

## North Korea's New Position on (de-) Nuclearization and the 6 Party Talks

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Recently, the question of whether or not the 6 Party Talks will restart has become a topic of discussion. However the environment and conditions surrounding the talks appear to have changed dramatically. Even if they reopen under the same name, they will likely have a fundamentally different character from the 6 Party Talks of the past. One key difference is North Korea's position. To borrow a North Korea's phrase, North Korea is not so much trying to "restore" these talks as to "reform" them. This article will elaborate on how the North Korean position has changed.

### Rejection of Denuclearization and the 6 Party Talks following the 2009 Nuclear Test

In April 2009 the UN Security Council ratified a "Chairman's Statement" raising the issue of North Korea's missile (satellite) launches, which led to the prompt breakdown of the 6 Party-based denuclearization process then underway.<sup>1)</sup> Under the pretext that the UNSC statement was manufactured by the US, North Korea responded to this "hostile act" by performing a second nuclear test. In reaction, in June the UN Security Council adopted Resolution 1874, at which point North Korea declared that "it has now

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1) "The Collapse of the 6-Party Structure -3' A Turning Point in the Denuclearization of the Korean Peninsula," *Chosun Shinbo*, April 2, 2009.

become absolutely impossible for us to give up our nuclear program,” announcing that it would fully weaponize all newly extracted plutonium, restart its uranium enrichment program, and consider any blockade an act of war.<sup>2)</sup> It further stated that whether or not anyone acknowledged it as a nuclear power was irrelevant.<sup>3)</sup> In July it announced that the 6 Party Talks were finished forever.<sup>4)</sup>

## Reemerging Discussion about Denuclearization and the 6 Party Talks from August 2009, and Substantive Changes

However, from August North Korea again began to speak of its position on denuclearization and restarting the 6 Party Talks. In September North Korea announced “We have rejected the 6 Party Talks, which violently abused our republic’s sovereignty and our right to peaceful development, but we do not reject denuclearization of the Korean Peninsula or global denuclearization itself.”<sup>5)</sup> In October they declared, “A peninsula free of nuclear weapons was Kim Il Sung’s dying wish and remains our unchanging goal.” They further stated, “The issue of denuclearizing the Korean Peninsula is directly connected with the US ceasing its hostile policy towards North Korea and removing its nuclear threat,” adding, “If we are to resolve the nuclear issue on the Korean peninsula, there must be a peace treaty between the DPRK and the US.”<sup>6)</sup> North Korean Prime Minister Kim Yong Il brought up the issue with Chinese Prime Minister Wen Jiabao during his visit to Pyongyang that October, saying, “The denuclearization of the Korean Peninsula is an issue directly related to regional and global denuclearization.”<sup>7)</sup> Or to put it another way, “In order to denuclearize the Korean peninsula, we must first be rid of all nuclear weapons deployed in South Korea and throughout the region, and even all nuclear weapons that exist in the entire world.”<sup>8)</sup> Further, Chairman Kim Jong Il expressed his desire to transform US-DPRK antagonism into a peaceful relationship through bilateral meetings, and made clear that he was prepared to enter into multilateral talks, including 6 Party Talks,

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2) DPRK Foreign Ministry Statement, *KCNA*, June 13, 2009.

3) *Ibid.*

4) DPRK Foreign Ministry Communiqué, *KCNA*, July 27, 2009.

5) Letter from the DPRK’s Permanent Representative to the UN to the Chairman of the UN Security Council, *KCNA*, Sept. 4, 2009.

6) DPRK Foreign Ministry Statement, *KCNA*, April 14, 2009. “The US is the primary culprit of the nuclear problem on the Korean Peninsula,” *KCNA*, October 14, 2009.

7) Remarks made by Prime Minister Kim Yong Il to Chinese Prime Minister Wen Jiabao during his visit to Pyongyang in October 2009. “DPRK-US, then multilateral: A rational dialogue format,” *KCNA*, October 21, 2009.

