

## CHAPTER II

### THE US IN KOREAN PENINSULA PRE – SIX–PARTY TALKS

United States' government's intervention in North Korea Crisis keeps increasing as DPRK's government further developed their nuclear and missile development program. The increase of the intervention is also caused by DPRK's repetitive provocations towards Japan, ROK, and the US, as the provocations are seen by the US government as a threat to their allies and interests in the region. Despite so, the US government's intervention has been going even before DPRK started developing nuclear and missile technology, that is following the end of World War 2.

#### A. Korean War

The defeat of the Empire of Japan in World War II (1939 – 1945) and the end of Pacific Theatre of the War<sup>1</sup> brought a split of territory in Korean Peninsula. It was shared between two winning states; the Northern part belonged to the Union of Soviet Socialist Republic (USSR), and the Southern part belonged to the United States of America (USA)<sup>2</sup>. In 1945, the US, USSR, Republic of China, and the United Kingdom agreed at the Moscow Conference that a trusteeship should be formed between the Allied Forces, and thus created the US–Soviet Joint Commission<sup>3</sup>. However, due to the Southern society being eager for immediate independence, and meanwhile the North was still with the Trusteeship, the Joint Commission failed to resolve the issue until it was dissolved on

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<sup>1</sup> Pacific Theatre is the theatre of World War 2 between the Allied Forces and Japan in Pacific Ocean which includes most of the Pacific Island along with the islands in the ocean.

<sup>2</sup> Keith D. McFarland, op. cit.

<sup>3</sup> United States' Library of Congress, *Moscow Meeting of Council of Foreign Ministers, 1945*, <https://www.loc.gov/law/help/us-treaties/bevans/m-ust000003-1341.pdf>.

May 28<sup>th</sup>, 1946<sup>4</sup>. On August 15<sup>th</sup>, 1945, the US–pro government was formed in Seoul, marking the establishment of Republic of Korea (ROK or South Korea) with the leader Syngman Rhee. The Soviet–pro government in Pyongyang on September 9<sup>th</sup> declared the independence of Democratic People’s Republic of Korea (DPRK or North Korea)<sup>5</sup> with the leader Kim Il-Sung. Both new states were divided with the 38<sup>th</sup> parallel line, the border agreed by the US and the USSR since the early occupation of Korean Peninsula.

On June 25<sup>th</sup>, 1950, People’s Army of DPRK launched an invasion to the South with the support from the USSR, marking the start of Korean War. Kim Il-Sung as the Premier of DPRK intended to unify both Korea under the leadership of communist North and topple down the capitalist South. This invasion managed to surprise US official as they were, at the time, in the Cold War against the USSR, and the attack on ROK could be a part of communists’ plan for global political domination. In August, the US and several states under the flag of the United Nations launched a counter-invasion to stop DPRK’s invasion. However, they were ended up being pushed back to the Southeast corner because of the low – morale of ROK Army and UN forces’ fatigue since it was the driest summer at the time, meanwhile, the DPRK was well-prepared and well-trained. Under the worrying situation of losing the South, President Harry S. Truman sent General Douglas MacArthur to lead the forces. This time, the strategy was instead of on the defensive, the UN forces went offensive: to wipe out the communist from the North. This strategy was eventually a success as the South and the UN managed to push DPRK to far north, reaching Yalu River, the DPRK–PR China border. Unfortunately, the People’s Republic of China

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<sup>4</sup> United States’ Office of the Historian, *Report to the President on China–Korea, September 1947, Submitted by Lieutenant General A. C. Wedemeyer*, <https://history.state.gov/historicaldocuments/frus1947v06/d612>, (September 1947).

<sup>5</sup> Charles K. Armstrong, *Korean History and Political Geography*, <https://asiasociety.org/education/korean-history-and-political-geography>.

intervened for fear of their border being invaded and sent forces to warn the South troops not to go any further if they did not want to trigger a full – scale war<sup>6</sup>.

This intervention brought the war into a stalemate, and President Truman decided to have a peace talk with PR China and DPRK for the fear that further invasion could trigger Soviet aggression to Europe and the deployment of nuclear weapons. Despite so, General MacArthur sought to take down PR China along with DPRK in an all–out war and ended up being “relieved” from duty by the President for disobedience on April 11<sup>th</sup>, 1951. In July, the President and his new officers began the talk at Panmunjom; meanwhile, the fighting still happened at the 38<sup>th</sup> parallel. Both sides agreed to cease fire that kept the boundaries of the 38<sup>th</sup> parallel, but the negotiation stalled as China & DPRK decided to send the Prisoners of War (POW) home but the US did not. The stalemate happened until July 27<sup>th</sup>, 1953, when all warring states signed an armistice. Despite so, there was no formal peace resolution approved between them until now<sup>7</sup>.

