

US-DPRK: How the US “Observed” the 1994 “Agreed Framework”

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Let us start with the fact that the Agreed Framework was not an official form of diplomatic treaty and it would be more appropriate to name it a Framework Arrangement (this is also suggested by the word [Framework](#) in it), since the word “agreement” by default would create the false impression that it was not a gentleman’s agreement but a ratified treaty.

Then, although the framework was perceived only as an obligation on the part of the DPRK to freeze its nuclear program, in fact Article 2 of the document stated that “the two sides will move towards full normalization of political and economic relations.” According to Article 3, the US had to “provide the DPRK with formal safeguards against the threat of US use of nuclear weapons.” As can be seen, we do not see any guarantees or promise of diplomatic relations.

As far as freezing is concerned, North Korea froze its nuclear facilities in exchange for fuel oil supplies and the promise to build two light-water reactors which could not serve as a source of weapons-grade plutonium. The commissioning of the first such reactor was scheduled for 2003, and prior to that, the Americans were to supply the DPRK with 500,000 tons of fuel annually for conventional power plants. To fulfill this task, an international (American-Japanese-South Korean) Organization for the Development of North Korean Energy (KEDO) was specifically created in March 1995.

The very idea of the Agreed Framework seemed to be the best option for resolving the nuclear crisis: North Korea retained the right to peaceful nuclear energy and received the political guarantees necessary for it to integrate into the international community. However, the devil was in the details.

First, the Agreed Framework was never ratified by the US Senate, which was dominated by conservatives. If the DPRK considered the Framework to have been ratified, the United States could renege on the performance of its obligations under legal pretexts, since from a formal point of view, the Arrangement was perceived as a protocol of intentions or a gentlemen’s agreement.

Secondly, the wording of the English text of the Framework could be interpreted in two ways. A phrase like “We shall take all possible measures to ...”, “We shall move to ...”, “We shall provide guarantees.” did not contain any specific commitments, and because from a formal point of view it was reminiscent of the joke: “We shall search, but we don’t promise to find”. So, the construction of reactors would have been done not by the US, but by a consortium, and Washington would not be directly responsible for the success or failure. This in particular allowed representatives of the conservative right to dismiss accusations

that the US had committed any violation of the agreement.

Thirdly, KEDO was organized on the basis of the principle “Too many cooks spoil the broth.” Initially, the main responsibility and expenses were supposed to be rested on the shoulders of the RK, while the US and Japan from the very beginning did not intend to invest particularly in this rather expensive enterprise. However, the subsequent financial crisis of 1997 significantly undermined the possibility of South Korea participating, and this was not compensated for by other parties. At the same time, we note that the text of the Framework did not contain a mechanism for settling disputes, the event of the slow construction of reactors, or if they were not built at all. It was assumed that the DPRK would regularly receive fuel during this entire period.

Fourthly, the difficulties experienced by North Korea, in connection with the death of Kim Il Sung and the beginning of “the difficult journey”, led the United States and the Republic of Korea to have certain illusions regarding the impending collapse of the North Korean regime, which made it appear irrational to invest in a “lost cause”. As a result, a year before the reactors were planned to be brought on line, the foundations on the construction were barely completed.

Nevertheless, the DPRK still remained in the crosshairs of nuclear weapon. In June 1998, at the base in North Carolina, the US troops developed plans for the nuclear bombing of the North, including the dropping of nuclear explosion simulators. In October of the same year, one of the two-star American generals publicly admitted the existence of a plan to attack the North and the establishment of a South Korean regime of occupation. This plan was to be activated not only in response to an attack from the North, but also in the event of the “unconditional signs” of a possible attack. However, when the “White Paper” published by the Pentagon in 1998 indicated that victory over the DPRK would require 640 thousand American armed service men from all branches of the armed forces, the hawkish cries fell silent.

A surge of interest in the North’s nuclear program was associated with an interesting incident. At the end of August 1998, the press was flooded with a wave of “satellite intelligence data” suggesting that North Korea was building an unprecedented underground nuclear complex in the town of Kumchang-ni, protected from the attacks of American precision weapons. For a long time both sides had been stirring up passions, but in the spring of 1999, in exchange for a large batch of humanitarian assistance, the North unexpectedly allowed Americans access to this site, which (as the North had frequently claimed) turned out to be an empty cave. Actually, it was at this time that media owned by opponents of the North began to develop a thesis that the nuclear program, if not a bluff, was basically a way of demanding food aid.

On the back of the Pyongyang summit in 2000, the North Korean-American relations also began to improve. Of particular note was the visit to Washington by the second in command in the DPRK hierarchy, Jo Myong-rok, in October 2000, and soon after, between October 22-25, 2000, the US State Secretary Madeleine Albright first visited North Korea.

Negotiations with Kim Jong Il lasted more than five hours, and the result seemed to satisfy both sides. The Americans considered that they had succeeded in taming the Korean regime to a certain extent by achieving the freezing of its missile program, while Kim Jong Il was able to impress Americans as a man with whom they could conduct normal negotiations.

They even talked about a DPRK-American Summit and when offering the idea, Albright emphasized that a visit to Pyongyang by the US President could radically change the situation, just as it did when Nixon visited China. However, the visit by the American president to the DPRK did not take place. It was not due to the president's unwillingness, but changes to the foreign policy situation that required his presence in the Middle East. In addition, etiquette and respect for traditional American allies would require that after visiting Pyongyang the president would also visit Seoul and Tokyo, thus prolonging the entire programme.

The author would like to dwell on the events of the 2000s, since there is one particular factor which is of importance for an understanding of the current situation. Thus the results of Albright's visit and the signing of the 1994 Agreed Framework suggest that when the US leadership has the political will and desire to solve problems connected to the Korean peninsula, it can resolve them.

Before the US presidential elections in 2000, the North Koreans even reduced the intensity of anti-American rhetoric, but when the Republicans came to power, the hope for dialogue was lost. The neo-conservatives who had come to power were concerned that the process of settlement between the two Koreas might go too quickly and they would lose control of it. Against this background, the supply of heavy fuel oil from the United States to the DPRK became irregular, and the construction of the reactors was effectively frozen. By this time it had become clear that if the reactors were to be built, it would not be in 2003 as originally planned.

In autumn 2001, in the presence of several Asian leaders, Bush referred to Kim Jong Il as a "pygmy." A few days later, he publicly declared that "Kim Jong-il made him sick," and "the sinking of the North Korean regime would be one of the priority areas of his policy." In his annual address to the Congress on January 29, 2002, George Bush said openly: "...Our (...) goal is to hinder regimes which support terrorism, threaten America or our friends and allies with weapons of mass destruction. Some of these regimes are much quieter after September 11. However, we know their true face. North Korea is a regime armed with missiles and weapons of mass destruction, while its people are [starving](#)"

This political direction also led to a revision of fuel oil supplies. They were made dependent not on the country complying with the decisions of the Agreed Framework, but on improvements in the human rights situation in the DPRK. The response to the North Korean question when translated from diplomatic language meant "our policy has changed, and we are not responsible for any of the decisions taken when the Democrats were in power.

We should note that all this time the Americans did not accuse the DPRK of violating the Agreed Framework; all such invective was to emerge later, in the context of the second phase of the nuclear crisis. Prior to this time, it is sufficient to compare the text of the agreement with the real facts, in order to understand that it was NOT North Korea which failed to comply with the majority of the points of the Agreed Framework.

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