8) *Rodong Sinmun*, October 14, 2009.

alongside of DPRK-US bilateral dialogue.<sup>9)</sup> When Stephen Bosworth visited Pyongyang in December, the North Korean Foreign Ministry gave the assessment that they had reached mutual agreement with their US counterparts on “the need to restart the 6 Party Talks” and “the importance of following through with the 9.19 Joint Declaration.”<sup>10)</sup> At the same time, they reaffirmed that “Without assurance that DPRK-US antagonism has been transformed into a peaceful relationship, we will not enter into any form of multilateral talks.”<sup>11)</sup> In an early 2010 statement the DPRK Foreign Ministry again formally demanded that a DPRK-US Peace Treaty be signed before proceeding with denuclearization. In late 2009, as debate about restarting the 6 Party Talks was again heating up among the relevant countries, North Korea suggested that the signing of a peace treaty would break the vicious cycle of mistrust which had developed among the participants in the 6 Party Talks and breathe new life into the denuclearization process.<sup>12)</sup>

## From the “Denuclearization First, Peace Treaty Second” Approach to the “Peace Treaty First” Approach

What can be observed in the various statements from August 2009 on is that North Korea is changing the meaning of the 6 Party Talks and denuclearization. Judging from the reports circulated by the North, its “Korean peninsula denuclearization” policy changed in the second half of 2009. The North Korean leadership says that they changed their policy based on an in-depth analysis of all aspects of US-DPRK relations and 6 years of the Six Party process.<sup>13)</sup> Thus the policy of “denuclearization first, peace treaty second,” to which they had adhered for 6 years (2004-2009), was changed to a “peace treaty first” policy.

This policy differs from the previous one in the following ways. North Korea says that for over 6 years, out of consideration for the US position, it devoted its efforts to achieving a denuclearization deal before negotiating a peace treaty.<sup>14)</sup> The 9.19 Joint Declaration in particular was

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9) “DPRK-US bilateral talks, August meeting in Pyongyang,” *Chosun Shinbo*, November 17, 2009.; “Direct negotiations between warring states on the subject of ‘Peace,’” *Chosun Shinbo*, January 5, 2009.

10) DPRK-US talks: Seeking a rational way forward,” *Chosun Shinbo*, December 11, 2009.

11) Ibid.

12) “60 years after the war, a proposal for a Korean Peace Treaty: A virtuous cycle for resolving the root problems of the 6 Party structure,” *Chosun Shinbo*, January 27, 2010.

13) “The key to resolving the nuclear issue is in building trust via a peace treaty: reaching a conclusion for harmony in all aspects of US-DPRK relations,” *Chosun Shinbo*, January 25, 2010.

14) Ibid.; “The first step to denuclearization is building trust with the US, a prerequisite for the DPRK to proceed free from anxiety,” *Chosun Shinbo*, February 2, 2010.

regarded as being based on the “denuclearization first, peace treaty second” sequential principle. For one thing, the declaration pledged to deal initially with the issue of not making any more nuclear weapons, i.e. abandoning “existing nuclear plans” such as the Yongbyon facility, and then address what to do with the DPRK’s nuclear stockpile. Second, it said that executing a denuclearization process must be linked with trust-building between the US and the DPRK, and would follow the principle of “action for action.” Third, it suggested that during the preliminary stage of discussion on the nuclear issue, the parties would build trust and prepare an environment for a peace treaty. Thus it was proposed that while the first steps of the 9.19 Joint Declaration were being executed, US-DPRK military representatives would hold negotiations at Panmunjom with UN representatives also in attendance. Fourth, the declaration proscribed that in the next step of the 2.13 Agreement, when the issue of destroying the DPRK’s existing nuclear stockpile comes up, it will naturally be necessary to discuss a peace treaty.

This stance began to change in the second half of 2009. The missile launches in April 2009, the 2nd nuclear test in May, and the ensuing UNSC response measures heralded the end of the previous 6 Party method (2004-2009) of putting the sequential process of denuclearization before discussion of a peace treaty. The repeated impasses and failures of the 6 Party process betrayed their inability to dispel the lack of trust between the parties,<sup>15)</sup> and the North Korean side said they saw no hope of the talks succeeding as long as animosity remained and there was no basis of trust in US-DPRK relations. Thus, they claimed, the sequence of denuclearization steps should be altered to match the changed situation. I.e., in order to speed up the process of denuclearization, the fundamental problem must be resolved first, by shifting from “trust-building through denuclearization” to “trust-building through a peace treaty.”<sup>16)</sup> Further, if the parties intend to not stop at merely shutting down the nuclear facilities, but also to discuss destruction of existing nuclear stockpiles, then they must put a stop to the belligerent atmosphere of US-DPRK relations. This reflects North Korean military logic and can be considered a fresh departure on the denuclearization process.<sup>17)</sup>

However, they say that they requested that the US determine the format of the peace talks.<sup>18)</sup> Further, Pyongyang demanded assurances that the talks would be conducted on an equal footing (that is, with sanctions lifted) and would follow the proper order, not overlooking the

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15) “Press Conference on Declaration by DPRK Ambassador to Russia and Foreign Ministry,” *KCTV*, January 15, 2010.

