cold War new Cold War/post Cold War		9-11 terror attacks and the Bush administration's stern policy toward the North					
		Worsening economic straits		Continuing economic hardship					
	Negotiating Situation	International Community	Sunshine Policy/Peace and Prosperity Policy						
		North Korea	Continuing intervention from the top leader; Expanding of UFD and diversification of its executive branches						
Negotiating Power		Industrialization, democratization		Intervened by the top leader/ Led by Unification Front Department					

