



**Coordinating Regional Strategies
for a WMD-Free Korean Peninsula**

**A Multilateral
Dialogue Report**

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A Multilateral
Dialogue Report
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A Summary Report on a
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Overview

Government officials and foreign policy experts from six nations met for a one-day workshop in Honolulu, Hawaii, on February 20, 2004, to discuss options for dealing with the Democratic People's Republic of Korea's (DPRK's) weapons of mass destruction (WMD) programs. Occurring a few days before the second round of six-party talks held in Beijing, the meeting offered an opportunity for policy makers and academics from the United States, the Republic of Korea (ROK), Japan, China, Russia, and Australia to debate ideas in advance of the multilateral discussions. The workshop, Coordinating Regional Strategies for a WMD-Free Korean Peninsula, was organized by the Institute for Foreign Policy Analysis (IFPA), based in Cambridge, Massachusetts, and Washington, D.C., with help from the Center for International Studies, Graduate School of International Studies (GSIS), Yonsei University, located in Seoul. The Hawaii gathering was the third in a series, following a United States-South Korean bilateral meeting in 2002 and a trilateral dialogue in 2003 that included Japanese participation. These discussions are intended to help policy makers from the nations involved in the talks devise practical policies in support of peace and stability on the Korean Peninsula, with a specific focus on establishing a WMD-free peninsula. IFPA and GSIS would like to thank the Carnegie Corporation of New York for its generous financial support that made this conference, and the broader project of which it is a part, possible.

The organizers divided the dialogue into four sessions with the following objectives: 1) to evaluate the current multilateral approach to the North Korean challenge; 2) to examine the WMD issue within a broader global context; 3) to discuss the proper mix of "carrots and sticks" that could elicit more cooperative North Korean behavior; and 4) to debate options over a verifi-

cation and enforcement regime that would reduce the uncertainty surrounding the North's WMD programs and ideally result in the programs' irreversible dismantlement.

The timing of the conference was also fortunate in that discussions were enriched by Libya's surprising decision in December 2003 to forgo all WMD development, as well as by the troubling revelations that A.Q. Khan, the "father" of Pakistan's nuclear weapons program, had illicitly sold nuclear reprocessing technology and weapon designs to Libya, Iran, and North Korea through a black market that extends into Europe, the Persian Gulf, and Southeast Asia. Hence, the conference benefited from discussions that explored the intersection of regional security issues with broader, global proliferation concerns, and debated remedies to address problems emanating from this particular nexus. Furthermore, the presence of representatives from Russia, China, and Australia, in conjunction with their counterparts from the United States, Japan, and South Korea, ensured that a wide variety of perspectives was represented in Honolulu.

The diversity of opinions expressed within the expanded workshop clearly demonstrated the difficulty negotiators in the six-party process face in reconciling multiple opinions and preferred strategies for addressing the North Korean WMD issue (and this workshop did not even include a representative from North Korea!). The discussions revealed important fault lines, such as divergent national interests and some fundamental differences regarding perceptions of North Korean intentions, upon which the multilateral process rests. Bridging these gaps in perceptions and interests will be a time-consuming and intensive process, and it is unlikely that such derivative issues as determining the proper balance between carrots and sticks, or devising an acceptable inspection and verification scheme can be effectively debated until these more primary divergences are resolved (or, at least, more successfully managed). Failure to do so leaves the multilateral process susceptible to North Kore-

an tactics designed to open a wedge between the United States and Japan, on the one hand, and China, South Korea, and Russia on the other. It was on resolving such basic differences in perceptions of North Korean intent, and on reconciling idiosyncratic national interests, that discussions at the workshop were focused.



Perceptions

The workshop participants generally concurred with recent assessments regarding the extent of North Korea's plutonium-based nuclear capabilities and activity, which estimate that North Korea had reprocessed enough plutonium by the early 1990s for one or two bombs, and that since its announced withdrawal from the Nuclear Non-proliferation Treaty (NPT) in January 2003, it has produced enough plutonium for another three to six nuclear weapons (based upon the reprocessing of the eight thousand spent fuel rods and the restarting of the 5MWe reactor at Yongbyon following the announced withdrawal). A recent report by the International Institute of Strategic Studies (IISS) noted that North Korea today probably has the capacity to produce one weapon's worth of plutonium each year and will eventually be able to increase that amount to six to eleven weapons' worth of plutonium each year going forward.¹ This assumption, however, depends upon the functioning of the 50MWe reactor also located in Yongbyon, and one workshop participant who recently visited North Korea indicated that there was no evidence of progress toward the completion of construction of either the 50MWe or an additional 200MWe reactor. In fact, the North Koreans indicated to this participant that the partially completed 50MWe reactor would have to be torn down.

Some workshop participants expressed doubt, however, as to whether North Korea currently possesses the capability to convert its reprocessed plutonium into a functioning nuclear deterrent. Several participants argued that the DPRK has this capability, while others were less convinced, although most acknowledged that prudent planning required accepting North Korean claims of having developed a nuclear deterrent. One participant stated, "If they

¹ John Chipman, "North Korea's Weapons Programmes: A Net Assessment," International Institute for Strategic Studies, London, January 21, 2004, <http://www.iiss.org/showdocument.php?docID=324>.

Summary of North Korea's Plutonium-Related Nuclear Facilities

Facility (megawatts-electric, and status)	Plutonium Production (kg per year)	Weapons Capacity (per year)
5MWe, operational	6	1
50MWe, under construction	55	5-10
200MWe, under construction	220	20-40
Reprocessing facility, operational	220-250 ton throughput (as of 1994), enough for the fuel produced annually from the 5MWe and 50MWe reactors	

Sources: Joseph Cirincione, with Jon B. Wolfsthal and Miriam Rajkumar, *Deadly Arsenals: Tracking Weapons of Mass Destruction* (Washington, D.C.: Carnegie Endowment for International Peace, 2002); and Chipman, "North Korea's Weapons Programmes."

continue saying they have a nuclear deterrent, at some point we're going to have to act as though we believe them, whether we do or not, unless we're prepared to play very high-stakes poker." China maintains perhaps the clearest insight into DPRK intentions and capabilities, and its representatives at the workshop concurred with this observation, that countries in the region should base policy on the assumption that North Korea does indeed have a nuclear deterrent.²

Perhaps the most significant debate of the day centered on North Korea's strategic intentions regarding its nuclear programs, a perception that in turn affects policy prescriptions. The debate essentially focused on two possible – and the most plausible – motivations for North Korean behavior: 1) considerations of self-defense and the need to bolster a declining conventional deterrent capability, or 2) a continuation of Pyongyang's foreign policy of blackmailing other states, with its plutonium and suspected uranium programs designed primarily to garner greater payments and concessions from abroad in an effort to forestall regime collapse.

Under the first scenario, North Korea's orientation may be viewed as largely defensive, motivated

by perceived external threats to its continuing existence, and a sufficient security guarantee (combined with varying degrees of economic engagement) would likely lead to a bargaining away of most, if not all, of its nuclear programs. The possibility would exist, of course, that the Kim Jong-il regime might try to hold onto some portion of its nuclear programs as a hedge against potentially negative contingencies, but the overall conclusion of this scenario is that the North Korean nuclear threat can be managed and rolled back to an acceptable level.

The second scenario envisions a more offensive orientation on the part of Pyongyang, with a North Korea willing to bargain away only some of its nuclear capabilities in the short term, while at the same time fostering fear and uncertainty over its nuclear intentions and programs as a way of preventing a regime-changing response to any DPRK efforts at calculated adventurism (such as missile proliferation, drug trafficking, or even commando raids and naval infiltration against the ROK). Under this scenario, one can also envision continued hostile behavior, with a North Korean regime unwilling to bargain away anything unless the payments were high enough or unless the concessions entailed significant structural changes, such as a withdrawal of American troops from South Korea and/or Japan.

One participant made the observation that unlike most countries suspected of violating nuclear non-proliferation regimes, North Korea is not trying to deny its behavior, but rather is trying to convince skeptical governments of the existence and the viability of its nuclear programs and deterrent. Thus, this participant argued, North Korea's interest in nuclear weapons was motivated primarily by their usefulness as bargaining chips as opposed to their presumed deterrent capability. Furthermore, this participant believed that North Korea would never agree to the complete, verifiable, and irreversible disarmament (CVID) of its WMD programs, as the United States is demanding, since

² Recent press reports indicate that five years ago A.Q. Khan, in a visit to North Korea, was shown three nuclear devices. See David E. Sanger, "Pakistani Tells of North Korean Nuclear Devices," *New York Times*, April 13, 2004.

Pyongyang is interested in manufacturing further crises in the future. Several American participants concurred with this view, noting that North Korea has successfully relied upon a conventional deterrent ever since the end of the Korean War, and therefore, in their opinion, the nuclear programs were to be used mainly as bargaining chips rather than strictly for national defense (although their very utility as bargaining chips, more than one participant added, could also make it more difficult for the regime to contemplate negotiating them completely away).

