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Exploring the Zone of Possible Agreement on the Nuclear Issue of the Korean Peninsula

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Abstract. From 2003 to 2009, China, Japan, North Korea, Russia, South Korea, and the United States engaged in a series of multilateral negotiations to address North Korea's nuclear program. On September 19, 2005, the six participants achieved a “gold standard” agreement on denuclearization. North Korea agreed to relinquish all nuclear weapons, abstain from deploying nuclear weapons, and rejoin the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), as well as adhere to International Atomic Energy Agency (IAEA) safeguards. The United States affirmed its lack of nuclear weapons on the Korean Peninsula and expressed no intention of attacking or invading the Democratic People's Republic of Korea (DPRK) with nuclear or conventional weapons. China, Japan, Russia, South Korea, and the United States concurred to provide energy assistance to the DPRK. Furthermore, the agreement established the principle of “commitment for commitment, action for action,” which holds significance for the spirit of future engagement. The prevailing impasse in resolving the nuclear issue on the Korean Peninsula prompts the inquiry of a possible negotiation model. This paper uses the Harvard negotiation method to examine a zone of possible agreement (ZOPA) between China, North Korea, Russia, and the United States, which culminated in the September 19, 2005 Six Party Talks agreement addressing the nuclear issue on the Korean Peninsula. The first section of the article is devoted to scrutinizing the Zone of Possible Agreement (ZOPA), which facilitated the 2005 agreement. Based on the acquired insights, the second section assesses the prospects for implementing the 2005 Joint Statement in the current context. This section also concentrates on identifying a ZOPA under current conditions, taking into account past experiences and lessons learned from past negotiations.

Key words: Six-Party Talks, North Korean nuclear issue, nonproliferation, denuclearization, Zone of Possible Agreement

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Зона возможного соглашения по ядерной проблеме Корейского полуострова

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Аннотация. С 2003 по 2009 г. Китайская Народная Республика (КНР), Корейская Народная Демократическая Республика (КНДР), Республика Корея (РК), Российская Федерация, США и Япония провели ряд многосторонних переговоров по денуклеаризации Корейского полуострова. 19 сентября 2005 г. был достигнут «золотой стандарт» соглашений по денуклеаризации. КНДР обязалась отказаться от ядерного оружия, воздержаться от развертывания ядерного оружия и вернуться к соблюдению условий Договора о нераспространении ядерного оружия (ДНЯО) и гарантий Международного агентства по атомной энергии (МАГАТЭ). США подтвердили отсутствие ядерного оружия на Корейском полуострове и намерений напасть или вторгнуться в КНДР. Все стороны согласились оказать энергетическую помощь КНДР. Соглашение также установило принцип «обязательства в обмен на обязательства, действия в обмен на действия». Используется Гарвардский метод переговоров для анализа зоны возможного соглашения (ЗВС), элементы которого отслеживаются в переговорах, окончившихся принятием соглашения от 19 сентября 2005 г. между участниками Шестисторонних переговоров по ядерной проблеме Корейского полуострова. С помощью полученных результатов оцениваются перспективы применения ЗВС от 2005 г. в нынешних реалиях. Первый раздел посвящен анализу ЗВС, которая привела к соглашению 2005 г. Второй раздел сосредоточен на поиске ЗВС в нынешних условиях с учетом предыдущего опыта.

Ключевые слова: шестисторонние переговоры, ядерная проблема Корейского полуострова, нераспространение, денуклеаризация, зона возможного соглашения

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Introduction

In an era of global turbulence, conflict resolution strategies require innovative approaches combined with historical best practices. The quest for peace on the Korean Peninsula is fraught with numerous obstacles. Political dimensions encompass a plethora of stakeholders and the integration of a nuclear component. Economic factors entail the disparate economic paradigms in the Democratic People's Republic of Korea (DPRK), the People's Republic of China (PRC), the United States of America, and their respective allies, as well as the pronounced asymmetry of economic influence between the DPRK and other concerned parties. Cultural

dimensions are also significant, as the root of the nuclear issue is embedded in the division within the Korean nation.¹

In the realm of international diplomacy, the term “Zone of Possible Agreement” (ZOPA) delineates the spectrum of potential mutually advantageous agreements established among multiple actors when their interests intersect.

¹ For the scope of this paper, the authors have chosen to focus on the permanent members of the UN Security Council among all the participants of the Six-Party Talks (US, China, and Russia), in addition to the DPRK. Such selection was motivated by the assumption that in order to conclude any lasting agreement with the DPRK, a buy-in of the principal members of the UNSC would be indispensable.

The theoretical underpinnings of ZOPA can be substantiated by various schools of thought. For instance, “Guiguizi,” a Chinese monograph on the art of persuasion from the Warring States period (481/403 BCE — 221 BCE), encapsulates the ancient diplomatic philosophy of striking a balance between gains and losses among different parties. As explained in the text, a negotiation will inevitably fail and exacerbate the estrangement between parties if the ultimate outcome disproportionately benefits one party at the expense of the other (Guiguizi, 2014).

At the present stage, the search for a negotiated way out of conflict situations is closely related to research on the problems of achieving peace. Dutch scholar Ch. Boasson (1991) posited that the dilemma of peace could not be adequately addressed solely through reliance on institutions, human nature, or the mere portrayal of war’s heinous atrocities. As a result, a holistic framework is needed to address the interests of all stakeholders in a manner that confers value for all parties. As P. Wallensteen (2018) observes, negotiations and inter-party engagements prove futile in the absence of shared objectives, well-formulated strategies, and methodologies for implementing agreements.

The Harvard Negotiation School further expounds on the 3-D approach, which emphasizes enhancing interpersonal processes at the table, designing deals that generate value, and establishing the most favorable conditions (Lax & Sebenius, 2003). Taking these factors into account, this paper constructs an analytical framework for the Korean Peninsula nuclear issue by employing the ZOPA approach to delineate the negotiation trajectory, using the 2005 Six-Party Talks Agreement as a best practice in the current milieu.²

² The Fourth Round of Six-Party Talks in Beijing Concludes with the Adoption of a Joint Statement // Permanent Mission of the People’s Republic of China to the UN. September 19, 2005. URL: http://un.china-mission.gov.cn/eng/zt/ch/200509/t20050919_8413967.htm (accessed: 12.03.2023).