## **B. Post – Korean War**

After the Korean War, the United States was engaged in Vietnam War in 1955. At this time, the attention of the US was focused on Vietnam, thus giving DPRK a chance to develop nuclear technology with the support of the USSR for the purpose of “peaceful use of nuclear technology”<sup>8</sup>. Despite so, the tension between the North and South kept going as DPRK carried out several provocative actions towards their opposition. Some of them being the assassination attempt on ROK President Park Chung – Hee on January 21<sup>st</sup>, 1968, the seize of US’ intelligence ship, USS Pueblo, two days later, and the shooting down of US’ reconnaissance plane in April 1969. However, in 1972, the two Korean states agreed to discuss

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<sup>6</sup> History.com, *Korean War*, <http://www.history.com/topics/korean-war>, (2009).

<sup>7</sup> History.com, op. cit.

<sup>8</sup> Lee Jae – Bong, op. cit.

reunified Korea as the US applied *détente* (tension relief) policy towards two DPRK's allies, the USSR and PR China, and DPRK agreed to stop their military provocations. Both states agreed for reunification on three principles: 1) peaceful, 2) without foreign influences, and 3) based on national unity. The talk was later suspended unilaterally by DPRK and considered a failure<sup>9</sup>.

In 1976, another provocation was done by DPRK with the murder of two US soldiers stationed in Panmunjom by DPRK soldiers with axes. This time, the US President Gerald Ford Jr. released a statement that military action should be done, thus forcing DPRK to stand down and issued an official apology<sup>10</sup>. More provocations were coming as DPRK was behind two bombing incidents in Rangoon, Burma (now Yangon, Myanmar) in 1983 and in a ROK airplane in 1987. The US responded these provocations with the enlisting of DPRK as a state sponsor of terrorism, and the state was not removed from the list until 2008<sup>11</sup>.

### C. KEDO Program

In 1985, the international community was driven worried by the US's intelligence report about the construction of new nuclear reactor 90 km north of Pyongyang. Because of the fear on nuclearized DPRK, the international community pressed DPRK to join the Nuclear Non – Proliferation Treaty (NPT) in the same year, thus causing DPRK to shut down the Yongbyon nuclear reactor. Since the joining of DPRK in the NPT, DPRK's nuclear and missile program began to receive international attention, especially the US, ROK, and Japan.

Following the joining of DPRK in the NPT, in favor of disarming the state, in October 1994, United States government

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<sup>9</sup> Bae – Ho Hanh, Jung Ha Lee, and others, *North Korea*, <https://www.britannica.com/place/North-Korea/From-1970-to-the-death-of-Kim-Il-Sung> (January 19th, 2018)

<sup>10</sup> Andrew J. Gawthrop, *The Ford Administration and Security Policy in the Asia-Pacific after the Fall of Saigon*, (*The Historical Journal*, 52:3), p. 697 – 716.

<sup>11</sup> Bae – Ho Hanh, Jung Ha Lee, and others, *ibid*.

asked DPRK to sign an *Agreed Framework* which was later becoming the fundamental principle of Korean Peninsula Energy Development Organization (KEDO) in 1995. The *Agreed Framework* consisted of several points that if DPRK was willing to dismantle all nuclear program, the US in return would:

- finance and construct in the DPRK two light-water reactors (LWR) of the Korean Standard Nuclear Power Plant model and, in so doing;
- provide the DPRK with an alternative source of energy in the form of 500,000 metric tons of heavy fuel oil each year for heating and electricity production until the first of those reactors is completed.
- conduct its activities in a manner that meets or exceeds international standards of nuclear safety and environmental protection; and
- provide for the implementation of any other measures deemed necessary to accomplish the foregoing or otherwise to carry out the objective of the *Agreed Framework*<sup>12</sup>.