Others, however, felt that security concerns were largely responsible for the North Korean interest in nuclear weapons. One Japanese participant, speculating on the North Korean reaction to the Iraq war, noted, "I think they feel that nuclear weapons are the best alternative they have. As long as they have nuclear devices, or at least feel that we think they have nuclear devices, we will not do anything to them. They still live in a world of deterrence." This evaluation was not universal, however, as another participant noted, "Well, if I was the North Koreans, I'm not sure that the lesson I'd take away from Iraq was that we need nukes to defend ourselves. I feel more the lesson I'd take away from Iraq is that America and its allies were prepared to go into Iraq on the assumption that WMD would be used against them. I think whilst we hoped that WMD wouldn't be used, we had to assume that it might be." Thus, among conferees there was some disagreement regarding whether the American policy of preemption, at least in the North Korean case, acts as an incentive to acquire WMD rather than as a disincentive.

Whether North Korean intentions are motivated by blackmail or deterrence against external threats, the common theme uniting these motivations is regime survival, and there was no disagreement among conference participants on the primacy of this value to North Korean thinking. Some participants indicated their belief that North Korea was likely to exploit its nuclear programs to seek

An anonymous questionnaire was presented to participants at the workshop. The questions, along with the tabulated results and submitted comments, are presented throughout this report.

Would North Korea ever agree to the irreversible and verifiable dismantlement of its nuclear programs?

Yes - 50%

Comments

- *They will only agree to such an arrangement if it is in their greater interest to do so, that is, in return for diplomatic recognition and/or economic support.*
- *The DPRK may well agree to such an arrangement, but whether it abides by such regulations is another matter.*

No - 50%

Comments

- *The DPRK sees its nuclear program and the ambiguity surrounding it as far too important a bargaining chip ever to fully abandon it.*
- *The DPRK views verification inspections as too intrusive to agree to them.*

both security and financial benefits. One Chinese participant stated that "most of us here agree that the most vital interest of North Korea is regime survival, which they conceive as being dependent upon both nuclear weapons and economic gains." An American official, recalling a Korean expression, concurred, saying, "The DPRK is chasing two rabbits, nuclear weapons capability and economic reform/transformation of their economic relations with their neighbors to try to bring about a very significant economic renaissance in the country." But, as this proverb teaches, chasing two rabbits leads to an empty pot, and thus it is uncertain whether maintaining WMD while transforming the economy without significant external assistance (available only through normalized relations with the outside world) are reconcilable and achievable goals for the North Koreans.

An equally important issue is North Korean perceptions of the other parties to the six-party talks, both as a group and individually. Many participants felt that the North Koreans perceive that regime change is the official, if unstated, American policy. Reflecting upon the American justification of the Iraq war in the absence of significant findings of WMD, one American participant understood North

Korean fears, stating, “Look at how this administration is now explaining Iraq. They say even if there were no WMD, we wanted to get rid of this guy [Saddam Hussein] because he was an evil man who did evil things. So, if I were a North Korean, I would be worried.” Indeed, even two well-informed American participants could not agree on whether regime change was the policy of the United States. While one noted that Assistant Secretary of State Jim Kelly indicated in the August 2003 six-party talks that the United States does not seek regime change, the other countered that Undersecretary of State John Bolton has suggested at times that the United States does seek the demise of the Kim Jong-il regime, a suggestion that eventually led the DPRK to denounce Bolton and bar him from any future negotiations. When asked to comment on this unusual move by Pyongyang in August 2003, a White House spokesman emphasized the admin-

we can also sit here and understand how North Korea may not believe this, that the perception from Pyongyang may be quite different. But beyond that, what is it that we need to be saying to the North Koreans so that they get a bit more comfortable that the United States, in fact, does not want to attack them? The president wants to seek a diplomatic solution.”

The need for the careful juggling of North Korean perceptions was also behind the statements of another United States official, who stated, “I don’t think it’s necessarily a bad thing for them to have some doubt, because I do think that we need to have some coercive mechanism as part of this. But the thing about which the North Koreans need to have confidence, where they are lacking confidence, in my view, is that if they were to truly abandon their weapons program, that in that case we would not have a policy of regime change.” This quote gets to the heart of the debate over the merits of threatening coercive measures, and, in particular, the extreme option of regime change, in winning North Korean acceptance of CVID or another solution that approximates this end-state.

Most nations are unwilling to entrust their security to the good faith of others, especially when they face the possibility of regime change, and yet the preceding quotes indicate a desire for policies that call for North Korean faith in American self-restraint once North Korea’s nuclear disarmament has been achieved. One doubts whether the North Koreans, not known for their deep trust of Washington, will ever develop such faith. As one participant asked, “The question is not whether the United States can live with a nuclear North Korea, but can it live with a non-nuclear North Korea?” Concerns with North Korean perceptions also extend to the advisability of other coercive measures, such as economic sanctions imposed by China and South Korea, since North Korea could initiate a military response if it perceives that the intent is to achieve regime change and not to offset

istration’s support for Bolton and said, “He was speaking for the administration.”

Fortunately the workshop benefited from the participation of several American government officials who helped shed light on this matter. One of them stated, “We can all sit here and understand that the United States poses no military threat to North Korea. The president has said so repeatedly. The secretary of state has said so repeatedly. Yet

What impact has the United States’ policy of preemption had on North Korean decision makers?

More likely to build and maintain a WMD deterrent - 79%
Comments

- *The DPRK regime typically responds to aggressive/hard-line tactics with even more aggressive/hard-line tactics.*
- *Preemption plays right into all of North Korea’s insecurities.*

Less likely to build and maintain a WMD deterrent - 21%
Comment

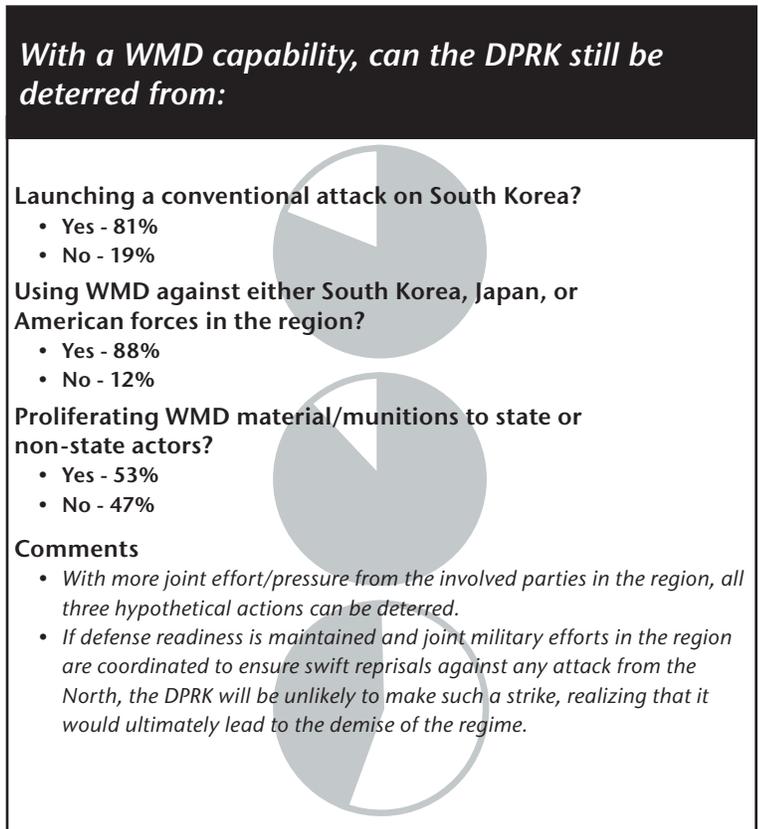
- *The DPRK will make almost any concession to avoid an American attack.*

the threat to others' security posed by its nuclear programs.

Distrust is also present to some extent among the countries seeking North Korea's nuclear disarmament, notably between South Korea and the United States. Recent press reports have attested to a lack of intelligence sharing and trust between South Korean and American intelligence officials.³ One South Korean conferee essentially confirmed this report, stating, "When you talk to senior officials, they will tell you that, frankly speaking, we can't really believe what the Americans are telling us. I've personally heard senior officials basically disparage American reports, saying they are not credible." This distrust is likely magnified when officials from both countries discuss North Korea's alleged highly enriched uranium (HEU) program, as American officials believe that the program is more advanced, and thus requiring attention in the six-party process, than either South Korean and Chinese officials believe.

South Korean distrust has led to frustration on the part of the United States. One American participant, in speaking with South Korean colleagues, noted, "Your challenge is to convince North Korea that you are serious. The stated policy of South Korea since Roh Moo-hyun's inauguration has been that if North Korea goes down the nuclear path, everything [economic assistance] ends, and you keep telling us, well, we're serious. But do the North Koreans believe that at this point? They have gone further and further down that path, objectively speaking, and the South Korean response so far has been to publicly doubt American credibility, as opposed to what North Korea is saying." Further distrust is likely to be fueled by recent indications that China may not be accurately transmitting messages between North Korea and the United States, thereby leading to the conclusion that Pyongyang and Washington are further apart than even they believe to be the case.⁴ Such distrust will make it harder to present the North Koreans with even the

perception of a united front, a factor identified as important by several conference participants.



³ Donald Kirk, "Rift Seen in South Korean and U.S. Intelligence Sharing," *Christian Science Monitor*, March 11, 2004.

