



## Negotiating with Iran: Lessons from America's Failed Nuclear Accord with North Korea

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**EXECUTIVE SUMMARY:** October 21 marks twenty years since the Agreed Framework was signed between North Korea and the United States. The overall failure of the agreement to halt Pyongyang's nuclear program offers an important lesson in analyzing the potential effectiveness of a new nuclear agreement with Iran.

October 21, 2014, commemorates the 20 year anniversary of the signing of the Agreed Framework between the United States of America and the Democratic People's Republic of Korea (DPRK). In 1994, concerns about the development of a military nuclear program by North Korea, which had the potential to lead to the destabilization of the Korean Peninsula, led the US government, under President Bill Clinton, to offer Pyongyang a deal that would freeze the North Korean nuclear program at its first stage and would subsequently lead to the program's termination. In return, North Korea would receive extensive economic assistance from the United States and its allies, as well as long-term diplomatic relations between Washington and Pyongyang. The agreement was perceived as a groundbreaking model for dealing with the new nuclear states – offering them economic benefits that would persuade them to relinquish their nuclear capabilities, without requiring the use of military force. Pyongyang signed the agreement and promised to implement its part of the agreement.

Did the agreement achieve its most important goal, the denuclearization of the DPRK?

Over the 20 years that have passed since the agreement was signed, North Korea has held several nuclear tests and according to intelligence reports, it has enough fissile material to build at least 8-12 nuclear bombs. The Agreed Framework failed to implement its main purpose – prevent the nuclearization of the DPRK.

The original advocates of the agreement stated that the full implementation of the agreement would have prevented the development of North Korea's nuclear program. The critics said that the agreement allowed Pyongyang to receive economic benefits without the need to make any critical concessions in its nuclear program. Others have criticized the lengthy period that North Korea was given to continue developing its nuclear program without any harsh sanctions imposed. All have agreed that the control and monitoring mechanisms to supervise the North Korean nuclear program were not efficient enough and could not detect whether North Korea was breaching the agreement or not.

Pyongyang, however, has insisted that it implemented its end of the agreement, appraising the United States for failing to meet its commitments. Although George W. Bush's administration criticized the agreement, calling it an "appeasement policy," they were not able to find an alternative mechanism that would halt or terminate the North Korean nuclear program.

Throughout the years, Pyongyang learned that breaching the agreement might lead to sanctions by the United Nations Security Council, but these sanctions were not harsh enough to deter North Korea's nuclear program. Over the last 20 years, North Korea has been shrewd enough to manipulate the international arena, particularly its special relations with China, to prevent the exacerbation of the UNSC sanctions. One should remember that Beijing did not agree with every policy that Pyongyang implemented, but it was willing to use its veto power in the UNSC to prevent any harsh sanctions.

Was Pyongyang willing to freeze and later on eliminate its nuclear program as it committed to in the agreement, or did Kim Il-sung and Kim Jong-il never intend to give up their nuclear capabilities, exploiting the agreement with the United States as a tactical mechanism to gain economic assistance? While the supporters of the agreement state that Pyongyang would have given up its nuclear program, those opposed to the agreement reject this assumption. Once North Korea developed its nuclear capabilities, including the 2006, 2009, and 2013 nuclear tests and the development of the centrifuge enriched uranium program, the 1994 Agreed Framework became irrelevant.

Could the failure of the Agreed Framework between the DPRK and the United States assist us in analyzing the effectiveness and success of the new agreement between Washington and Tehran? Optimists in the US government would say that the administration has learned from the pitfalls and failures of the 1994 agreement and will do its best to reach a treaty that will prevent Iran from following this same pattern. The pessimists are concerned that Tehran learned its lessons from the North Korea-US negotiations, including how to successfully manipulate Washington and its allies. Another cause for concern is the nuclear cooperation between Iran and North Korea. This cooperation will allow Iran to use North Korea as a "back

door" plan to continue the development of its nuclear program without breaching any sanctions.

The link between the United States' negotiations with both North Korea and Iran on the nuclear issue is Wendy Sherman. Wendy Sherman was part of the US team, headed by Ambassador-at-Large Robert L. Gallucci, which negotiated the Agreed Framework under the Clinton administration. She now serves in the Obama administration as the current Under Secretary of State for Political Affairs and as the lead US negotiator with Iran.

One of the biggest questions is whether Wendy Sherman will be able to overcome the pitfalls of the 1994 failed agreement when discussing the nuclear deal with Iran? Or could we pessimistically conclude from the failed 1994 agreement with North Korea that when a state decides to develop nuclear weapons and is willing to pay the economic and political price (UNSC or US sanctions), nothing will stand in its way of obtaining nuclear capabilities, The only exceptions are if the regime voluntarily decides to relinquish its nuclear program, such as in Libya in 2003, or if the nuclear facilities are attacked and destroyed, such as in Iraq in 1981.

Is the November 2013 interim agreement between Iran and the 5+1 on the nuclear issue an indication of the failed North Korean "1994 model" or a more optimistic "Libyan model"? It does not appear that Iran will abandon its nuclear program. This is one of the reasons why Israeli officials are concerned that we are heading towards another failed agreement that will allow Iran to continue to develop its nuclear program.

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