

NEGOTIATIONS WITH NORTH KOREA: FROM CONTRADICTIONS TO MUTUAL UNDERSTANDING

Preface

It is common knowledge that after the collapse of the bipolar system of international relations, many unresolved geopolitical and strategic issues remained on the world political arena. However, the Korean Peninsula remained as one of the hottest spots, where the totalitarian regime of the Labor Party of Korea (North Korea), deprived of Soviet assistance, turned out to be the primary catalyst for the failure of peace talks to resolve the fundamental contradictions between the DPRK and its neighbors (Republic of Korea, Japan). Usually, negotiations and the relationship between them considered from the perspective of “Power,” and therefore, they used effective methods of pressure (sanctions, demonstrations of power, provocations, etc.). Consequently, this essay is devoted to analyzing a new stage of negotiations on the denuclearization of the Korean Peninsula and integration between both parts of Korea through the prism of *constructivist concepts*.

The theoretical and methodological basis for the analysis of the negotiation process with North Korea

At first glance, everything seems to be clear: North Korea, with the help of its “nuclear program,” intends to change the regional “balance of power” in its favor and this contradicts to the fundamental national interests of such countries as the United States, the Republic of Korea and Japan. Consequently, according to *political realism (Realpolitik)*, the negotiation process with the government of the DPRK should be based on the usage of political, economic, and military methods of pressure. Nevertheless, this approach attempts to reveal the essence of the negotiation process of the Korean Peninsula has not found its absolute justification.

Also, the intensification of bilateral and multilateral negotiations, in particular, the holding of three inter-Korean summits (April 27, May 26 and September 18-20, 2018) and the historic summit of the United States and DPRK on June 12, 2018, in Singapore, reaffirmed the fact that this case of negotiations should not be viewed solely from the perspective of political realism, but also through the prism of constructivist concepts too. Since constructivists assert that basic structures in the interstate system (in interstate negotiations) considered *not so much as material, but as intersubjective (Цыганков 2004)*. Moreover, the identities and interests of the state considered being constructed mainly by these social structures and not the result of the exogenous influence of human nature or the internal policy of the state. According to the constructivist approaches in international relations, the role of faith and the will of decision-makers is enormous in this case of interstate negotiations (Wendt 1999). The main problems of international relations and negotiations are not determined by the interests, not by the power and authority of states, but by the norms and *beliefs* that guide their political leaders. Therefore, issues of sovereignty, security, and defense depend on culture, understood in a broad sense.

Constructivists believe that the framework of the negotiation process, or the conceptualization of the issues of negotiation, are designed or determined collectively through how people (subjects of the negotiation process) understand their situation (position) (Eden et al. 1981). Moreover, the

constructivist approach defines the following critical stages of negotiations, based on which the selected case can be analyzed:

1. Definition – conceptualization of a problem;
2. Specifying the nature – dynamic interaction process;
3. Specifying Meanings – understandings of problems;
4. Reframing – a transformation of understanding;
5. Specifying the Rule in Negotiating – furthering the joint problem solving (French, Häblein, and van Es 2002).

In this regard, specific methods of analysis such as *historical and comparative analysis of relevant event data, quantitative and qualitative content analysis of relevant official statements, declarations, and other documents* are chosen by the author in order to study this case of international negotiations, which based on identifying the causal relationship.

Historical background of events

The private visit of former United States President Jimmy Carter to Pyongyang in 1994 was the logical beginning of the so-called “discovery” of North Korea for negotiations with the United States and in general with other countries of the capitalist camp (South Korea, etc.). Then he met with the DPRK leader Kim Il Sung, during which an agreement on the freezing of the North Korean nuclear program was reached (Creekmore 2006). Based on these negotiations in October 1994, after lengthy consultations, the DPRK signed a “Framework Agreement” with the United States, under which North Korea assumed certain obligations, for example:

- Termination of the construction and use of reactors and uranium enrichment facilities;
 - refusal to extract plutonium from reactor fuel assemblies;
 - removal of SNF (Spent nuclear fuel) outside the country;
 - taking measures to dismantle all facilities whose designation in one way or another speaks of the proliferation of nuclear weapons.
- In turn, the US authorities have committed themselves to:
- supply fuel oil;
 - to replace the shutdown reactor at Yongbyon with a capacity of 5 MW, build two much more modern light-water reactors with a capacity of 1000 MW each, which also could not be used to produce weapons-grade plutonium (Creekmore 2006).