⁴ Senate Committee on Foreign Relations, "North Korea: Status Report on Nuclear Program, Humanitarian Issues, and Economic Issues," staff trip report, 108th Congress, 2d sess., February 2004, Committee Print 40.

Interests



Quite apart from inconsistent perceptions among members of the multilateral process, the divergence of members' interests (not including North Korea's) must be considered. Simply put, South Korea and China may prefer to live under a new status quo – North Korea as a declared nuclear state – as opposed to dealing with the likely humanitarian and refugee crisis that might result from a regime change brought about by the application of coercive economic sanctions. Furthermore, majority opinion in South Korea, anticipating formidable costs associated with unification, does not favor a “big bang” approach to reunification, but rather prefers a more gradual evolution that would entail inter-Korean economic cooperation and support for the nascent free-market reforms in North Korea, in the hope that such efforts would reduce the financial costs to the South following reunification. Also, in a report submitted to the United States Congress, two American officials noted that “China and South Korea place a premium on maintaining peace and stability on the Korean Peninsula,” and that “both seem prepared to go to great lengths to avoid either a war on the peninsula or an abrupt collapse of the Kim Jong-il regime.”⁵ The concern, though, is that the structural reality of this dispute and the existence of divergent national interests will result in a policy drift in which an expedient delay is transformed into what one American participant called “masterful inactivity.”

Of course, a new status quo along the lines referenced above could also have some unfortunate consequences for Chinese foreign policy. In particular, continued tensions on the peninsula would likely produce a number of second-order effects detrimental to Chinese desires to maintain stability in the region so that Beijing can focus on

⁵ Ibid.

needed domestic reforms. While China and Russia are not keen to see a unified peninsula under American aegis, insecurity resulting from North Korea's WMD and missile programs may lead Japan to develop an indigenous nuclear deterrent and an offensive doctrine calling for preemption. Furthermore, theater missile defenses used to protect Japan may be transferable to Taiwan, and therefore affect cross-strait relations. As one Chinese participant put it, "A nuclear North Korea, at least from the Chinese perspective, would probably promote Japan to go nuclear. Maybe it's not true, but I think it is true that it would provide enough incentives for Japan and the ROK to have more missile defense systems. And China would be very worried that this kind of missile defense system would have extended use in the case of a cross-strait conflict, if that event happens."

These conflicting pressures led some workshop participants to wonder whether China indeed preferred to deal with the negative consequences associated with a new status quo rather than getting tough with North Korea by threatening economic coercion and potentially inducing a regime collapse and a humanitarian crisis. One South Korean participant stated, "At some point in time for our dear Chinese colleagues, there will be 'show time' [i.e., the decision to press hard on North Korea] for you. And it will be very tough. But you have to make that very critical decision. And I wish you lots of luck."

Adding a temporal dimension, one American participant noted that while everyone could agree on the goal of a nuclear-free peninsula, differences among the five parties existed on the means used and the sense of urgency associated with reaching this happy ending. Thus, he stated, "the one country that really wants to see progress soon is Japan. Not South Korea, because progress is probably going to have some impact on its domestic political situation and will probably involve some price to be paid in its relationship with the United States. Not the United States, because I think

in an election year there is some advantage for the party in power in displaying a continued firmness on North Korea."

In accordance with this view, some Japanese conferees demonstrated frustration with the lack of progress since the 1994 agreement that froze the DPRK nuclear program. One of them stated, "We gave them ten years, we gave them money, we gave them heavy oil, and what we have now is two hundred No-dong missiles pointed at us." Furthermore, this official reminded the conferees that besides its nuclear programs, other issues requiring negotiations at some point with the North Koreans include its ballistic missile program and its chemical and biological weapons programs, in addition to the bilateral dispute involving Japanese citizens abducted by the DPRK in the 1970s and 1980s.

Is North Korea likely to proliferate its WMD material/munitions in the future?

Yes - 40%

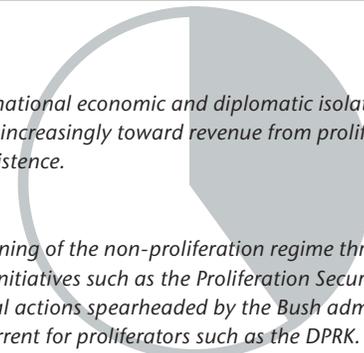
Comment

- Further international economic and diplomatic isolation may force the DPRK to turn increasingly toward revenue from proliferation to fund its continued existence.

No - 60%

Comments

- Recent tightening of the non-proliferation regime through both multilateral initiatives such as the Proliferation Security Initiative (PSI) and unilateral actions spearheaded by the Bush administration will act as a major deterrent for proliferators such as the DPRK.
- The DPRK's nuclear weapons program was not designed to generate revenue for the state.



The plethora of issues requiring negotiations with the North Koreans has created difficulties for policy makers with regard to negotiating strategy and the maintenance of a unified stance vis-à-vis the DPRK. Specifically, negotiators have to determine whether the multilateral process deals solely with North Korea's nuclear programs, and indeed, whether the HEU program is also on the agenda, or whether the talks also deal with political

If an agreement that entails North Korea's disarmament and its greater economic and diplomatic interaction with the outside world is reached, will the regime of Kim Jong-il survive beyond ten years?

Yes - 44%

Comment

- *Economic and diplomatic reform may actually serve to strengthen the Kim regime.*

No - 56%

Comments

- *Economic and diplomatic reforms will likely bring instability to the DPRK and the Kim regime.*
- *Kim Jong il is in relatively bad health and has yet to groom a successor; his death will likely mark the end of the Kim regime in the DPRK.*

questions such as the Japanese abductions and human rights issues in the DPRK. The consensus among policy makers is that the six-party process will for now deal exclusively with the North's nuclear programs, a choice that could effectively focus the discussion but consequentially limit the opportunity for a major diplomatic breakthrough encompassing a greater range of issues (a "more for more" approach).

The North Korean nuclear issue has raised as well a number of uncomfortable questions for both American and South Korean policy makers, none more so than the degree to which it has contributed to their diverging threat perceptions and security priorities, and whether the alliance can survive this strain. The September 11, 2001, terrorist attacks have essentially magnified the risks to international security posed by the potential proliferation of North Korea's WMD to transnational terrorist groups, and therefore complicated the resolution of an issue whose effects were previously more geographically circumscribed. Thus, American and South Korean threat perceptions have diverged to the extent that the former prioritizes, ideally, the elimination and, minimally, the containment, of North Korea's WMD over stability on the peninsula, while the order is reversed for the latter.

While not all of the Americans and South Koreans at the workshop were in agreement with their respective governments' policy stance vis-à-vis North Korea, the potential clash of perceived interests was evident. One American participant stated, "The only way you can solve the current problem is to convince the North Koreans that their current course of action, their pursuit of nuclear weapons, has decreased the likelihood of their survival. They have become less secure. And the more they pursue nuclear weapons, the less secure they become. You can't do that just militarily because they understand and we understand that there are limits to what we can do militarily and there are some very high costs. So, the only way you can do it is a combination of military, political, and economic factors. This can't be done by the United States alone. Only South Korea and China can make the North Koreans believe that there are serious economic consequences to not cooperating."

In contrast, one South Korean participant, expanding on his government's policy leanings, noted that "my personal view is that I think that [the South Korean government] will choose to live with a North Korea with nuclear weapons, regardless of what it says rhetorically and regardless of what my friends in the foreign ministry say. When push comes to shove, I doubt highly whether the Roh Moo-hyun administration will ever join the PSI or enter into any type of sanctions regime or even push for an intrusive verifications regime." Another South Korean representative indicated, "If we join PSI, then we'll be treating North Korea as a rogue state, a failed state. We cannot do that. You've got to understand the domestic political context." However, semantics and perceptions are important, since this same participant had also indicated that South Korea was already cooperating with the United States on initiatives very similar to those encompassed within PSI. He stated, "South Korean intelligence officers have been tracing North Korean scientists' visits to Pakistan and transferring that intelligence to the United States.

Why does the South Korean government need open participation in PSI? We are already cooperating with the United States on issues ranging from intelligence sharing to curtailing North Korea's drug and counterfeiting operations.”

The North Korean Nuclear Issue in a Global Context

As noted at the outset of this report, the timing of the IFPA workshop was fortuitous not simply because it preceded the second round of six-party talks by a only few days, but also because of recent proliferation-related developments occurring in other parts of the world that might shed light on the situation with respect to the DPRK. Besides the impact of North Korea's announced withdrawal from the NPT in January 2003, the credibility of the global nuclear non-proliferation regime is being sorely tested by Iran's flirtation with a nuclear weapons program and by the astonishing revelations of the extent of illicit WMD proliferation conducted by Khan Research Laboratories, supposedly without official Pakistani government assistance. The International Atomic Energy Agency's (IAEA's) discovery in January 2004 of designs for advanced centrifuges in Iran, which likely came from the Khan laboratories and which were not disclosed in Iran's October 2003 declaration to the IAEA, and the discovery by IAEA officials of traces of weapon-grade uranium, raised the possibility that Iran is cheating on its obligations by using a peaceful nuclear program as a cover for a nuclear weapons program. Both incidents confirmed as well how easy it might be even for an NPT member to pursue a clandestine weapons program based on enrichment technologies, as North Korea is alleged to have done before its withdrawal from the NPT.