Applying the Harvard Negotiation Method to the North Korean Nuclear Issue

According to I.V. Dyachkov (2014), the nuclear conundrum of the Korean Peninsula pertains to both the domestic and foreign policy dimensions of the DPRK’s nuclear program development, as well as the ensuing foreign policy ramifications. Theoretically, there are at least four modes of engagement: struggle, negotiation, mediation, and adjudication. Negotiation as a process boasts at least two advantages over struggle, as it is less costly and addresses future concerns (Carnevale & Pruitt, 1992). Furthermore, the Harvard Negotiation School articulates the objective of negotiation as value creation for each party, signifying that the negotiated outcome should position both parties more favorably than in the absence of an agreement (Mnookin, Peppet & Tulumello, 2000).

Certain general impediments to value creation apply to the nuclear issue on the Korean Peninsula. Firstly, value creation is arduous when parties withhold or fail to exchange information. In 2003, as the initiator of the Six-Party Talks, Beijing implemented a three-step approach to overcome this challenge. In the initial stage, China conducted high-level bilateral talks with all six parties to unveil their true interests and circumvent excessive bureaucracy. Subsequently, based on the established priorities, China prepared a roadmap employed in the final stage — the conclusion of the agreement (Park, 2005). Secondly, value creation is also challenging when a party attempts to assume the role of a “voice of authority.”³ Stigmatizing North Korea as a “rogue state” and portraying its leadership as irrational constitutes one of the primary reasons for the DPRK’s reluctance to engage in talks. The DPRK’s plea to reject the hostile policy is ignored by the United States and its allies, which hinders effective communication.

³ Patton B. Building Relationships and the Bottom Line: The Circle of Value Approach to Negotiation // Harvard Business Online. April 1, 2004. URL: <https://hbsp.harvard.edu/product/N0404B-PDF-ENG> (accessed: 02.03.2023).

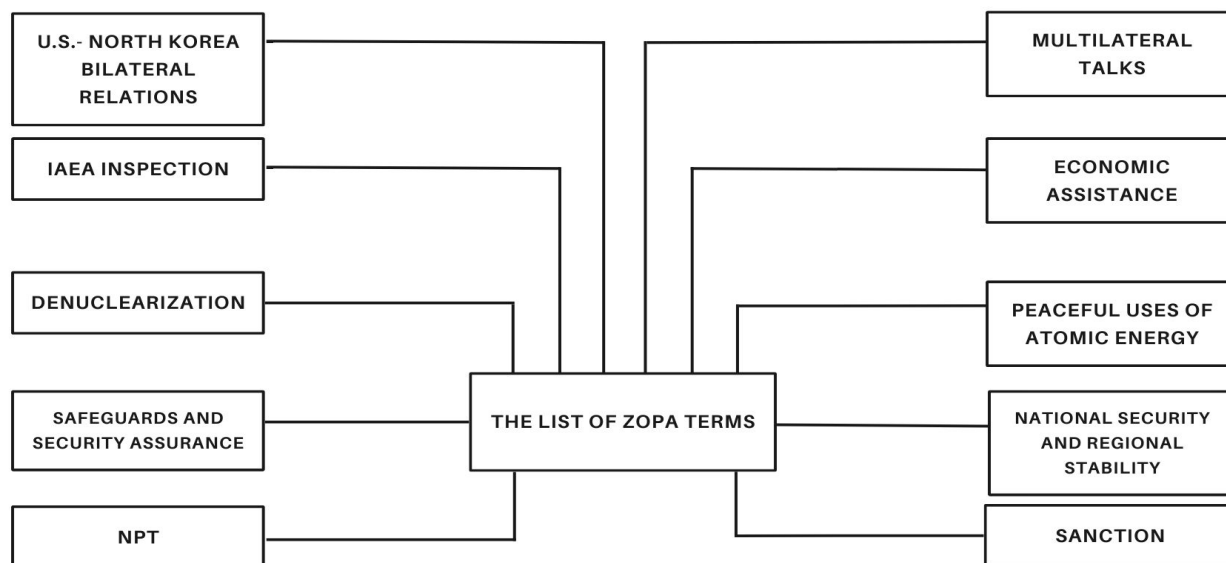


Figure 1. The list of ZOPA terms

Source: compiled by the authors.

In order to overcome the discrepancies between the parties, the Harvard method proposes the delineation of the ZOPA, which represents the bargaining range in a negotiation (Mnookin, 2003). In order to identify the ZOPA for the relevant parties, it is essential to define the “red lines” in the negotiation, or the boundaries within which a party could be willing to compromise.

Examining the Conditions Leading up to the 2005 Six-Party Agreement

Initially, this study examines the foreign policies of China, the DPRK, Russia, and the United States pertaining to the Korean Peninsula, which facilitated the transition from distributive (win-lose) to integrative negotiations (collaborative bargaining), culminating in the 2005 Six-Party Agreement (Jehn & Bendersky, 2003).

In general, through an examination of official statements and evolving academic research trends, this paper contends that the principal ZOPA terms on the Korean Peninsula nuclear issue encompass ten distinct categories (Figure 1): the US — DPRK *bilateral relations*, *multilateral negotiations*, International Atomic Energy Agency (IAEA) *inspection*,

denuclearization, *safeguards and security assurances*, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) *membership*, *economic and humanitarian assistance*, *regional stability*, *peaceful utilization of atomic energy*, and *sanctions*. The core interests of each party are differentiated and manifested in their diplomatic stances and statements.