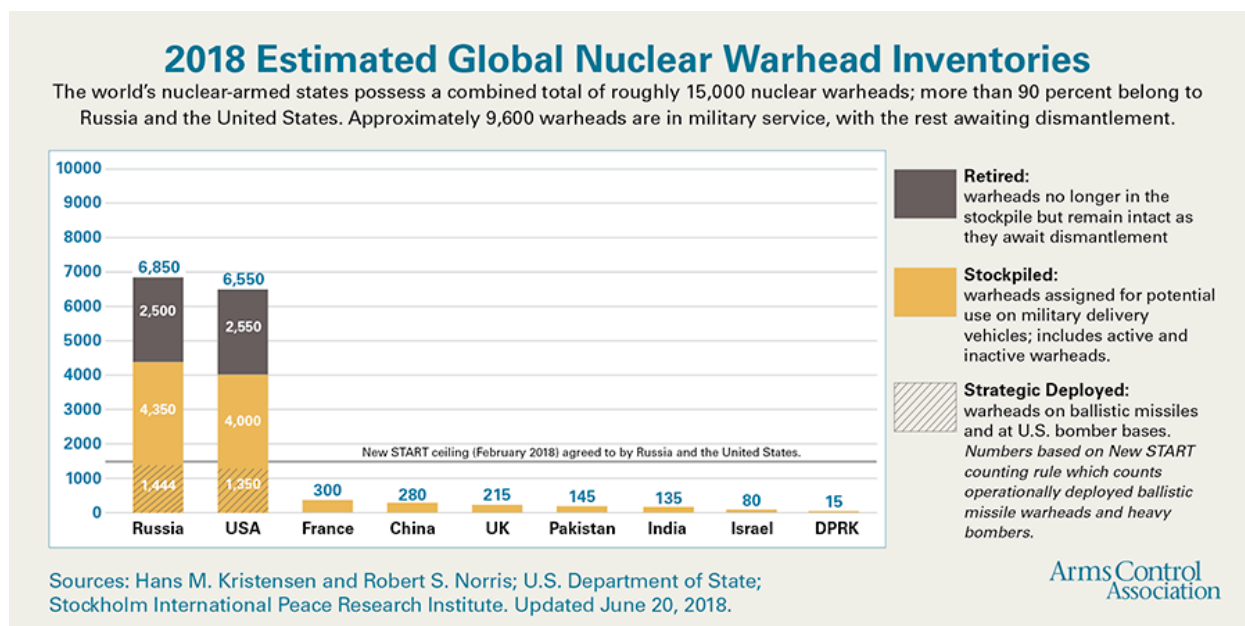
At first glance, it seems that invaluable results achieved despite the consequences of the Cold War: a particular dialogue established between the US and the DPRK. However, there was an aggravation of relations between the two countries during the presidency of George Walker Bush. Light water reactors were never built, which did not prevent the United States from putting new requirements ever to the DPRK. Bush turned North Korea into a **rogue state**, and in October 2002, US Undersecretary of State James Kelly announced that the DPRK was enriching uranium. After some time, the United States suspended the supply of fuel for North Korean power plants. Accordingly, as a response, DPRK officially announced the resumption of the

nuclear program and the expulsion of IAEA inspectors on December 12, 2002. On January 10, 2003, the DPRK officially withdrew from the NPT (Non-Proliferation Treaty) (Clinton Announces New North Korea Sanctions 2010).

Consequently, this once again proves the veracity of the constructivist approach. The main variables and indicators of bilateral relations or rather the negotiation process remained unchanged when the *perception* of the characteristics of the negotiating parties, which harmed the course of events, changed. This foreign policy of the US government, with some adjustments, was maintained until Donald Trump was elected.