The difficulties experienced with Iran have renewed calls for modifying the non-proliferation regime. Possible reforms include the multilateralization or internationalization of the nuclear fuel cycle, a UN Security Council resolution that criminalizes WMD proliferation to non-state actors, and the recent White House proposal to encourage the forty states that comprise the Nuclear Suppliers Group to refuse to sell uranium enrichment or reprocessing

Select NPT and IAEA Reform Ideas and Proposals

Proposal	Source	Status/Remarks
Draft United Nations resolution (under Chapter 7 of the UN Charter) calling on states to refrain from any support to non-state actors that attempt to acquire or transfer WMDs and to adopt laws and enforcement mechanisms to prevent such actions.	United Nations (based on consultations among the five permanent members of the UN Security Council).	Unanimously adopted by the UN Security Council on April 28, 2004.
Expand the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction in terms of funds, donors, and recipients.	United States, in a speech by President George W. Bush on February 11, 2004, among other proponents, including Strengthening the Global Partnership (a consortium of research institutes supporting this program).	A ten-year, \$20 billion effort was launched by the G-8 in 2002 to fund various non-proliferation and WMD destruction projects. Over \$16 billion has been pledged, but relatively little money has been allocated. Efforts continue to carry out and expand the program.
Signature of the IAEA Additional Protocol should be a condition for countries seeking equipment for their civilian nuclear programs by 2005.†	United States, in a speech by President George W. Bush on February 11, 2004. Similar proposal made by IAEA.	United States is pursuing in the G-8 and in the Nuclear Suppliers Group.
IAEA Board of Governors should create a special committee on safeguards and verification, to improve the organization's ability to monitor and enforce compliance.	United States, in a speech by President George W. Bush on February 11, 2004.	United States is pursuing in the G-8.
No state under investigation for proliferation violations should be allowed to serve or continue serving on the IAEA Board of Governors or on the new special committee.	United States, in a speech by President George W. Bush on February 11, 2004.	United States is pursuing in the G-8.
Members of the Nuclear Suppliers Group should refuse to sell uranium enrichment or reprocessing equipment to any state that does not already possess full-scale, functioning enrichment or reprocessing plants.	United States, in a speech by President George W. Bush on February 11, 2004.	United States is pursuing in the G-8.
The most sensitive parts of the nuclear fuel cycle (e.g., reprocessing and enrichment) should be taken out of national hands and "multilateralized" by putting them under the control of an international organization or a small, fixed number of tightly regulated private companies.	Proposed in various forms by different organizations, including the Carnegie Endowment for International Peace. The idea has been promoted by IAEA Director General Mohamed ElBaradei.	No specific actions yet taken.
States that are not clearly in full compliance and wish to withdraw from the NPT must first surrender the nuclear capabilities gained while an NPT member.	The Nonproliferation Policy Education Center in the United States, among others.	No specific actions yet taken.

† Of the six parties participating in the Beijing talks, only three (China, Japan, and South Korea) have ratified the IAEA's Additional Protocol (it entered into force in South Korea on February 19, 2004). Russia and the United States have signed the additional protocol but have yet to ratify it. North Korea never signed the additional protocol and is currently no longer an NPT member.

equipment or technology to any state that does not already have these capabilities. Exogenous shocks, such as these potential reforms and the surprising Libyan decision to forgo WMD development and to re-engage with the international community, have the potential to influence decision makers' priorities and expectations within the North Korean context.

The recent revelations of illicit nuclear proliferation activities on the part of Khan Research Laboratories have also complicated the picture with regard to the DPRK's nuclear capabilities. Recent press reports indicate that Pakistani debriefings of A.Q. Khan reveal that in the late 1990s the Khan laboratories sold raw uranium hexafluoride, centrifuges, and warhead designs – a package similar to the one sold to Libya for \$60 million – to the DPRK.⁶ Such reports, if true, would appear to provide the first solid, unclassified evidence in support of American accusations that Pyongyang has indeed acquired a weapons-relevant enrichment capability by covert means. However, uncertainty still abounds, since American intelligence agencies have yet to locate any potential North Korean sites housing uranium enrichment facilities, nor can American officials reliably determine when North Korea might have enough enriched uranium to make a nuclear weapon, although officials are guessing within a year or two. Such uncertainty obviously complicates any military solution, since HEU and enrichment facilities can be hidden in any of the countless caves and underground facilities in the North. Furthermore, a negotiated solution becomes more difficult to achieve, since the HEU program offers the North another means of leverage. Also, these allegations have the potential to split the coalition confronting North Korea, since the United States and Japan are unlikely to be satisfied with a solution that deals solely with the plutonium programs, while South Korea and China are hesitant to trust the accuracy of Amer-

ican intelligence reports following the failure to find WMD in Iraq.

The conference also provided a useful opportunity for exploring whether the remarkable foreign policy reorientation of Libya offers any useful lessons and precedents applicable to the North Korean case. In determining the correspondence between the two cases, it is useful to subdivide the analogy into two parts, where the first part, or “front end,” relates to the process employed in engaging the Libyans, and to the political and economic motivations and calculations that led Libya to make its decision, with the second, or “back-end,” part relating to how the logistical process of dismantling Libya's nuclear program and the country's re-engagement with the West and global institutions actually unfolds. The motivation for introducing this framework and examining its relevance to the North Korea case, of course, is to consider whether and how North Korea can be encouraged to make a similar decision.

With regard to the front end and, specifically, the process employed in reaching the December 2003 agreement, several facts are noteworthy. First, the process was initiated by Libyan leader Colonel Qaddafi, and the talks were a direct outgrowth from earlier discussions that led to the settlement of outstanding issues regarding the Lockerbie bombing. The talks were conducted in secret over the course of roughly nine months and featured a prominent British role as intermediary between the Libyans and the Americans. Moreover, the discussions were not held hostage to intense ideological divisions within the current Bush administration, since they were generally handled outside of the normal interagency process, primarily by the Central Intelligence Agency (CIA) and the State Department. In contrast, American policy toward the DPRK has been wracked by internal disputes (often of an ideological nature), and it has been conducted in both a more public and more formal interagency manner.

Another noteworthy aspect of the Libyan negotiations was the absence of any mention of regime

⁶ David E. Sanger, “U.S. Sees More Arms Ties Between Pakistan and Korea,” *New York Times*, March 14, 2004.

change. Qaddafi was not under the impression that his removal was a prerequisite for Libya's rehabilitation into the international community. The regime change option has been referenced with regard to Iran, and a Middle East security specialist at the workshop indicated that "as long as there is talk in Washington and elsewhere about regime change in Iran, that is the one thing that will unite, I think, most of the Iranians to put up a fight, at least to the point of trying to divide us from the Europeans and everybody else at the IAEA." Yet this Rubicon has already been crossed with North Korea, and the opinions of the conferees, therefore, were mixed with regard to whether or not the regime change option could ever really push North Korean decision making in the direction of seeking disarmament in return for economic and security benefits.

One South Korean participant, commenting on what he thought was the appropriate procedure for engaging the DPRK, essentially verbalized the salient features of the Libyan negotiations along with the procedural differences with the North Korean case: "The primary determining factor of the Libyan model was quiet diplomacy. Nine months of hard work by British intelligence. Therefore, number one, can the Libyan model be compatible with the six-party talks? Second, who would play the role of Great Britain in dealing with North Korea? And third, can the United States appoint a super coordinator who could transcend the interagency conflict? I think that in order to make the Libyan model successful, there must be two approaches. On the one hand, you can go ahead and use open diplomacy with the six-party talks, but, on the other hand, you should send somebody to Pyongyang to make sure that regime change will not be American policy if they agree to the complete, verifiable, and irreversible dismantling of their WMD programs."

Besides procedural factors, Libyan front-end calculations were also dependent upon structural forces that influenced the cost-benefit calculus of

key decision makers with respect to the possession of WMD. The Middle East security specialist cited above noted that the roots of Libya's December 2003 decision pre-date the current Bush administration and stem from its desire to alter the structural conditions under which the country operated and which, beginning in the late 1980s and early 1990s, had turned sour. First, it lost its superpower patron in the Soviet Union following the latter's collapse in 1991, and as a consequence of its sponsorship of terrorism it suffered from diplomatic isolation and was placed under UN and American economic sanctions, which had a significant impact on the country's economy. Yet, for the last few years, Libya had been trying to reintegrate itself into the world community. It had already made the decision to forgo the use of terrorism as state policy when it agreed in 1999 to the handover of two operatives responsible for the Pan Am bombing, and, while one can debate the degree to which the Iraq war influenced Qaddafi's calculations, it seems safe to conclude that this had at least some effect by signaling that the United States was now more willing to use force in dealing with certain states not abiding by non-proliferation rules. In addition, the counsel of Western-educated advisors, and especially Qaddafi's son Saif, warning the Libyan leader that persistence in the WMD business was further damaging an economy that already was not producing jobs for the younger (and growing) segment of the population likely also contributed significantly to the decision.