China

As a signatory to the Armistice Agreement,⁴ China is a pivotal actor on the Korean Peninsula (Zhang, 1998). The Six-Party Talks began in Beijing in 2003. During this process, China’s short-term objectives were to avoid conflict on the Korean Peninsula and to maintain stability in the DPRK. China advocated for the nuclear dismantlement of the DPRK in exchange for addressing its security

⁴ The 1953 Armistice Agreement refers to a document signed by the Commander-in-Chief of the United Nations Command, the Supreme Commander of the Korean People’s Army, and the Commander of the Chinese People’s volunteers, making the end of hostilities until a peace treaty is reached. See: Agreement Concerning a Military Armistice in Korea // United Nations Peacemaker. URL: https://peacemaker.un.org/sites/peacemaker.un.org/files/KP%2BKOR_530727_AgreementConcerningMilitaryArmistice.pdf (accessed: 10.01.2023).

concerns.⁵ Considering the divergent perspectives of the participants, China endeavored to consolidate positions, negotiable and non-negotiable elements, and proposals while establishing comprehensive collaboration.⁶

China viewed enhancing mutual trust between North Korea and the United States as the cornerstone for resolving the nuclear issue (Chu & Lin, 2008). To this end, Chinese leaders placed significant high-level attention to the talks. In October 2003, Wu Bangguo, a member of the Standing Committee of the Political Bureau of the CPC Central Committee, spearheaded a Chinese delegation to the DPRK, persuading Pyongyang to progress to the second round of the Six-Party Talks.⁷ Beijing also organized informal bilateral talks between Pyongyang and Washington since the US State Department had prohibited official contacts between the United States and the DPRK.⁸

Until the 2005 round of the Six-Party Talks, China's stance could be summarized as follows: strengthen mutual trust between the DPRK and the United States and ensure that the

Korean Peninsula's nuclear issue is addressed by peaceful means. All parties must safeguard the DPRK's legitimate security concerns.

DPRK

In 2003, North Korea announced its withdrawal from the NPT, calling the move “a legitimate self-defense measure taken against the US moves to stifle the DPRK.”⁹ Referring to its decision in 1993 to initially declare its withdrawal from the NPT, North Korea again accused the US of a “hostile policy,” which in turn compelled the North to withdraw from the NPT.¹⁰

In the course of the Six-Party Talks, the DPRK had three objectives: to protect its national security interests, to secure reliable energy production and to improve its economic situation. The DPRK stressed that it would not undertake any unilateral action as a precondition for the start of the negotiations.¹¹ Instead, it emphasized the principle of reciprocity (i.e. “words for words,” “action for action” and “reward for freeze”) as the necessary guiding principle for reaching an agreement.¹² Pyongyang also called upon the United States to “confirm the US willingness to make a switchover in its Korea policy” and to abandon all hostile acts that jeopardizes the DPRK's national security.¹³ As examples of such hostile

⁵ Fu Y. The Korean Nuclear Issue: Past, Present, and Future. A Chinese Perspective // John L. Thornton China Center at Brookings Institution. April 30, 2017. URL: <https://www.brookings.edu/wp-content/uploads/2017/04/north-korean-nuclear-issue-fu-ying.pdf> (accessed: 12.04.2023).

⁶ Guan yu chao xian ban dao he wen ti de bei jing liu fang hui tan ju xing // Zhong hua ren min gong he guo zheng fu [Six-Party Talks on Korean Peninsula Nuclear Issue Held in Beijing // The Government of the People's Republic of China]. 2005. (In Chinese). URL: http://www.gov.cn/test/2005-06/30/content_11181.htm (accessed: 12.11.2023).

⁷ Chao xian ban dao he wen ti da shi ji // Zhong hua ren min gong he guo wai jiao bu [Chronology of the Nuclear Issue on the Korean Peninsula // Ministry of Foreign Affairs of the People's Republic of China]. February 23, 2004. (In Chinese). URL: https://www.fmprc.gov.cn/web/ziliao_674904/zt_674979/ywzt_675099/wztt_675579/cxbdhwt_675621/bjjs_675623/200402/t20040223_796224.2.shtml (accessed: 12.11.2023).

⁸ The Six-Party Talks at a Glance // Arms Control Association. January 2022. URL: <https://www.armscontrol.org/factsheets/6partytalks> (accessed: 02.02.2023).

⁹ Security Council Notified of DPR of Korea's Withdrawal from Nuclear Arms Accord // United Nations. January 10, 2003. URL: <https://news.un.org/en/story/2003/01/56032> (accessed: 12.11.2023).

¹⁰ KCNA ‘Detailed Report’ Explains NPT Withdrawal // Korean Central News Agency. January 22, 2003. URL: <https://nuke.fas.org/guide/dprk/nuke/dprk012203.html> (accessed: 15.02.2023).

¹¹ DPRK's Stand on Six-Party Talks Clarified // KCNA Watch. August 14, 2003. URL: <https://kcnawatch.org/newstream/1452004111-63184836/dprks-stand-on-six-party-talks-clarified/> (accessed: 15.01.2023).

¹² DPRK Foreign Ministry Spokesman on Six-Party Talks // KCNA Watch. June 29, 2004. URL: <https://kcnawatch.org/newstream/1452004163-468568196/dprk-foreign-ministry-spokesman-on-six-party-talks/> (accessed: 12.11.2023).

¹³ KCNA ‘Detailed Report’ Explains NPT Withdrawal // Korean Central News Agency. January 22, 2003.

actions, a spokesman for the DPRK Foreign Ministry listed “the present US administration’s listing of the DPRK as part of ‘an axis of evil,’ the target of a preemptive nuclear attack, and ditched the DPRK — US Agreed Framework.”¹⁴

On the issue of denuclearization, the DPRK negotiators sought a step-by-step approach. The DPRK maintained its stance that, at a minimum, the first-stage step must be agreed upon at the start of negotiations.¹⁵ In a demonstration of its willingness to freeze nuclear facilities, the nation displayed the Nyongbyon facilities to a US delegation earlier this year. As reciprocal measures, North Korea has urged the United States to remove it from the list of “terrorism-supporting states,” lift political, economic, and military sanctions, and provide aid in the form of heavy oil and electricity.

By 2005, the DPRK’s position was to suspend its known nuclear weapons program in exchange for security assurances from the U.S. and its allies via a step-by-step plan, while also seeking reliable energy production and financial incentives that would promote economic development.