The behavior of the American side in negotiations with the DPRK in 2003-2016 is difficult to explain solely based on the concepts of political realism. Since, *political realism* assesses the usage of all sorts of methods (including force and economic) aimed at maintaining a balance of forces in favor of national interests morally (Morgenthau 1948, 12-13). Nevertheless, here we are talking primarily about the presence of a real threat to the security of a particular country, but not about the threat based on stereotypical conclusions. The American government has excessively exaggerated the military potential of North Korea in terms of nuclear weapons and its carriers. The chart below (Davenport 2018) clearly illustrates the nuclear potential of the DPRK compared to other nuclear powers.

Chart no. 1



Besides, as a result of several tests from the mid-1990s to 2017, the DPRK increased the range of its missiles from 754 (approximately 1,200 km.) to 8,000 miles (approximately 12,800 km.), suggesting that intercontinental ballistic North Korea's nuclear warheads can reach as far as the United States (Peçanha and Collins 2018). At first glance, we can conclude that the DPRK as a "rogue country" poses a threat to the world community and the national interests of the United States. However, if we analyze more deeply, it can be revealed that **firstly**, there is still no reliable information about the exact amount of the nuclear arsenal of the DPRK. However, judging by the intelligence received, it can be argued that the US nuclear potential is more than

400 times the level of North Korea (*see Chart no. 1*). **Secondly**, despite the missile tests carried out, the DPRK “intercontinental ballistic missiles” flew mainly within the territory of Japan and East China Seas, which casts doubt on their flight range. Furthermore, not to mention the United States, even the anti-missile systems of South Korea (where THAAD’s anti-missile systems already exist) and Japan can withstand North Korea’s potential missile attack. **Thirdly**, it is clear that given the existence of a retaliatory nuclear strike, the DPRK authorities are unlikely to take such a significant risk.

Given the above, it can be argued that the American side (the Bush administration) of this negotiation case took this position mainly because of the *perception* of the DPRK as one of the main threats to security, rather than relying on more plausible arguments. In general, the negotiation process between North Korea and the United States (including South Korea and Japan, too) in the years 2003-2016 can be characterized based on the *prisoner’s dilemma* models. The combination of conflict and cooperation has always been at the center of negotiations, and this made the negotiations, in fact, a conflict, continued by diplomatic means. In this conflict, the main interest of any party involved was to maximize their gains by building up the negotiating power (Kremenyuk 2002, 28-29). In practice, this led to a long period of negotiations, but there was still no compromise. This approach emerged as a result of the traditional view of the negotiations as part of a much wider conflict. At the same time, Thomas Schelling explored the theoretical basis of this approach and concluded that in conditions of total confrontation, negotiations should be considered as a case of conflict with mixed motives, when only part of the general conflict can be resolved with due regard for the main task (Schelling 1960).

“Thaw” around the Korean Peninsula

The constructive concept of negotiations provides that all interests of the participating agents are taken into account on the basis of reciprocity. The basic rule of success is the willingness to explain interests in order to agree on the most appropriate development scenario (French, Häblein, and van Es 2002). The Trump administration initially responded by adopting a “maximum pressure” policy that sought to force Pyongyang to change its behavior through economic and diplomatic measures. Many of the elements of the officially declared policy were similar to those used by the Bush and Obama administrations: increasing economic pressure on North Korea, trying to convince China (North Korea’s key economic partner), and other countries to put more pressure on official Pyongyang. At the same time, US-South Korea and US-Japan alliances intensified to counter the new North Korean threats. The Trump administration has successfully forced the UN Security Council, including the traditional supporters of North Korea, China, and Russia, to adopt new resolutions on sanctions. Because of the nine UN Security Council resolutions imposed on the DPRK in 2016 and 2017, other states were prohibited from any trade or financial operations with Pyongyang. (Chanlett-Avery, et al. 2018).