While both North Korea and Libya lost their superpower patrons with the end of the Cold War, there are notable structural differences between the two cases. First, Libya does not face an external threat from its neighbors, while North Korea is locked in an acute security dilemma of existential proportions with its southern neighbor who receives the military and diplomatic support of the remaining superpower. "There is no 'South Libya,'" one participant noted. Also, Libya is located near the geographical center of Al Qae-

da's operating environment, and therefore Libya, more than North Korea, is affected by the external shocks emanating from the struggle between Al Qaeda and the West. Thus, the threat posed by Libya's potential provision of WMD to the terrorist group is of a more immediate and imminent concern to American policy makers, and Libya itself has had to fend off radical Islamist groups (who might seek, among other objectives, greater leverage over Libyan WMD assets). In 1998 the Libyan Islamic Fighting Group, which the State Department has linked to Al Qaeda, attempted to assassinate Qaddafi, and American and Libyan officials have shared intelligence on Libyan militants tied to Al Qaeda. The American-declared "war on terror" and Libya's proximity to it placed Qaddafi under greater pressure to come to terms with the United States.

Furthermore, North Korea's conventional deterrent capability, despite its decay caused by economic difficulties, is more formidable than that presented by Libya, and the North's nuclear program is far more advanced, thereby giving it greater leverage. And, while this point should not be overstated, the presence of oil in Libya likely added some incentives for the United States in terms of normalizing relations with Qaddafi. As one South Korean participant noted, "I'm going to suggest to you that the Libyan model is totally irrelevant to the North Korean case. If you read between the lines the rationale why it's not relevant, it's very practical. There is no oil in North Korea."

The lack of significant deposits of oil in North Korea also affects the North Korean decision-making calculus regarding compliance with non-proliferation rules. A big factor influencing

Key Events in Recent Libyan History

March 1977 – Colonel Qaddafi declares a "people's revolution," changing the country's name from the Libyan Arab Republic to the Socialist People's Libyan Arab Jamahiriyah and setting up "revolutionary committees."

April 1986 – The United States bombs Libyan military facilities, residential areas of Tripoli and Benghazi, killing 101 people, and Qaddafi's house, killing his adopted daughter. The raids are in response to alleged Libyan involvement in the bombing of a Berlin discotheque frequented by American military personnel. American sanctions on Libya are widened to include a total ban on direct import and export trade, commercial contracts, and travel-related activities.

December 1988 – Pan Am flight 103, with 259 people aboard, most of them Americans, is bombed over Lockerbie, Scotland. All aboard the United States-bound flight perish, along with 11 more on the ground.

April 1992 – The United Nations imposes sanctions on Libya in an effort to force it to hand over for trial two of its citizens suspected of involvement in the blowing up of Pan Am flight 103.

August 1996 – The Iran-Libya Sanctions Act, which imposes sanctions on foreign companies that invest \$40 million or more in these two countries' energy sectors, is signed by President Clinton.

April 1999 – Lockerbie suspects are handed over for trial in the Netherlands under Scottish law; United Nations sanctions are suspended.

July 1999 – The United Kingdom resumes diplomatic ties with Libya following the latter's acceptance of "general responsibility" for the 1984 shooting death of a London police officer at a demonstration against Qaddafi. The shot is alleged to have been fired from inside the Libyan embassy and aimed at dissidents protesting outside.

January 2001 – A Scottish court in the Netherlands finds one of the two Libyans accused of the Lockerbie bombing, Abdelbaset Ali Mohamed al-Megrahi, guilty and sentences him to life imprisonment. Megrahi's co-accused, Al-Amin Khalifa Fahimah, is found not guilty and freed to return home.

Libya's calculation was the potential for significant foreign investment in its oil industry and the likely multiplier effect on the rest of the Libyan economy that would result from its decision to forego WMD. As one participant put it, "The group of advisors around Qaddafi were all saying to the old man, get out of this business, namely, terror and ultimately WMD. It is destroying our society at a time when we have young people coming into the job market, we have no jobs, and there's a lot of discontent." Another conference participant, speaking of the North Koreans, noted, "WMD is the only merchandise they have. They don't have oil. They have nothing, just their own unpredictability, their own threats."

Furthermore, even with the lifting of international sanctions, multilateral lending agencies are unlikely to rush into North Korea. One participant noted that "in order to get support from the IMF and the World Bank, the North Koreans should develop transparency in economic and financial data. But they don't have financial and economic

data. Without that, these lending institutions cannot make a judgment whether or not they should provide lending." Hence, structural differences with regard to energy deposits and readiness for foreign investment indicate that the benefits of forswearing WMD are greater in Libya than they are in North Korea.

Another structural difference between the two cases is the lack of an interlocutor between North Korea and the United States that could play the role that Great Britain did in the Libyan context. China does not adequately fit into this role since it provides aid to North Korea, its former client, and Beijing has a keen interest in not inducing a humanitarian crisis and not seeing a strong American ally at its border. Some participants complained that Japan could have served this role but did not, thanks to the abductions issue. However, since the operating environment in Northeast Asia is one in which a number of prominent powers interact within a constricted geographic space, a priori one would not necessarily expect an interlocu-

January 2002 – Libya and the United States say that they have held talks to mend relations after years of hostility over what the Americans termed Libya's sponsorship of terrorism.

August 2003 – Libya signs a compensation deal worth \$2.7 billion with lawyers representing families of Lockerbie bombing victims. Libya formally takes responsibility for the bombing in a letter to the United Nations Security Council.

September 2003 – The United Nations Security Council votes to lift sanctions against Libya.

December 2003 – Libya announces that it will abandon its WMD programs.

January 2004 – The United States decides to maintain sanctions on Libya, although sanctions are expected to be lifted in stages, as Libya makes progress in dismantling its WMD programs.

February 2004 – The White House announces that restrictions on travel to Libya will be lifted, and agrees to open a Libyan interests section in Washington, D.C. Permission is also granted for American companies with pre-sanctions holdings to negotiate the terms of their re-entry.

February 2004 – State Department officials announce their intentions to establish a free-standing liaison office in Tripoli.

March 2004 – British Prime Minister Tony Blair meets with Qaddafi.

April 2004 – The United States announces that it will end its remaining economic sanctions on Libya, and it will remove Libya from the Iran-Libya Sanctions Act. However, Libya still remains on the State Department's list of state sponsors of terrorism.

Future – *Additional economic and diplomatic benefits may include the reopening of the American embassy in Tripoli and participation in the Barcelona Process. (Also known as the Euro-Mediterranean Partnership, the Barcelona Process provides a regional framework for discussions designed to enhance dialogue, exchange, and cooperation among the countries within the Euro-Mediterranean basin.)*

tor similar to Great Britain in the Libyan context to emerge. Indeed, geostrategic constraints and associated security dilemmas render it extremely unlikely that any of the five countries now negotiating with the DPRK in the six-party talks could ever successfully play a British-style facilitating role.

Nonetheless, despite clear procedural and structural differences between the two cases, successful implementation of the back end in the Libyan case may positively influence DPRK front-end calculations. With regard to the process for rewarding Libya with economic and diplomatic benefits, the United States is adopting a step-by-step approach whereby sequential actions taken by the Libyans on the dismantlement of their WMD programs and the severance of their links to terrorism are rewarded with increasing benefits based upon performance. Any backtracking by Libya on its commitments would lead to a reevaluation of both the approach and the bilateral relationship in general. Ideally, the successful evolution of this partnership will have information spillovers affecting the North Korean situation. As one American participant noted, “My sense is that right now for North Korea, Libya is an abstraction. They read about it in the press. We know they’re interested in it, we’ve seen some of their statements denigrating it in KCNA [Korean Central News Agency] and elsewhere. But it still is an abstraction for them. And, so, the question really is, as it becomes less of an abstraction and more tangible over the next six to twelve and twenty-four months, is it possible when they see tangible, visible, demonstrable evidence of Libya benefiting from the strategic choice that it made, what impact, if any, will that have on their own thinking in Pyongyang.”

Other participants pointed out that the Libya model offered a roadmap with regard to the steps to be taken to achieve CVID once North Korea made a similar strategic decision. One American participant noted, “By template, the administration or the leadership of North Korea agrees to forswear their nuclear weapons program, and they invite

qualified inspectors to come in. What I’m suggesting to you, it’s the process of openness, saying here, come into my warehouse, take all this stuff and fly it to Tennessee.” More formally, the Bureau of Verification and Compliance at the State Department is heading an interagency effort that is aimed at implementing CVID in the Libyan case, which will involve the identification, securing, and removal of WMD programs and the use of information gained for helping Libya with its declarations to the IAEA and the Organization for the Prohibition of Chemical Weapons (OPCW). Following meetings with the Libyans in January 2004 involving National Security Council, State Department, and CIA officials, all parties agreed upon a checklist of priority items to be removed during the initial visits of the bilateral and interagency teams assisting Libya to achieve its CVID requirements. A similar process could be employed in the North Korean case with the assistance of other members of the six-party talks, should Pyongyang make a similar strategic decision.