Russia

In 2003, following the DPRK’s withdrawal from the NPT, Russia’s Ministry of Foreign Affairs proposed a comprehensive solution for the denuclearization of the Korean Peninsula. This included the DPRK’s reentry into the NPT, compliance with all international commitments by the parties, including the Agreed Framework,

URL: <https://nuke.fas.org/guide/dprk/nuke/dprk012203.html> (accessed: 15.02.2023).

¹⁴ DPRK Foreign Ministry Spokesman on Six-Party Talks // KCNA Watch. June 29, 2004. URL: <https://kcnawatch.org/newstream/1452004163-468568196/dprk-foreign-ministry-spokesman-on-six-party-talks/> (accessed: 12.11.2023).

¹⁵ U.S. Must Approach Six-Way Talks with Sincerity // KCNA Watch. February 24, 2004. URL: <https://kcnawatch.org/newstream/1452004446-28769646/u-s-must-approach-six-way-talks-with-sincerity/> (accessed: 12.02.2023).

constructive multilateral dialogue, and the resumption of humanitarian and economic programs on the Korean Peninsula (Panin & Altov, 2004). Moscow perceived the presence of nuclear weapons on the Korean Peninsula as a threat to its national interests for several reasons.

Firstly, Moscow regarded nuclear proliferation as posing security risk to East Asia and neighboring territories. Secondly, as a proponent of a multipolar world, Russia was concerned about policies akin to regime change or external interference. Lastly, following the collapse of the Soviet Union, Russia aimed to fortify relations with Northeast Asian countries (Toloraya, 2008) and forge new partnerships in the region, thereby ensuring that its standing in the region remained robust (Yeon, 2011).

According to Russian scholars, Russia, China, and South Korea perceived the Six-Party Talks as a means to avert the Iraqi scenario of forced disarmament.¹⁶

Russia’s position in 2005 centered on restoring IAEA inspections at DPRK nuclear sites, facilitating the DPRK’s return to the NPT with the prospect of humanitarian and energy assistance, and providing mutually agreed security guarantees.

The United States of America

The US President George W. Bush described North Korea as part of the “axis of evil” in his 2002 State of the Union address and maintained a hardline position during his first three years in office.¹⁷ The US position under G.W. Bush was that North Korea should begin dismantling its nuclear programs (both weapons and facilities) before any US assurances of

¹⁶ Nuclear Proliferation in the North-East Asia // Carnegie Endowment for International Peace. 2005. (In Russian). URL: <https://carnegieendowment.org/files/9359arbatov3.pdf> (accessed: 12.11.2023).

¹⁷ President Delivers State of the Union Address // The White House. January 29, 2002. URL: <https://georgewbush-whitehouse.archives.gov/news/releases/2002/01/20020129-11.html> (accessed: 15.01.2023).

nonaggression.¹⁸ The six-party talks stalled in 2004 as the North Koreans awaited the result of the US presidential election.

Growing concerns over the American death toll in Iraq and the government's disastrous response to Hurricane Katrina, which resulted in low approval numbers, likely contributed to the Bush administration's decision to be more flexible on the North Korea nuclear issue.¹⁹ As the talks continued, Washington evolved from demanding a "complete, verifiable, and irreversible dismantling without any preconditions" (CVID) to a more flexible stance. In 2005, the Bush administration dropped its opposition to North Korea receiving a light-water nuclear reactor to produce electricity, despite its desire for an "irreversible" end to North Korea's nuclear ambitions (Hecker, 2023).

Three months before the six-party agreement, some members of Congress urged the Bush administration to clarify its intentions toward North Korea, foreshadowing its demise. The ambiguity of the US's ultimate aim with respect to North Korea undermined the US negotiations, as then-ranking member of the Senate Foreign Relations Committee Joe Biden warned in a hearing. "President Bush has failed to resolve the dispute between those who advocate a policy of regime change, and those who argue for talks to eliminate North Korea's nuclear weapons in return for sanctions relief, economic assistance, and diplomatic normalization. This combination of ambivalence and confusion has produced no recognizable policy on, perhaps, the most critical security issue we're facing this day," Biden noted.²⁰

¹⁸ U.S. Calls N. Korea Remarks 'Blackmail' // CNN. September 1, 2003. URL: <http://edition.cnn.com/2003/WORLD/asiapcf/east/08/29/nkorea.talks/> (accessed: 12.11.2023).

¹⁹ Bush and Public Opinion: Reviewing the Bush Years and the Public's Final Verdict // Pew Research Center. December 18, 2008. URL: <https://www.pewresearch.org/politics/2008/12/18/bush-and-public-opinion/> (accessed: 12.01.2023).

²⁰ Hearing Before the U.S. Senate Foreign Relations Committee "North Korea: An Update on Six-Party Talks

To this day, this ambiguity continues to plague the US policy toward North Korea, making diplomatic progress elusive. The 2005 US ZOPA was to allow the DPRK to build a light-water nuclear reactor in exchange for the DPRK giving up its nuclear weapons and all of its existing nuclear programs, rejoining the NPT, and allowing IAEA inspections.

ZOPA in 2005

As previously noted, the four pivotal actors — China, North Korea, Russia, and, most importantly, the United States, — maintain divergent stances on resolving the nuclear issue on the Korean Peninsula. Nonetheless, despite their differences, there are critical issues on which they share constructive endorsement.

By comparing and summarizing the parties' positions (Figures 2 and 3), all four countries concur that the ultimate goal is to establish a denuclearized Korean Peninsula, which constitutes a common thread running through their shared perspectives. Although prioritization divergence on NPT compliance and compliance with IAEA inspections persists, all parties appear to agree on the importance of addressing North Korea's security concerns and remain optimistic about a negotiation-based solution. Specifically, China's commitment to ensuring that North Korea's legitimate security concerns are protected by all parties; North Korea's expectation that the United States will provide security assurances in exchange for a moratorium on its nuclear weapons program; Russia's provision of the possibility of humanitarian and energy assistance; and the United States' acceptance of North Korea's right to peaceful use of nuclear energy in exchange for dismantling all of its nuclear weapons and programs; these parallel proposals may pave the way for addressing the concerns of all parties involved and ultimately lead to a peaceful and stable denuclearization of the Korean Peninsula.

and Matters Related to the Resolution of the North Korean Nuclear Crisis" // The National Committee on North Korea. June 14, 2005. URL: https://www.ncnk.org/sites/default/files/content/resources/publications/Transcript_SFRC_Hearing_June_14_2005.pdf (accessed: 22.12.2022).