If during the last years, the DPRK considered the presence of nuclear weapons as a guarantor of the preservation of the communist regime, while Kim Jong-un using which was able to build a social *construct* and skillfully used it in the negotiation process with the United States and South Korea. Additionally, after the launch of North Korean missiles in March 2017, many experts assessed the situation around the Korean Peninsula as an analogy to the Cuban crisis, which also,

in turn, was considered by individual scholars from the constructivist point of view (Allison 1969).

The symbolic start of this kind of “thaw” of relations between the DPRK and South Korea can be considered the agreement of the North Korean side to perform sportsmen of the DPRK and the Republic of Korea in the 2018 Winter Olympics in Pehchane (South Korea) under the common flag, personifying united Korea. Nevertheless, of course, the turning point can be considered the meeting between Chairman of the State Commission on Democratic People’s Republic of Korea Kim Jong-un and the President of the Republic of Korea Moon Jae-in on April 27, 2018, in the demilitarized zone. It was the first meeting of leaders of the DPRK and the Republic of Korea over the past 11 years.

As we know, a mutual desire for cooperation and other issues also can be conveyed with the help of certain symbols in negotiations. Symbolism is one of the critical instruments of diplomacy in general (Faizullaev, 2013). Accordingly, the meeting of the leaders of North and South Korea was a lot of characters, which is typical for Asian countries. Together they planted a pine tree in the demilitarized zone, powdered it with earth from Mount Pektusan in the north of the peninsula, Mount Khallasan in the south of the peninsula, and also poured water from rivers on both sides of the border. The tree grew in 1953 after the end of the three-year Korean War. It symbolizes prosperity and peace. On the memorial stone next to the tree is written: “*We planted a tree of peace and prosperity.*” In Panmunjom, the leaders were also able to talk in private for about an hour. After the talks, Kim Jong-un and Moon Jae-in warmly embraced.

North Korean television for the first time in half a century called the South Korean leader “president.” Pyongyang had not previously recognized South Korea as a separate state (Meixler 2018). Also, Kim Jong-un announced the closure of the Phungheri nuclear test site, which indicates the official Pyongyang’s willingness to make certain concessions during the negotiations. Also, based on the results of the content analysis of official documents signed during the meetings of the leaders of the DPRK and the ROK, it can be argued that there was a mutual political will of the leaders to resolve a wide range of issues through negotiations. For instance, in the Panmunjom Declaration, which was signed at the end of the inter-Korean summit, the word “peace” occurs 12 times, “denuclearization” 4 times, and “war” 4 times (but as shown by qualitative analysis only in a positive sense) (Panmunjom Declaration at April 2018 inter-Korean summit 2018).

It should be highlighted that Kim Jong-un decided to give up some positions even before the summits, and did not do it during the negotiations. As a response, it can be stated that a meeting with the US president will, in itself, be an excellent achievement for the North Korean leader. Neither the grandfather (Kim Il Sung) nor the father (Kim Jong Il) of Kim Jong Un could achieve this. Consequently, on June 12, 2018, a historic meeting of the US President with the leader of North Korea took place in Singapore. The outcome of the meeting was the signing of the document. Trump called the agreement “all-encompassing,” and Kim promised that “the world will see a change” in the relationship between two long-standing enemies. Trump announced his commitment to providing security guarantees to the DPRK, Kim Jong-un, to adhere to full denuclearization, according to a signed statement following the sentences between the two leaders (Gambino 2018). Even though this statement does not contain any details of the

denuclearization process and does not mention international sanctions imposed in connection with the Pyongyang nuclear program, it means establishing a political dialogue at the highest level.

Conclusion

To sum up, we can conclude that at the present stage it is irrational to describe and analyze the negotiation process on the Korean Peninsula only by relying on the theory of *political realism* (from the perspective of *power politics*), without taking into account the signs of the influence of *subjective perceptions of reality, the creation of a construct*, etc. Consideration of this case through the prism of *constructivist concepts* can give precise and comprehensive answers about the positions of the parties in the negotiation process.