Clearly one of the larger lessons to draw from the Libyan case is that Tripoli calculated the costs and benefits associated with compliance, and concluded that the benefits outweighed the costs. Iran is also making these sorts of calculations. Like Libya before its recent reorientation and the Lockerbie settlement, Iran has a similar set of unresolved issues with the United States. Yet any information spillover that would be useful in the North Korean context is more likely to result from a successful resolution of the Iranian rather than the Libyan case, since “regime change” has entered the policy lexicon in relation to options for dealing with Iran and not Libya. Moreover, besides clear differences in material and ideational factors separating Iran and North Korea, both countries likely view their WMD programs within a broader context, offering negotiating leverage that normally would not be accorded to them given the disparities of power they face with the United States. Of course, recognizing the existence of these relatively

defensive intentions does not eliminate the possibility that these regimes may also calculate that there are benefits as well to cheating by proliferating WMD, say, to Al Qaeda, if they felt sufficiently confident that these acts would escape detection.

Furthermore, the Iranian and North Korean cases both highlight some of the difficulties associated with the current non-proliferation regime. Specifically, countries that pursue a civilian nuclear program are capable of using it as a cover for a nuclear weapons program by diverting facilities and materials for prohibited use and evading detection over an extended period of time. Speaking of Iran, one American participant said, "Every day we have more evidence that the Iranian situation is extremely serious. It is a crisis that if the IAEA and the international community does not resolve favorably, will, in my judgment, lead to the end of the non-proliferation regime as we know it." With regard to North Korea, one Japanese participant, demonstrating an exasperation over the inability of his country to rely on anything other than legal rules and the efforts of others in countering the North Korean WMD threat, noted, "The question is can we deal benignly with the small number of North Korean undeclared nuclear weapons? That is our core question. My answer is an outright no, not at all. There are several reasons. Point one is that this is a fatal blow to the whole efforts on non-proliferation, including the NPT. We cannot allow this. This is not only a nuclear issue on the Korean Peninsula, this is also a global non-proliferation issue."

The recent developments concerning A.Q. Khan, Libya, Iran, and North Korea led one American participant to argue that North Korea would face essentially the same treatment from a Kerry administration (should John Kerry win the United States presidential election in November). He stated, "One of the things that is interesting now in Washington is that a lot of the Democrats have become reinvigorated on the issue of proliferation because of Khan, and also because of Korea, Iraq, and Libya. You have an alliance of sorts between neoconser-

vatives and the old liberal arms control community that is extraordinarily tough-minded when it comes to the issue of Iran and Korea. And, therefore, it would seem to me that if the Democrats win, the Koreans would be gambling. It would be a big gamble to think that the new administration would be any easier on them on the nuclear issue." Yet, equal vigilance on non-proliferation norms does not mean that the same procedure will be applied to all cheaters regardless of the geopolitical and strategic context. One Japanese participant noted the different treatment being accorded to Iran and North Korea. He stated, "I think that Washington is eager to bring the Iranian case to New York for discussion by the Security Council, even if we are not clear about the existence of their military program. In the case of North Korea, it's the opposite. This is a clear contrast between the two cases."

The dialectical tension between the claims of countries such as North Korea and Iran regarding their sovereign right to develop nuclear fuel for peaceful purposes and the fears of others regarding the potential of the former to cheat have led to reform proposals that introduce a clear distinction between having access to nuclear energy for peaceful purposes and maintaining national decision-making authority over the technology and programs used to develop such fuel. In November 2003, IAEA Director General Mohamed ElBaradei indicated that more research should be devoted to studying the feasibility of "multilateralizing" the sensitive parts of the nuclear fuel cycle, and in particular the enrichment and reprocessing activities.⁷ The idea is to curtail national decision-making authority over the nuclear fuel cycle while at the same time guaranteeing access to fuel for peaceful purposes. One potential model is Urenco, the enrichment company owned jointly by Germany, the Netherlands, and Great Britain. Using company facilities to produce weapons-grade uranium would require the consent of all three countries, and the

7 "Transcript of the Director General's Interview on Curbing Nuclear Proliferation," *Arms Control Today*, November 2, 2003.

efforts, say, by one of them to appropriate the facilities for that purpose would be a highly visible event that would preclude plausible deniability.

This proposal is not without historical precedent. One of the motivations behind the creation of the European Coal and Steel Community in 1951 was the desire to dilute national control over the resources needed for European states to make war on one another, and thus facilitating West Germany's integration into Europe following World War II. Yet, it is debatable whether a similar process of integration could occur over a far larger geographic space and within another functional domain, such as the nuclear fuel cycle, in which the political consensus in support of integration is currently lacking. Of course, since Urenco is where A.Q. Khan once worked and where he stole centrifuge designs, internal safeguards would also still be required.

Another alternative would be to create viable commercial alternatives to national fuel-cycle facilities by providing states that forgo domestic enrichment and reprocessing programs access to fresh fuel and spent fuel management at prices lower than any one nation could match. While these options might not be proposed in the North Korean context, given current levels of distrust, they do indicate that regional and international developments interact in a fashion in which the cause-effect relationship is potentially a two-way street. Deviant behavior by countries such as North Korea and Iran leads to proposals for the reformation of non-proliferation regimes that, if enacted, in turn affect the behavior of the range of countries abiding by such reformulated regimes.

An optimistic interpretation of these events suggests that, to the extent that the global community becomes more confident in the strength of reformed non-proliferation measures, it might be willing to allow a peaceful nuclear power program in North Korea as an incentive to draw Pyongyang back into the global non-proliferation regime.



Key Challenges to a Negotiated Solution

It became apparent to many participants that the challenges presented by North Korea are multidimensional and not amenable to a quick and easy solution. If the six-party talks are to succeed, the parties engaging the DPRK in the negotiation process will have to harmonize views on a number of key questions, including 1) whether North Korea, or the nations engaging it, benefits from the passage of time; 2) the content and scope of CVID, and the extent of acceptable uncertainty; and 3) the proper balance between the hard-line and soft-line approach. Not resolving these and associated issues will inevitably lead some to question the wisdom of the current institutional arrangement for resolving the North Korean challenge.

The upcoming American presidential election is likely to result in temporizing behavior by both the Americans and the North Koreans, and so it was to be expected that the conference participants debated whether or not time favored the North Koreans. One South Korean participant noted “that the question depends upon what kinds of goals we have in mind and what kinds of goals are being pursued by the North Koreans. If the goal of the North Koreans is the possession of nuclear weapons, then I guess time is on their side because they are getting closer and closer to the production of nuclear weapons on a scale much larger than in the past. But, if their goal is regime survival, then I guess time is not on their side, because as time goes by without the resolution of their nuclear weapons program, they would be further isolated and probably eventually they would be strangled.” An American participant raised the possibility that the North Koreans may be eager to get a deal done before the November elections. He stated, “There is another school of thought that argues that, in fact, the North Koreans would have more incen-

tive to negotiate seriously with the administration before November. And the argument there is that they want to lock in President Bush if they thought he was going to be reelected so that he would be constrained by the upcoming election rather than waiting for a second term where he would not have any electoral pressures on him.”

Another participant highlighted the nexus between blackmail and systemic collapse by noting, “I strongly believe that time, basically, is not on the North Korean side, exactly because they have to compromise, to reach some agreement to secure the supply of essential food and all other assistance. North Korea has to negotiate, it has to talk.” An American participant substituted aid for blackmail in this relationship by noting that the amount of aid that North Korea receives, much of which is not disclosed, is the most prominent variable accounting for its negotiating in bad faith. He stated, “It’s really this variable of how much aid continues to go to the North through China and South Korea. That seems to me the real critical variable if you want change.”

Some participants were attracted by a policy based upon “masterful inactivity” in which North Korean rants and threats were either ignored or simply managed in a fashion that did not involve payment for “bad behavior.” Others implicitly downplayed the urgency of the North Korean threat by noting that we have already lived for ten years with a North Korea possessing one or two nuclear bombs. Yet clearly there are limits to temporizing, as North Korea may decide to send another missile over Japan, or cross other red lines such as testing a nuclear device or following the Pakistani example by proliferating WMD. As one participant noted, “I don’t think that masterful inactivity makes any sense after September 11. It made a lot of sense before September 11. But if you believe what the administration has been saying ever since September 11, that the most serious security concern for the country is weapons of mass

destruction in the hands of terrorists, masterful inactivity doesn’t work with North Korea.”

Verification and, more specifically, CVID, is another key modality whose degree of emphasis will be a significant factor in determining whether a negotiated solution will be reached. There are obvious benefits to clarifying North Korean WMD capabilities through verification, not least of which is the impact that verification will have on South Korean perceptions of the North. One South Korean participant, somewhat frustrated at the downplaying of the North Korean threat by South Korean public opinion, noted, “They believe that the United States government is overreacting to this issue, and they strongly push the South Korean government to deal softly with the issue and make concessions to North Korea. The South Korean government has no choice but to go this route. So I think this causes a lot of problems, and we need more efforts to clarify and identify what is the North Korean nuclear capability. And that helps the South Korean government and the people to understand the actual situation in North Korea.”

Verification may also be beneficial in dispelling distrust associated with American intelligence assessments of North Korea in the wake of the failure to find WMD in Iraq. Indeed, one South Korean participant noted, “What is most incredible in my mind is that this South Korean government probably still does not believe that the Pakistanis transferred nuclear technology to the North Koreans.” Another participant noted the absence of “factual harmonization” among the coalition given Chinese and South Korean doubts on North Korean WMD capabilities. Yet the achievement of “factual harmonization” may not lead to what another participant termed “policy harmonization,” given idiosyncratic preferences for accommodation of North Korea rather than regime change.