ZONE OF POSSIBLE AGREEMENT ASSESSMENT IN 2005	CHINA	THE DPRK	RUSSIA	THE USA
U.S.-DPRK BILATERAL RELATIONS	✓	✗	⊖	✗
MULTILATERAL TALKS	✓	⊖	✓	⊖
IAEA INSPECTION	⊖	⊖	✓	✓
DENUCLEARIZATION	✓	✓	✓	✓
SAFEGUARDS AND SECURITY ASSURANCE	✓	✓	✓	⊖
NPT	⊖	✗	✓	✓
ECONOMIC ASSISTANCE	✓	✓	✓	✗
NATIONAL SECURITY AND REGIONAL STABILITY	✓	✓	✓	⊖
PEACEFUL USES OF ATOMIC ENERGY	⊖	✓	⊖	✓
SANCTION	⊖	✗	⊖	⊖

✓ The state endorsed this proposal. ✗ The state opposed this proposal. ⊖ The state did not refer to this proposal.

Figure 2. Comparison of the positions of China, the DPRK, Russia, and the U.S. on the major ZOPA terms concerning the nuclear issue on the Korean Peninsula in 2005
Source: compiled by the authors.

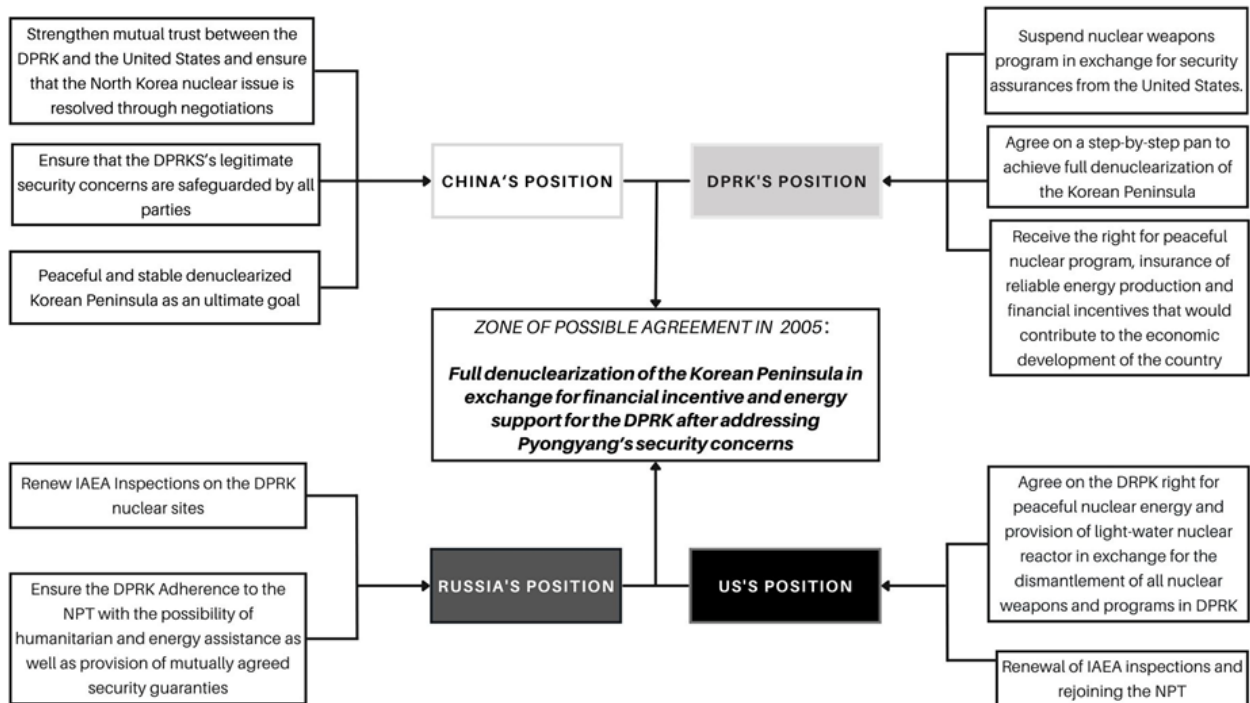


Figure 3. Summaries of the positions of China, the DPRK, Russia, and the U.S. and possible ZOPA in 2005
Source: compiled by the authors.

In conclusion, the zone of possible agreement in 2005 lies in: *achieving complete denuclearization of the Korean Peninsula in exchange for financial incentives and energy assistance to the DPRK after addressing Pyongyang's security concerns.*

Examining the Conditions Leading up to a Hypothetical Deal on the Present Stage

China

From Beijing's perspective, the primary reason for the breakdown in the Six-Party Talks was Washington's reluctance to acknowledge the DPRK's legitimate security concerns and to abandon its efforts to alter the DPRK's political system.²¹ In 2017, China and Russia unveiled a joint "freeze-for-freeze" initiative and a dual-track approach to the denuclearization of the Korean Peninsula, as well as a phased plan to address the challenges facing the Korean Peninsula.²² In the same year, the deployment of the Terminal High Altitude Area Defense (THAAD) system by the U.S. in South Korea raised concerns in China about the erosion of its strategic deterrence capabilities, casting a shadow over substantial cooperation with the U.S. (Sankaran & Fearey, 2017).

Since 2018, the leaders of China and North Korea have rekindled their partnership of

friendship and cooperation. In 2019, China and Russia proposed easing certain United Nations Security Council (UNSC) sanctions on North Korea and reintroduced a similar proposal to the UNSC in 2021.²³

China's current position is to advocate for the easing of certain UNSC sanctions against North Korea and to avoid any further US actions that could escalate tensions in East Asia or lead to nuclear and weapon of mass destruction (WMD) proliferation by the South Korea or Japan, with the ultimate goal of resuming talks on the denuclearization of the Korean Peninsula.