On March 9<sup>th</sup>, 1995, KEDO was established with the United States of America, Republic of Korea, and Republic of Japan as the founding member and Executive Board. In KEDO, other states were welcomed to join the organization and give aid, such as providing funds, goods, and services. New Zealand, Australia, and Canada participated in KEDO in 1995, then followed by Indonesia, Chile, and Argentina in 1996. On September 19, 1997, the European Union (EU) joined KEDO with representation on KEDO's Executive. Poland also joined in 1997. In December 2001, the EU extended its membership in KEDO for five years and increased its yearly donation from 15 to 20 million Euros. The Czech Republic and Uzbekistan became members in 1999 and 2000. In addition to its member

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<sup>12</sup> Korean Peninsula Energy Development Organization, *About Us: Our History*, [http://www.kedo.org/au\\_history.asp](http://www.kedo.org/au_history.asp).

states, KEDO received material and financial support from nineteen other non – member, contributing states<sup>13</sup>.

Despite so, DPRK was engaged in an undeclared uranium enrichment program in November 2002, causing KEDO Executive Board to suspend the heavy fuel oil to DPRK in December. Following the suspension, DPRK began re – operating Yongbyon nuclear reactor, expelled IAEA inspectors, and withdrew from NPT on January 10<sup>th</sup>, 2003. Following the setback, KEDO Executive Board started to reconsider the construction of LWR in DPRK for two years, until the plan was finally terminated on May 31<sup>st</sup>, 2006<sup>14</sup>.

#### **D. Six–Party Talks**

Despite the failure of KEDO to stop DPRK’s nuclear program, diplomatic attempts were kept being done by the international community. The most notable and recent after KEDO is the Six–Party Talks. Hence the name, it is a six–states negotiation exclusively purposed to dismantle DPRK’s nuclear program. The talk started in 2003, was hosted and chaired by PR China, and was attended by the United States of America, Democratic People’s Republic of Korea, Republic of Korea, Republic of Japan, People’s Republic of China, and Russian Federation. Six–Party Talks was initiated following the previous Three–Party Talks between the US, PR China, and DPRK regarding the same issue<sup>15</sup>.

DPRK decided to enter the talks in early August 2003, and the first round was held on August 27<sup>th</sup>, 2003. On the first round, DPRK demanded to normalize the relation and non – aggression pact with the United States, which was previously rejected by the US, but the US stood firmly on the decision. Deputy Foreign Minister Kim Yong Il of DPRK responded the stance with a plan to have another missile test. Despite being fruitless at some points, Vice Foreign Minister Wang Yi of PR

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<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

China outlined that all negotiating states demanded similar goals: nuclear-free Korean Peninsula while maintaining DPRK's security and avoiding actions able to make the situation worse<sup>16</sup>.

Before the second round of the talks, the US, ROK, and Japan held a separate trilateral discussion for a joint strategy for the next round. This agreement was followed by the securing of accord between PR China and DPRK that the US was willing to ensure informal security assurances after the signing of a peace treaty or non-aggression pact. Despite so, the US forbid any of their diplomats to talk with DPRK's representatives directly and demanded unilateral agreement. The second round started on February 25<sup>th</sup>, 2004, in which Chinese foreign minister and Russia's negotiator, Vice Foreign Minister Alexander Losiukov, showed a report that DPRK was willing to dismantle their nuclear weapon program, but not the peaceful nuclear program. Regarding this report, the US, ROK, and Japan, which agreed on Complete, Verifiable, and Irreversible Dismantlement (CVID), demanded a full dismantlement of any nuclear program of DPRK since they viewed that civil-level nuclear program was less beneficial for economic use and could be a disguise of other activities<sup>17</sup>.

On June 23<sup>rd</sup>, 2004, the third round of Six-Party Talks was initiated, despite facing uncertainties caused by the US's election for the new president. Despite so, the US and ROK managed to prepare a set of "step-by-step" dismantling procedure for DPRK that gives DPRK three months of a preparatory period to freeze the nuclear programs and a request of transmittal of a full account of activities. DPRK's Deputy Foreign Minister Kim Gye-gwan stated that DPRK was willing to accept a "freeze for compensation" program that would lead to the goal of Six-Party Talks. However, because of the lack of joint statement, the Chairman issued a statement that

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<sup>16</sup> Xiaodon Liang, *op. cit.*

<sup>17</sup> *Ibid.*

“commitment” was needed from all parties to resolve the crisis<sup>18</sup>.