While verification is clearly desirable, the requirements for achieving CVID or a verification scheme approximating it are extensive, and

perhaps not everyone is willing to assume the risks associated with achieving less uncertainty through more extensive inspections. One South Korean participant enumerated the long list of items requiring inspection to achieve CVID; some of the items on this total list include 1) measurement of the eight thousand spent fuel rods removed from the 5MWe reactor to determine the amount of remaining plutonium and whether these were the same rods as the ones first inserted in 1986; 2) the sampling and analysis of liquid wastes at the reprocessing plant to determine the total volume of reprocessing activities; 3) an examination of the records of the operating history of the 5MWe reactor; 4) special inspections on two suspected waste storage sites; and 5) the determination of the location of any key components fabricated for the 50MWe and 200MWe reactors under construction. The number of items requiring inspection and verification is not surprising: the manipulation of fear and uncertainty for the purpose of blackmail is one of the key tenets of North Korea's foreign policy, and having various strands of uncertainty dovetails with this strategy. Assuming it decides to cooperate, North Korea will undoubtedly charge a heavy price to reduce the uncertainty surrounding its WMD programs.

IAEA Director General Mohamed ElBaradei recently indicated that future inspections and monitoring of North Korea would have to be more comprehensive than past efforts. A new agreement would require a new declaration of all WMD material and facilities, along with a comprehensive accounting of past nuclear production, and would also require a continuous inspections regime including short-notice inspections, neutron and gamma radiation monitoring of nuclear facilities, and aerial, video, and radiation surveillance, along with nuclear material inventory verification and flow measurement. The HEU program, along with the plutonium program, would also have to be included. Furthermore, besides simply the logistical challenges, to even approximate CVID would

The most practical verification and monitoring process would involve which of the following formats for an inspections body?

International (IAEA) - 6%
Regional (six-party members) - 0%
Peninsular (Joint Nuclear Control Commission) - 0%
Combination of the above - 94%

Comment

- *While the IAEA should act as the major player in any verification process for the DPRK, parties such as Japan and the ROK need to be included in the process in order to build regional confidence.*

require a level of cooperation from the North Koreans that has so far been absent.

Given the immensity of the challenges associated with a new, comprehensive inspection and monitoring agreement, conferees debated the merits of seeking CVID in upcoming negotiations with the North Koreans. One participant noted that “North Korea is a vast network of unknowns, even to the highest levels that we can see into it. There are tens of thousands of caves and we have no clue what is in them, which drives you toward a very intrusive, on-site, no-notice inspection regime that will make the CWC [Chemical Weapons Convention] look like nothing. As well as a very high cost of implementation, in terms of both expertise and money. That is something that needs to be considered very carefully as we march down this CVID process.” In all likelihood the North Koreans also perceive CVID as infeasible, and thus insistence upon it runs the risk of its being seen by the DPRK as a polite repackaging of the policy of regime change.

Another participant, while recognizing the benefits of using CVID to keep pressure on the North Koreans, injected a degree of reality into the discussion by noting the limits of what is generally possible in disarmament negotiations. He stated, “I agree that we should not publicly retreat from

the notion that we need a complete and verifiable deal with North Korea, but I think our self-conception has to be one of risk management on the Korean Peninsula instead of risk elimination. And I would just also point out that the standard that has been articulated has never been accomplished in the history of arms control. CFE [Conventional Armed Forces in Europe Treaty] was fully reversible. The most recent treaty, the Moscow Treaty, is characterized by what I call 'U-R-I.' It's unverifiable, it's reversible, and it's incomplete. Which is why the two sides agreed to it." This comment, of course, raises the issue of whether risk tolerance is idiosyncratic or relatively uniform among the countries seeking North Korea's WMD disarmament.

One potential fault line in the multilateral process is the inconsistency of security requirements among the nations seeking North Korea's WMD dismantlement. Some countries may strive for absolute security, while others may settle for less. One participant stated, "I also, despite reassurances to the contrary, continue to have the impression that there is a degree of difference among the five in terms of their willingness to live with at least ambiguity concerning North Korea's nuclear weapons status, if not, in fact, live with the reality of North Korea's weapons status. But, and here, it seems to me, that if you think all of these are difficult issues, wait until the six-party process tries to negotiate a verification system with North Korea. The difficulty is going to be across that spectrum of where you're going to strike the balance between trust and verification. There are going to be wide differences among these five countries."

Yet a Japanese participant noted that even if CVID is unattainable, it should be the goal since it allows for a testing of North Korean intentions, as their stonewalling would indicate that they are hiding more than they have revealed. Furthermore, this participant noted that imperfect access is better than no access, and that perhaps proceeding in a piecemeal fashion, while keeping CVID as the goal, may result in unexpected surprises, as was the case

in Iran where IAEA inspectors discovered undeclared advanced centrifuges and traces of HEU.

Given the disagreements over North Korean strategic intentions and the diverse (and sometimes conflicting) national interests of the five countries participating in the six-party talks with the DPRK, it was no surprise that conference participants disagreed over the relative emphasis to be placed on either threats or inducements to change North Korean behavior. One Chinese participant noted, "I found that the trend is on the stress about sticks, more hard-line. And no one talks about the promises. And [the Chinese government] insists on addressing the legitimate concerns of Korea as well as to provide enough assistance to North Korea. So, [the Chinese government] stresses that we should make concessions. If the two sides have a meeting, each side should make concessions. I think it's the best way to solve these questions. I suggest in the next talks that emphasis be placed generally on flexibility and specifically on what kind of concessions we will make. I think that these issues can be solved."

Others felt that the international community should be embracing Kim Jong-il and offering hope rather than placing North Korea on an "axis of evil." One participant noted, "What I'm saying here is if instead of telling Kim Jong-il that you are evil, that if you do anything, it will bring your demise, well, use the Reagan tactic and try to treat him as if he were Gorbachev. If we keep telling him, you're a great guy, you're doing the right thing reforming your country, you can be the next Deng Xiaoping. Magnanimity and encouragement can work better, much better, than bullying." Of course, the danger with such an approach is that such treatment and associated payments may be viewed by the North Koreans as a sign of weakness and an indication that blackmail works. Hence, another participant noted, "You know, Kim Dae-jung did embrace Kim Jong-il. He pumped him up royally for the past five, six years, and how did Kim Jong-il respond? With HEU programs."

Other participants favored a hard-line approach. One conferee offered, “We should not show any weaknesses to the North Koreans, because once we show weaknesses, they get a much stronger bargaining chip. So, we have to play tough on them and we have to tell them that unless you give up WMD, there is no survival for them. And there will be no economic assistance either. The message should be very clear, that there will be no survival without giving up nuclear weapons.” The consensus opinion was that North Korea was pursuing two objectives with its nuclear programs – blackmail and security, both of which ensure regime survival – and hence both carrots and sticks should be pursued, and that one’s emphasis on either the former or the latter depended upon whether one believed that North Korea was motivated primarily by security concerns or rather by blackmail.

Finally, for some conference participants the many challenges and obstacles in finding a mutually satisfactory process culminating in a peaceful solution left some wondering whether the multilateral process itself will survive future challenges. One participant noted, “While six parties may be a good way to get the ball moving and talking about a solution, the rejection of bilateral discussions for a multilateral approach makes the case of verification and compliance incredibly more difficult. It’s not hard to imagine the ROK, Chinese, or Japanese interests being very divergent over these issues.” Another participant noted that “very little effort has been made to identify what we do if the things fail or even to identify the definition of failure. And if the North Koreans take the next provocative step, and two out of the five believe that they’ve crossed the red line and the other three don’t, then the whole process disintegrates. So, I think we need to put some attention at some point into what constitutes failure, what are the red lines that we all agree on, or this process is going to fall apart, or potentially fall apart before it starts.”

Preventing a disintegration of the multilateral process will be key to insuring that the North

Would any of the following coercive measures taken against the DPRK result in a military response from the North?

The cutting off of remittances from Japan

Yes - 6%
No - 94%

A trade embargo enacted by willing nations

Yes - 12%
No - 88%

A U.N. -authorized global trade embargo

Yes - 23%
No - 77%

Surgical military strikes against suspected WMD facilities/ storage locations

Yes - 94%
No - 6%

Comment

- *The DPRK will not go to war if it sees any other option as viable, knowing that any military engagement will more than likely mean the end of the regime.*

Korean WMD issue is managed and kept under control, because it is unlikely to be resolved soon. As one participant concluded, “Maybe CVID is just not going to happen. And we all want some alternative to a proliferating North Korea. And maybe the answer to that is basically doing more of what we’ve been doing and just kind of struggling along and trying to contain this thing and manage the problem and hope, as governments are always wont to do, that something will happen that will cause the situation to be better than it now seems it could be.”