DPRK

In response to the global COVID-19 pandemic, the DPRK shut down its borders in 2020 and significantly restricted its foreign engagement. The border closures led to a reduction in trade, which combined with natural disasters in 2020 and 2021.²⁴ Due to these challenges, the political focus in Pyongyang has turned much more inward than ever before.

The DPRK remains a de-facto nuclear weapons state, with the capacity to develop at least 40–50 nuclear warheads (Kristensen & Korda, 2021). The country continues to develop its nuclear and missile program, striving to provide the country with a more reliable second-strike capability.²⁵ Since President Biden assumed office and resumed military exercises near the North Korean border, the

²¹ Fu Ying: 15 nian hou 919 gong tong sheng ming reng wei chu li chao he wen ti ti gong ji ben si lu // *Ging hua da xue* [Fu Ying: 2005 Joint Agreement Still Provides Fundamental Ideas for Addressing the DPRK Nuclear Issue After 15 Years // Tsinghua University]. September 25, 2020. (In Chinese). URL: <https://www.tsinghua.edu.cn/info/1182/51408.htm> (accessed: 12.11.2023).

²² Communication Received from the Permanent Representatives of the Russian Federation and the People's Republic of China Concerning a Joint Statement on the Korean Peninsula Issues: Joint Statement by the Ministry of Foreign Affairs of the Russian Federation and the Ministry of Foreign Affairs of the People's Republic of China on the Korean Peninsula Issues // International Atomic Energy Agency. August 14, 2017. URL: <https://www.iaea.org/sites/default/files/publications/documents/infcircs/2017/infcirc922.pdf> (accessed: 12.11.2023).

²³ Davenport K. China, Russia Propose North Korea Sanctions Relief // Arms Control Association. December 2021. URL: <https://www.armscontrol.org/act/2021-12/news/china-russia-propose-north-korea-sanctions-relief> (accessed: 12.11.2023).

²⁴ Lee J. J. It's Time for Biden to End the Korean War // Quincy Institute for Responsible Statecraft. October 19, 2021. URL: <https://quincyinst.org/2021/10/19/its-time-for-biden-to-end-the-korean-war/> (accessed: 12.02.2023).

²⁵ It's the Launcher, Not the Missile: Initial Evaluation of North Korea's Rail-Mobile Missile Launches // 38 North. September 17, 2021. URL: <https://www.38north.org/2021/09/its-the-launcher-not-the-missile-initial-evaluation-of-north-koreas-rail-mobile-missile-launches/> (accessed: 12.11.2023).

DPRK has launched over 70 missiles, including the new ICBMs “Hwasong-17,” “Hwasong-18,” thereby nullifying its 2018 moratorium on nuclear and missile tests.²⁶ Pyongyang persistently criticizes the United States for its “hostile policy,” protests the joint US — South Korea military exercises, and expresses concern over the conventional military buildup by Japan and South Korea.

At the same time, the DPRK has not ruled out the possibility of future negotiations with the United States. Choe Son Hui, first Vice-Minister of Foreign Affairs of the DPRK, in response to the US attempts to contact their DPRK counterparts, stated that her country’s current policy toward any potential engagement on nuclear issues with the United States is guided by the principle of “power for power and goodwill for goodwill.”²⁷ This could be interpreted as the DPRK’s willingness to engage with Washington but only if the U.S. is willing to take reciprocal steps. What has changed since the 2005 talks is that the “price” for the DPRK’s denuclearization has increased.

The DPRK’s position in 2023 is to seek legally binding security assurances from the United States and its allies, the suspension of joint US — South Korea military exercises, a binding commitment by the UNSC to ease certain sanctions against the DPRK, a recognition of the DPRK’s right to peaceful uses of nuclear energy, and an agreed roadmap for achieving a nuclear weapons-free Korean Peninsula.

Russia

The 2021 National Security Strategy of the Russian Federation emphasized that escalating tensions on the Korean Peninsula undermine

²⁶ DPRK Refrained from Nuclear and Missile Tests // TASS. April 21, 2018. (In Russian). URL: <https://tass.ru/mezhdunarodnaya-panorama/5147022> (accessed: 13.03.2023).

²⁷ Statement of First Vice Foreign Minister of DPRK // KCNA Watch. March 18, 2021. URL: <https://kcnawatch.org/newstream/1616018516-880909610/statement-of-first-vice-foreign-minister-of-dprk/?t=1623952368634> (accessed: 12.11.2023).

global and regional security systems.²⁸ Russia views the nuclear issue on the Korean Peninsula as part of a broader peace and stability challenge in Northeast Asia, necessitating multilateral solutions.²⁹

Russia promotes a diplomatic approach to the North Korean issue. In November 2021, Russia and China proposed to the UNSC a political and humanitarian resolution on North Korea aimed at adjusting the Council’s sanctions regime in light of the COVID-19 pandemic and other factors. Russia believes that continued isolation of North Korea could lead to a serious humanitarian crisis.³⁰ Separating of humanitarian issues from the nuclear challenge is seen by Russia as a realistic and necessary step towards the revival of multilateral negotiations (Asmolov & Zakharova, 2023).

Russian experts on the North Korean issue (Dyachkov, 2014) recommend that the Kremlin pursue denuclearization through a multilateral process, with mutual understanding of the process and by including security guarantees for the DPRK and other countries in the region.³¹

Russia avoids demonizing the North Korean regime and has called for respectful cooperation between all parties concerned. As in 2005, Russia condemns nuclear and missile development of the DPRK, but places stability and dialogue on the Korean Peninsula above

²⁸ National Security Strategy of the Russian Federation // The Security Council of the Russian Federation. 2021. (In Russian). URL: <http://scrf.gov.ru/security/docs/document133/> (accessed: 12.11.2023).

²⁹ Russian Ambassador Considers the Resumption of the Six Party Format on the North Korea Inevitable // TASS. April 14, 2021. (In Russian). URL: <https://tass.ru/politika/11148121> (accessed: 12.02.2023).