16) DPRK Foreign Ministry Spokesperson’s Talk, *KCNA*, January 18, 2010.

17) “60 years after the war, a proposal for a Korean Peace Treaty: A virtuous cycle for resolving the root problems of the 6 Party structure,” *Chosun Shinbo*, January 27, 2010.

18) “Request to the US to Decide Format for Peace Talks: Press Conference of Ambassadors to China and Russia,” *Chosun Shinbo*, January 15, 2010.

issue of establishing a peace regime.<sup>19)</sup> Also, they specified that merely having the armistice signatory nations sit down to the table for peace treaty negotiations would be a good starting for building trust, and that signing a peace treaty at that time would not be a precondition for restarting the 6 Party Talks.

Meanwhile, following the UNSC Chairman's Statement on the Cheonan incident in July, North Korea declared to consistently devote every effort to reaching a peace treaty and achieving denuclearization via participating in the 6 Party Talks process as an equal partner." Further, they threatened, "If the hostile forces continue to make provocations such as show of armed forces and sanctions, we will be forced to make a strong physical response, and they will be unable to avoid responsibility for any ensuing escalation."<sup>20)</sup>

## Prospects for the 6 Party Talks with the Changed North Korean Position

Taken altogether, North Korea appears to have readjusted its demands on the US and South Korea from around the time of the 2nd nuclear test in May 2009. This indicates that the North Koreans felt they should be able to enjoy more prestige and influence now that their nuclear capability had been reinforced, and they were testing this idea out on the neighboring countries.

As North Korea has said, "The 6 Party Talks must be reformed, rather than restored."<sup>21)</sup> They hope to change the structure of the negotiations on denuclearization in their favor. The main representation of this is the "peace treaty first" demand. North Korea has begun to behave basically as a nuclear power in its approach to the 6 Party Talks, while using high-handed diplomacy to force the US and South Korea to change their policies and reorganizing the agenda to either sign a peace treaty first or else negotiate denuclearization and a peace treaty side-by-side. Even if negotiations on denuclearization proceed, they will demand greater rewards in return for each "concession" than they have previously hoped for.<sup>22)</sup> This will make future progress in the 6 Party Talks even more difficult.

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19) "The first step to denuclearization is building trust with the US, a prerequisite for the DPRK to proceed free from anxiety," *Chosun Shinbo*, February 2, 2010.

20) "DPRK Foreign Ministry Representative, Response to a Question from a KCNA Reporter," KCNA, July 10, 2010.

21) "60 years after the war, a proposal for a Korean Peace Treaty: A virtuous cycle for resolving the root problems of the 6 Party structure," *Chosun Shinbo*, January 27, 2010.

22) If they succeed with nuclear weapons, it is expected that Iran will follow suit. Iran will apply pressure on the other OPEC members to allocate oil in a way that favors Iran's interests. David Ochmanek and Lowell H. Schwartz, *The Challenge of Nuclear-Armed Regional Adversaries*, Rand, 2008, p. 35.

This new North Korean stance was probably discussed during the DPRK-China summits in May and August. On August 30<sup>th</sup>, while meeting with Chinese Premier Hu Jin Tao in Changchun, Chairman Kim Jong Il remarked, “To relieve tensions on the Korean peninsula, we wish to resume the 6 Party Talks.”<sup>23)</sup> These reports appear more often in the Chinese media than in the North Korean media. This indicates that North Korea and China are in agreement on the issue of resuming the 6 Party Talks. The Chinese position is to concentrate for now on restarting the talks, and later on look into the feasibility of the North Korean demands. Since March, China has been showing signs that it would like to restart the talks at the point where they left off. On his recent tour of South Korea, the US, and Japan, Wu Dawei again proposed a 3-step process (DPRK-US talks → preliminary 6 Party Talks → formal 6 Party Talks). However it appears it will take some time for the participating countries to adjust their general positions on the issue.

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23) “DPRK top leader Kim Jong Il hopes for early resumption of six-party talks,” Xinhua News Agency, August 30, 2010.