Perhaps a wise foreign policy within this context would be one that recognized limits and that sought to achieve a “third way” between the two extremes of war and proliferation/nuclear breakout. Diplomacy then would have as its goals the steering of the crisis between the extreme end-states while waiting and, in truth, hoping, for conditions to change so that the peaceful resolution of the problem is attainable. Intermediate steps consistent with a policy of careful guidance would then be required. Thus, one American participant noted,

The following most closely describes my thoughts regarding a practical way to resolve the current impasse between the United States and the DPRK:

Incremental processes, consisting of step-by-step confidence-building measures and reciprocal movements, presumably leading to a final settlement - 44%

Comments

- *An upfront comprehensive package is unlikely because of a general lack of trust between the United States and North Korea, stemming from the DPRK's default on the 1994 Agreed Framework and the recent pre-emptive military policies pursued by the United States.*
- *Incremental steps are better able to avoid the various loopholes that a one-time, upfront package will inevitably include.*

An upfront, comprehensive package deal, such as a non-aggression treaty (or a promise acceptable to both sides) and diplomatic/economic engagement exchanged for the irreversible and verifiable nuclear disarmament of the DPRK - 56%

Comment

- *The incremental process gives the North Koreans too much time to continue developing their nuclear weapons program.*

“Maybe one of the products that could come out of the next round would be an agreement to establish working groups to begin to look at things like sequencing, verification, protocols, and security assurances. And these multilateral working groups could perhaps delay the process but also could contribute ultimately to an avoidance of the breakdown and could be a kind of masterful inactivity to keep things under control.”

As a matter of fact, the February 2004 six-party talks did decide to establish a working group that will focus on many of these issues in preparation for another round of multilateral discussions. Given the challenges outlined in this report, however, it is not yet clear how productive the working group can be until some of the remaining gaps in perceptions and interests are more clearly recognized and bridged. One of the major accomplishments of this workshop was to present these differences in stark detail, and it offered the six-party participants an opportunity to focus on those issues that contribute most to the current stagnation of policy coordination vis-à-vis North Korea.

Sooner, rather than later, the United States, China, Japan, and South Korea will have to make

a strategic decision about how to reconcile the sometimes conflicting assumptions that inform their respective perceptions and interests if they wish to shape the security environment proactively in Northeast Asia. Initially at least, a focus on these issues, rather than on determining the proper balance between carrots and sticks, or on the scope and logistics of CVID, should guide the agenda of the working group.

Another important outcome of the workshop was a better understanding of how the North Korea WMD challenge fits within the context of global proliferation concerns. Instead of the Libyan model, it is probably what transpires in Iran (and, by extension, the reform of global non-proliferation norms) that will affect more significantly developments in the North Korean context.

In the final analysis, achieving a WMD-free Korean Peninsula will require greater confidence on two important fronts: in North Korea, that its security will not be undermined by the United States; and in the United States, that a multilateral process can effectively ensure North Korean compliance with global rules on WMD production and proliferation.

Workshop Agenda

February 20, 2004

Halekulani Hotel
Honolulu, Hawaii

8:30-8:45 Welcome and Introduction

8:45-10:15 Session 1

Evaluating the Multilateral Approach to the North Korean Challenge

To discuss and evaluate from a regional perspective the past approaches and the current state of negotiations with North Korea regarding its nuclear weapons and related programs. The key objective of this session is to illuminate the current process, the motivations/priorities of participants, and the potential obstacles to success in preparation for afternoon sessions that will focus on the future course of policy coordination.

- Current state of the six-party talks: where are we now? What have we learned?
- Do we understand any more about North Korea's motivations and intentions for WMD development? How do we evaluate the DPRK's WMD capability? How does North Korea view the six-party talks?
- What are the strengths, weaknesses, and options with regard to the six-party process? Are factions developing among the six parties that could impede progress (or that could be used to an advantage by one or more parties)?
- Is KEDO destined to dissolve? Can we apply lessons from KEDO going forward?

- What have we learned to date (and how successful have we been) regarding the ability to align diverse regional priorities on WMD and broader weapons proliferation?
- Where are the positive keystones upon which further six-party progress might be achieved? What are the limits of Beijing's leverage on Pyongyang? Is there a larger role for Moscow? How can Washington make a phased approach more viable and acceptable to all?
- What are the implications for weapons proliferation of a prolonged stalemate or collapse of the talks?

10:15-10:30 Coffee Break

10:30-12:00 Session 2

The North Korean WMD Problem in a Global/Regional Context

To explore recent non-proliferation developments around the world and the potential linkages between them. The goal here is to consider possible new ideas for applicability to the North Korean WMD problem with regard to inducement (to conclude an agreement on WMD program dismantlement), enforcement (of such an agreement), and/or containment (should efforts fail).

- Is the world moving into a new era of proliferation challenges that requires different policy approaches and forms of cooperation and containment? What have we learned on different non-proliferation fronts (e.g., Libya, Iran, Iraq, Pakistan), and how do they fit together in a global and regional context?
- What are the specific implications of the moves by Libya to dismantle its WMD programs? Does this development signify success (in discouraging a would-be nuclear power) or underscore failure (in that current non-proliferation mechanisms couldn't stop Libya from developing this far)?
- What more can the UN and the IAEA do to stem WMD proliferation? How do the countries in East Asia evaluate recent proposals by the IAEA and others to "multilateralize" the nuclear fuel cycle or have the IAEA (or a third party or consortium) act as an intermediate supplier of nuclear fuel?
- What are the regional reactions to President Bush's recent proposals regarding new measures for countering WMD? What are the regional reactions to the recent draft resolution regarding weapons proliferation being circulated among the permanent five (P5) members of the UN?
- Should we build upon the NPT, MTCR, CWC, and other agreements in a global fashion or try to adapt and augment the non-proliferation regime in a regionally specific way and, if so, how?
- What does all of this mean in the context of North Korea's nuclear weapons program? Are there opportunities to link these issues to the broader North-South reconciliation process so as to facilitate a non-nuclear, unified Korea in the future?

12:15-1:45 Luncheon/Discussion (Report on North Korean Economic Reforms)

2:00-3:30 Session 3

Coordinating Strategies for Addressing North Korean Security Concerns and Economic Needs

To discuss forward-looking, Korea-specific policy approaches that provide local incentives to keep the peninsula WMD-free. This session will take into account the discussions from the morning and combine our collective expertise to tease out areas of agreement and disagreement with regard to future policies, and to highlight more promising blends of carrots and sticks. The next two sessions will certainly touch on strategies for next week's six-party talks, but we hope to look further into the future, as well.

- What is the proper balance of carrots and sticks for achieving a WMD-free Korean Peninsula (or a nuclear-free zone including Japan) in the short and long term?
- What form of security guarantee for North Korea is appropriate, acceptable, and workable?
- What of the North's obligations under the 1992 Joint Declaration on the Denuclearization of the Korean Peninsula? Can that be utilized in some way?
- Is some form of "Partnership for Peace" for North Korea possible or advisable? Or are there other ways to promote stability and assurance, perhaps CBMs such as the Prevention of Dangerous Military Activities Agreement or similar stabilizing measures from the East European experience?
- On the economic front, what can the parties do to promote some level of economic reform in North Korea (e.g., the creation of economic zones – such as Kaesong – along/near the borders with the ROK, China, and Russia)? Can assistance be provided in a way that pays longer-term benefits in support of North-South reconciliation?
- How can other, non-nuclear issues (e.g., missiles or chemical/biological weapons) be incorporated into the process? Can still other important issues (e.g., human rights or Japanese abductees) not directly tied to proliferation concerns also be included in the process and, if so, how?
- What are the potential "minefields" that we should be preparing for along the way (e.g., nuclear incident in the North, additional DPRK missile launches, nuclear weapons test, transfer of weapons-grade material from Pyongyang to a third party), and how would they affect the carrot-and-stick balance?

3:30-3:45 Coffee Break

3:45-5:00 Session 4

Coordinating Regional Strategies for Verification and Enforcement of a WMD-Free Korean Peninsula

To examine practical methods of verifying and enforcing an arrangement that leads to a WMD-free Korean Peninsula or, failing that, a method of containing the ramifications of a nuclear North Korea.

- Assuming an agreement can be reached with North Korea, what are the most promising options for creating a verification regime for a WMD-free Korean peninsula? Should we utilize existing structures (e.g., the IAEA), or modified international approaches (e.g., the UN P5 and/or the six-party participants), or something purely Korean, such as the dormant South-North Joint Nuclear Control Commission?

- What can we draw from the recent disagreement between the IAEA and the United States and U.K. regarding inspections in Libya (and the final compromise)?
- Can an export control regime be tied into a multilateral WMD inspection/monitoring process?
- Should the six parties fail to reach an accord, are there circumstances under which the region could “tolerate” a nuclear North Korea? What kind of nuclear North Korea (if any) might key powers be willing to co-exist with, and how could the potential incentives for further proliferation be contained?
- Are there new challenges, roles, and missions for regional militaries in combating emerging/future proliferation risks? How can we best collaborate in the areas of counter-proliferation and WMD-related counter-terrorism?
- Is the PSI a start in this direction, a risky feint, or a misunderstood step? Should the ROK, Russia, and China join the PSI in some manner?

Is the six-party talks process potentially much bigger than the North Korean nuclear issue? Are there, in this multilateral process, roots of permanency? Could it lead to a structured organization, or possibly just a new inclusive, multilateral environment or approach to security in the region? Can new, joint security missions lead to new security architecture? Or does the order have to be reversed?

Workshop Participants

in alphabetical order under country

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