³⁰ Russian Ambassador to North Korea: We Are Accustomed to New Living Conditions in Pyongyang // INTERFAX. February 8, 2021. (In Russian). URL: <https://www.interfax.ru/interview/749660> (accessed: 03.02.2023).

³¹ DPRK Strategic Capabilities and Security on the Korean Peninsula: Looking Ahead // CENESS and IISS. 2021. <https://www.iiss.org/globalassets/media-library---content--migration/files/research-papers/dprk-strategic-capabilities-and-security-on-the-korean-peninsula---english3.pdf> (accessed: 12.11.2023).

coercive measures. Russia's position focuses on the revival of bilateral and multilateral talks without preconditions, and the lifting of UNSC sanctions in the humanitarian and other civilian areas that are unrelated to the nuclear and missile programs.

United States

Some analysts have blamed the US President George W. Bush's focus on Iraq for "an inventory of opportunities lost" in foreign policy issues such as North Korea.³² Similarly, the Joe Biden administration³³ appears distracted by other pressing issues, such as the COVID-19 pandemic, the "pacing threat" of China, tensions with Russia, the Iran nuclear deal, and polarization of politics at home, to give the North Korean issue the attention it deserves despite public statements to the contrary.³⁴ As a result, J. Biden has been unable to leverage his predecessor Donald Trump's unconventional direct outreach to Kim Jong Un, which in turn has given space for fear-based narratives to take hold.³⁵

The US President Biden has thus far been passive in setting the agenda and pushing back against those who oppose even symbolic steps such as an end-of-war declaration toward formally ending the Korean War. The administration also has not expressed

willingness to lift the economic sanctions on North Korea, which led to the downfall of the Hanoi Summit.³⁶

Competing priorities and contradictory comments notwithstanding, it is possible for the United States to position itself to achieve ZOPA with other parties to the North Korea issue. For example, if Pyongyang and Beijing join Seoul and Washington in an end-of-war declaration and a move toward negotiating a peace treaty, this would give confidence to the United States about the feasibility of a multilateral deal on North Korea. Such an approach would give credence to the US public statement that it has "no hostile intent" toward the DPRK³⁷ and that its strategy will be "calibrated" and "practical."³⁸

Those seeking to improve China — U.S. relations would also benefit from renewed diplomacy with North Korea, as cooperation with China on nonproliferation could lead to cooperation in other critical areas of mutual interest and reduce regional tensions. As Zhao Tong noted, China as the only nuclear country with an unconditional no first use policy could encourage North Korea to commit to it as well (Zhao, 2022).

A formal end to the Korean War, followed by a gradual easing of sanctions, reciprocal military confidence-building measures, and movement toward diplomatic recognition and a peace treaty, if consistently applied, will test whether Pyongyang truly seeks to create

³² Fallows J. Bush's Lost Year // *The Atlantic*. October 2004. URL: <https://www.theatlantic.com/magazine/archive/2004/10/bushs-lost-year/303507/> (accessed: 10.01.2023).

³³ Official Talks DOD Policy Role in Chinese Pacing Threat, Integrated Deterrence // U.S. Department of Defense. June 2, 2021. URL: <https://www.defense.gov/News/News-Stories/Article/Article/2641068/official-talks-dod-policy-role-in-chinese-pacing-threat-integrated-deterrence/> (accessed: 12.11.2023).

³⁴ Biden Says North Korea Is Top Foreign Policy Issue Facing U.S // *Politico*. March 25, 2021. URL: <https://www.politico.com/news/2021/03/25/biden-north-korea-press-conference-478001> (accessed: 12.11.2023).

³⁵ Lee J. J. It's Time for Biden to End the Korean War // Quincy Institute for Responsible Statecraft. October 19, 2021. URL: <https://quincyinst.org/2021/10/19/its-time-for-biden-to-end-the-korean-war/> (accessed: 12.02.2023).

³⁶ Carlin R. The Real Lessons of the Trump — Kim Love Letters // *Foreign Policy*. August 13, 2021. URL: <https://foreignpolicy.com/2021/08/13/north-korea-trump-kim-jong-un-love-letters-diplomacy-nuclear-talks/> (accessed: 12.11.2023).

³⁷ Department Press Briefing // U.S. Department of State. September 24, 2021. URL: <https://www.state.gov/briefings/department-press-briefing-september-24-2021-2/> (accessed: 12.01.2023).

³⁸ Press Gaggle by Press Secretary Jen Psaki Aboard Air Force One En Route Philadelphia, PA // *The White House*. April 30, 2021. URL: <https://www.whitehouse.gov/briefing-room/press-briefings/2021/04/30/press-gaggle-by-press-secretary-jen-psaki-aboard-air-force-one-en-route-philadelphia-pa/> (accessed: 18.12.2022).

stability on the peninsula and improve the lives of its citizens. The US position in 2023 is to talk without preconditions in theory, but to maintain sanctions until progress is made on denuclearization.

ZOPA in 2023

Comparing and synthesizing the positions of the parties involved (Figures 4 and 5), it becomes apparent that the available options at the negotiation table are limited, and the gap between the stances of the four nations regarding the resolution of the nuclear issue on the Korean Peninsula has expanded. Concerning the primary divisions, China and Russia have shown increased receptiveness to alleviating sanctions and offering assistance to North Korea, whereas the United States adheres to a more unwavering position, advocating for negotiations without preconditions and maintaining sanctions until the DPRK demonstrates tangible progress in

denuclearization. Conversely, North Korea demands legally binding security assurances and acknowledgment of its entitlement to the peaceful use of nuclear energy as prerequisites for engaging in talks and pursuing denuclearization.

Taking into consideration the disparate approaches and the considerably diminished probability of securing economic assistance and guarantees from all parties in exchange for dismantling the DPRK’s nuclear program, the nuclear issue on the Korean Peninsula has evolved into an increasingly intricate and formidable challenge requiring an unprecedented level of compromise and breakthrough.

Fortunately, the parties continue to recognize the significance of negotiations and have shown a willingness to rekindle them, providing a favorable basis for the ZOPA in 2023 to jointly explore measures that mitigate nuclear risks.