There was a one-year time gap between the third and fourth round of the talk caused by uncertainties of conditions following the US’s presidential election which was later won by President George W. Bush. At this stage, DPRK showed little–to–none interests to join another round of talk by admitting their possession of nuclear arsenal. They also accused the US for trying to overthrow Kim Jong Il’s regime in February 2005 after hearing a statement from the US’s Secretary of State Condoleezza Rice saying that DPRK is “an outpost of tyranny”. To solve this misunderstanding, the US’s new lead negotiator, Christopher Hill, met with DPRK and PR China in Beijing in July 2005 and created a result that DPRK will join the fourth round on July 25<sup>th</sup>, 2005. This agreement was assured as the US stated that they recognized DPRK as a sovereign state and would not invade DPRK. At this stage, the US softened their position on DPRK’s civil nuclear program, re–discussed the resurrection of 1992 Joint Declaration of the Denuclearization of the Korean Peninsula and lifted previous restrictions for the US’s diplomats to directly negotiate with DPRK. September 19<sup>th</sup>, 2005 showed critical progress as all six parties agreed upon the denuclearization of the Korean Peninsula “in a phased manner in line with the principle of commitment for commitment, action for action”. This was later followed by the rejoining of DPRK into the NPT and acceptance of IAEA inspectors, and in return, DPRK received energy aid from the other five parties<sup>19</sup>.

The fifth round that began on November 9<sup>th</sup>, 2005 showed no new breakthrough despite all parties expressing their view on how the Joint Statement should be implemented. However, the situation experienced sudden deterioration as the US gave sanction towards several DPRK’s trading entities, including Banco Delta Asia, and DPRK responded it with the boycotting of Six–Party Talks, multiple missile tests in July,

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<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

and the first nuclear test on October 9<sup>th</sup>, 2006. The UN Security Council passed Resolution 1718 on October 14<sup>th</sup> which demanded DPRK to hold back from doing any missile or nuclear test and re-enter the Six-Party Talks. The talk was continued in February 2007 with the result that DPRK agreed to shut down Yongbyon facility and discuss their list of nuclear-related activities, and other five parties providing 50.000 metric tons of heavy fuel oil; all of these within 60 days. To support this, the US agreed to remove DPRK from their list of terrorism-sponsoring states and the application of the Trading with the Enemy Act<sup>20</sup>.

The sixth round began on March 19<sup>th</sup>, 2007 with no significant progress as DPRK walked out from the talk following the delays of funds' release from Banco Delta Asia. Despite so, DPRK showed commitment to the goal of the talk by the shutting down and sealing of 5-megawatt Yongbyon facility as IAEA reported in June 2007. In later discussion, DPRK agreed to dismantle their three key facilities in Yongbyon and give a provisioned list of nuclear activities by the end of 2007. DPRK also agreed not to transfer nuclear materials, technology, and knowledge to any parties; the other five parties responded by the increase of aid to 1 million metric tons of heavy fuel oil. Despite delays, both the US and DPRK agreed to meet separately in Singapore in April 2008 to discuss three major concerns: DPRK's declaration of plutonium program, publication of the US's "bill of particulars" regarding their suspicion on DPRK proliferating the uranium-enrichment program, and DPRK's understanding of the US's concerns. The sixth round continued in June 2008, and DPRK declared their list of nuclear activities, and the US responded by the removal of DPRK from Trading with the Enemy Act and was on progress to remove them from state sponsors of terrorism. However, the US's proposal to inspect facilities outside Yongbyon in August was rejected by DPRK, hindering the progress of the three sites' shutdown until October. Responding

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<sup>20</sup> Ibid.

to this issue, lead negotiator Hill visited DPRK in October and had a verbal agreement with DPRK that inspections outside Yongbyon would be allowed after all other five parties agreed by consensus. Progress was again hindered when DPRK stated that they did not agree upon the sample collecting at Yongbyon (even if it were done, it would not be during the shutdown of three main facilities) and another session of the sixth round resulted in no consensus<sup>21</sup>.

Despite numerous warnings from the US, ROK, and Japan, DPRK tested the three-stage Taepo Dong – 2 rocket as a part of their civil space program, and the UNSC responded by extending sanctions on DPRK based on Resolution 1718. On April 14<sup>th</sup>, 2008, DPRK stated that they would withdraw from the Six-Party Talks and will not agree to any previous agreement made during the talks<sup>22</sup>. It was later followed by official statements from Pyongyang that DPRK had no intention to resume any multilateral negotiations and Six-Party Talks were to be discontinued<sup>23</sup>.

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<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ramon Pacheco Pardo, *North Korea - US Relations Under Kim Jong II: The Quest for Normalization?* (London: Routledge), p. 105