Akramjon Fozilov holds a bachelor's degree in World Politics from the University of World Economy and Diplomacy and is studying for his Masters degree at the University of Vienna. He served as Lead Researcher of the Information and Analytical Center for International Relations (Tashkent, Uzbekistan). His published work includes:

- *“The Role of the Media in the Process of the Formation of Civil Society in Uzbekistan”*. Co-authored by associate professor of UWED, Ph.D. (in Political Science) F.Usarova.
- *“Providing Cybersecurity as a Guarantee of Sustainable Development”*.
- *“The Role of Separatism in the Development of International Relations”*.

References

- Allison, Graham T. "Conceptual Models and the Cuban Missile Crisis." *The American Political Science Review*, September 1969: 686-718.
- Chanlett-Avery, Emma, Mark E. Manyin, Mary Beth D. Nikitin, Caitlin Elizabeth Campbell, and Wil Mackey. "North Korea: U.S. Relations, Nuclear Diplomacy, and Internal Situation." CRS Report , Congressional Research Service, 2018.
- "Clinton Announces New North Korea Sanctions." *National Public Radio*. July 21, 2010. <https://www.npr.org/templates/story/story.php?storyId=128661654> (accessed December 1, 2018).
- Creekmore, Marion. "A moment of crisis: Jimmy Carter, the power of a peacemaker, and North Korea's nuclear ambitions." *Public Affairs*, 2006.
- Davenport, Kelsey. "Nuclear Weapons: Who Has What at a Glance." *The Arms Control Association*. June 21, 2018. <https://www.armscontrol.org/factsheets/Nuclearweaponswhohaswhat> (accessed December 2018, 2018).
- Eden, C., S. Jones, D. Sims, and T. Smither. "The Intersubjectivity of Issues and the Issues of Intersubjectivity." *Journal of Management Studies*, no. 18 (1981): 37-47.
- Faizullaev, Alisher. "Diplomacy and Symbolism." *The Hague Journal of Diplomacy* 8 (2013): 91-114.
- French, Warren, Christian Häblein, and Robert van Es. "Constructivist Negotiation Ethics." *Journal of Business Ethics* (Kluwer Academic Publishers), no. 39 (2002): 83-90.
- Gambino, Lauren. "Trump planning second North Korea summit after Kim's 'very warm' letter." *The Guardian*. September 10, 2018. <https://www.theguardian.com/us-news/2018/sep/10/north-korea-trump-latest-news-second-summit-kim-jong-un-letter> (accessed December 2, 2018).
- Kremenyuk, Victor A. "The Emerging System of International Negotiation." In *International Negotiation: Analysis, Approachs, Issues*, by Victor A. Kremenyuk, 28-29. San Francisco: JOSSEY-BASS, 2002.
- Meixler, Eli. "Here's What Kim Jong Un and Moon Jae-In Said to Each Other in Their Historic First Meeting." *Time*. April 27, 2018. <http://time.com/5257125/kim-jong-un-moon-jae-in-meeting-transcript/> (accessed December 4, 2018).
- Morgenthau, Hans J. *Politics among nations: the struggle for power and peace*. New York: A. A. Knopf, 1948.
- "Panmunjom Declaration at April 2018 inter-Korean summit." April 27, 2018. <http://www.korea.net/Government/Current-Affairs/National-Affairs/view?subId=641&affairId=656&pageIndex=1&articleId=3354> (accessed December 1, 2018).
- Peçanha, Sergio, and Keith Collins . "Only 5 Nations Can Hit Any Place on Earth With a Missile. For Now." *The New York Times*. February 7, 2018. <https://www.nytimes.com/interactive/2018/02/07/world/asia/north-korea-missile-proliferation-range-intercontinental-iran-pakistan-india.html> (accessed December 4, 2018).

Schelling, Thomas C. *The Strategy of Conflict*. Cambridge, Mass.: Harvard University Press, 1960.

Wendt, Alexander. *Social Theory of International Politics*. Cambridge: Cambridge University Press, 1999.

Цыганков, Павел Афанасьевич. *Теория международных отношений*. Москва: Гардарики, 2004.