ZONE OF POSSIBLE AGREEMENT ASSESSMENT IN 2023	CHINA	THE DPRK	RUSSIA	THE USA
U.S.-DPRK BILATERAL RELATIONS	⊘	✗	⊘	⊘
MULTILATERAL TALKS	✓	⊘	✓	⊘
IAEA INSPECTION	⊘	⊘	⊘	⊘
DENUCLEARIZATION	✓	✗	✓	✓
SAFEGUARDS AND SECURITY ASSURANCE	⊘	⊘	✓	⊘
NPT	⊘	⊘	⊘	⊘
ECONOMIC ASSISTANCE	✓	✓	✓	✗
NATIONAL SECURITY AND REGIONAL STABILITY	✓	✓	✓	⊘
PEACEFUL USES OF ATOMIC ENERGY	⊘	✓	⊘	⊘
SANCTION	✗	✗	✗	✓

✓ The state endorsed this proposal. ✗ The state opposed this proposal. ⊘ The state did not refer to this proposal.

Figure 4. Comparison of the positions of China, the DPRK, Russia, and the U.S. on the major ZOPA terms for the nuclear issue on the Korean Peninsula in 2023

Source: compiled by the authors.

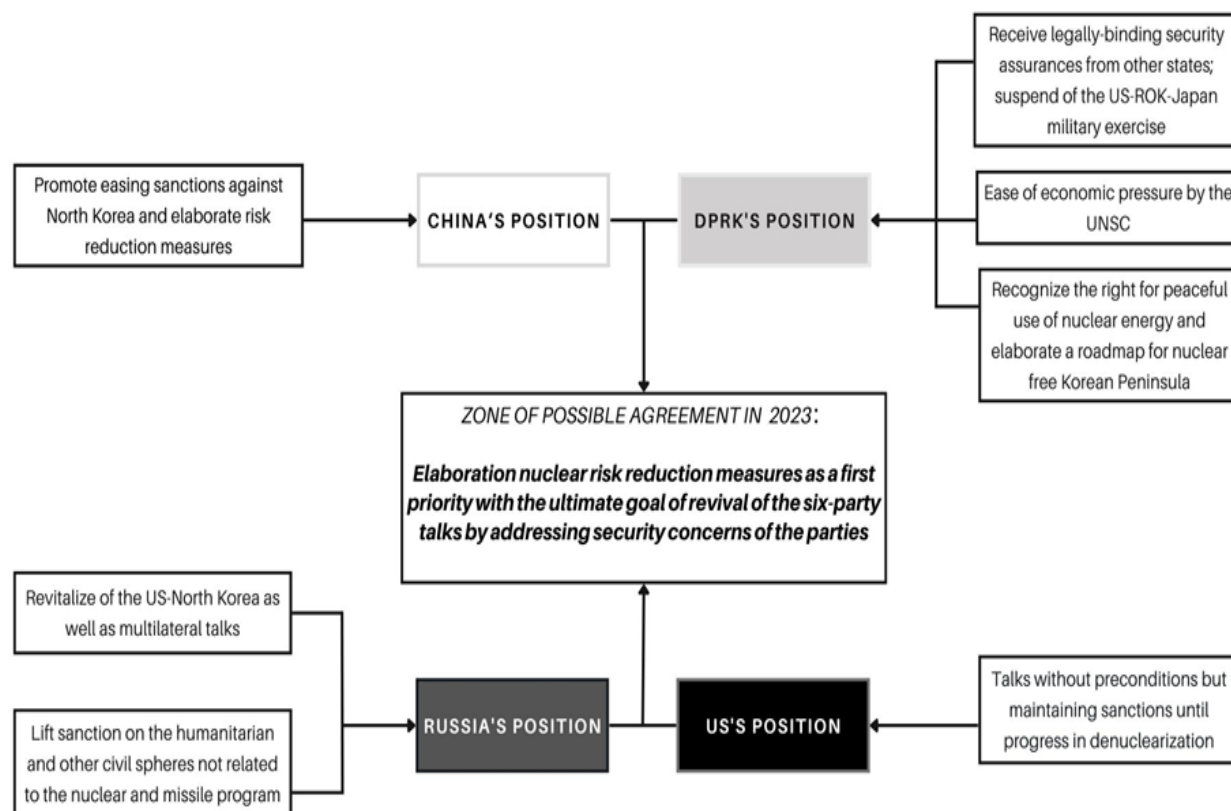


Figure 5. Synopses of the Current Stances of China, the DPRK, Russia, and the U.S. and a Possible ZOPA in 2023

Source: compiled by the authors.

In conclusion, the zone of possible agreement in 2023 could be: *elaborating nuclear risk reduction measures as a top priority with the ultimate goal of reviving the six-party talks by addressing the security concerns of the parties.*

Conclusion

The ongoing deadlock in the North Korean negotiation process calls for an innovative methodological approach. The use of negotiation concepts such as the delineation of a ZOPA could facilitate a more effective comparison of approaches and identify potential alignments between parties.

Based on the assessment of this research, the ZOPA between the U.S., North Korea, China, and Russia has diminished in 2023

compared to that of 2005, as the situation has grown increasingly complex. While the four parties ostensibly concur on the objective of realizing a nuclear-free Korean Peninsula, at least rhetorically, a mutual understanding of the means to achieve this goal remains elusive. Each actor's position has its own nuances, driven by their respective national interests.

Nonetheless, as demonstrated by the 2005 Six-Party Agreement, even the most profound disagreements can be overcome if there is political will at the highest level from all actors to compromise while maintaining a shared end goal in mind. As a short-term priority, the authors recommend:

1) updating the Russia — China 2019 Action Plan on the Korean Peninsula with crisis management measures;

- 2) return to the principle of a “dual freeze” of the U.S. and allied exercises in exchange for a moratorium on the DPRK missile and nuclear tests. Establish a hotline between the U.S. and the DPRK to address potential incidents;
- 3) revitalize informal contacts by appointing a special representative of the U.S. to the DPRK with the objective of forging formal ties;
- 4) the next step would involve re-establishing multilateral platforms to develop a roadmap for specific actions to achieve a ZOPA.

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