NEGOTIATING MULTILATERALLY WITH ROGUE STATES

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By

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# Table of Contents

- Introduction ........................................................................................................ 1
- What Are “Rogue States?” ................................................................................. 2
- Related Literature .............................................................................................. 5
- Analytic Method ................................................................................................. 7
- North Korea: Six-Party Talks, 2003-2009 ....................................................... 21
- Findings .............................................................................................................. 31
- Conclusion ......................................................................................................... 36
- Bibliography ...................................................................................................... 38
Introduction

In recent years the United States has participated in, and advocated for, multilateral negotiations with two "rogue states," Iran and North Korea, to dismantle their respective nuclear programs. After the 1994 Agreed Framework with North Korea broke down in 2002, the United States gathered China, Russia, South Korea and Japan in a multilateral dialogue, the Six-Party Talks, to address Pyongyang’s nuclear aspirations. Similarly, in 2006 the United States joined ongoing efforts with the United Nations Security Council permanent members and Germany, the P5+1, to curb Iran’s nuclear program.

The United States continues to rely on multilateral diplomacy to resolve these issues, but existing research does not consider whether multilateral negotiations are an effective means to change rogue state behavior. There is no study that identifies whether multilateral formats present common challenges or if key factors exist that make these negotiations successful or unsuccessful.

In order to help fill this gap, I use a structured, focused comparison of three case studies involving Iran, Libya and North Korea. The findings from these case studies indicate several factors exist that hinder or facilitate progress in multilateral negotiations with rogue states. First, the rogue state must be willing and able to change its behavior, which may not be apparent before negotiations begin. Political dynamics within a regime are often difficult to assess and may shift during negotiations, so the absence of this factor at the outset should not preclude pursuing multilateral negotiations.

Second, rogue states appear willing to accede and continue participating in negotiations if they lack alternatives to achieve their security and economic objectives. If the state can secure its
interests elsewhere or with other negotiating partners, they may more easily withdraw from negotiations. Understanding this dynamic within a negotiation can help participants determine the leverage they have over a rogue state, what demands to make and what goals are feasible.

Third, setting clear benchmarks and establishing a step-by-step approach to achieve the goals of the negotiations helps build trust among the participants and keeps the talks on track. It assures the rogue state it is not giving up too much too soon and provides the other parties an accurate gauge of progress. The other parties can confer benefits commensurately to reward the rogue state’s positive behaviors. It also keeps the rogue states from reaping rewards without making meaningful concessions in return.

Finally, some parties in the negotiations are likely to have their own bilateral interests and disputes with the rogue state. If not managed properly, these issues can undermine the goals of the multilateral talks. Creating a mechanism to deal with these issues separately but within the multilateral arrangement is one way to avoid this pitfall.

Collectively, these factors and characteristics provide a framework that can help guide future multilateral negotiation efforts with rogue states. As Iran and North Korea continue to challenge international norms and threaten US security interests, understanding the benefits and difficulties of multilateral negotiations will help decision makers craft more effective strategies to address the threats rogue regimes pose.

**What are “Rogue States?”**

“Rogue state” is a phrase used primarily in US foreign policy circles to describe nations that violate international norms and values. The term is controversial, not universally accepted,
and has no basis in international law.\(^1\) Along with synonyms “outlaw” and “pariah,” its usage and meaning have evolved over several decades. To earn this title today, a state typically exhibits all or a combination of these behaviors: pursuing a nuclear weapons program with delivery systems, sponsoring terrorism as state policy and threatening US security interests in key regions. Iraq, Iran, Libya, North Korea, Cuba and Syria currently are or have been members of this infamous group.

Before 1980, “rogue,” “outlaw,” and “pariah” were applied rarely and mainly toward states that oppressed their populations, such as Cambodia under Pol Pot or Uganda under Idi Amin.\(^2\) In the late 1970s policy analysts began calling Israel, South Africa, Taiwan and South Korea “pariah” states to reflect the diplomatic isolation these states faced specifically over their pursuit of nuclear programs.\(^3\) However, the US government did not officially adopt this terminology. Three of the states were allies, none directly threatened US security interests and their diplomatic isolation came primarily from the Soviet bloc.\(^4\)

The Clinton administration first articulated and acknowledged threats from “rogue nations.” In a 1994 *Foreign Affairs* article, “Confronting Backlash States,” National Security Advisor Anthony Lake argued the need to “face the reality of recalcitrant and outlaw states that not only choose to remain outside the family [of nations] but also assault its basic values.”\(^5\) Lake argued these states were led by regimes that ruled through coercion, suppressed the rights of their people, and had no basis in international law.\(^1\) Along with synonyms “outlaw” and “pariah,” its usage and meaning have evolved over several decades. To earn this title today, a state typically exhibits all or a combination of these behaviors: pursuing a nuclear weapons program with delivery systems, sponsoring terrorism as state policy and threatening US security interests in key regions. Iraq, Iran, Libya, North Korea, Cuba and Syria currently are or have been members of this infamous group.

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3 Ibid, 50-51.
populations and sought costly military programs to protect their hold on power and to advance their interests abroad.⁶

“Rogue” terminology fell out of favor by the end of the Clinton administration in part over domestic and international criticism. The events of September 11, 2001, however, placed rogue states high on the George W. Bush administration’s list of national security concerns. The 2002 National Security Strategy characterized rogue states and terrorism as the two primary threats facing the United States since the end of the Cold War.⁷

Analysts continue to debate the term’s utility and application. Critics argue the rogue label reflects the perceptions of US policymakers and not a distinct class of states with common behaviors.⁸ They cite an uneven and subjective use of the term, when India and Pakistan do not earn the moniker despite their pursuit and attainment of nuclear weapons programs.⁹ Others believe the designation distorts US policymaking and sets up a false dichotomy to either engage or contain these states.¹⁰

The purpose of this paper is not to prove or disprove the existence of rogue states, nor is it to evaluate the term’s utility. There have always been nations that challenge the international system’s status quo and in this regard, rogue states present nothing new. However, I will accept and apply this term on the basis of its importance to US decision makers who have used it as a framework to shape policies toward these states. Because “rogue” is most commonly used today, I use the term in this paper for consistency.

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⁶ Ibid, 46.
⁹ Ibid, 304.
¹⁰ Litwak, Rogue States, xiv.
Related Literature

An initial literature review reveals that multilateral negotiations and strategies to change rogue state behavior have been well studied, but as separate topics. The bulk of multilateral negotiations literature focuses on the characteristics of large-scale international trade or environment talks. These negotiations differ from the focus of this paper in that they seek a majority agreement on an issue of collective interest. Multilateral negotiations with rogue states instead focus on the objectionable behavior of one nation. However, basic characteristics of multi-party formats provides a useful framework to guide analysis on multilateral negotiations with rogue states.

Hampson and Hart define the principle characteristic of multilateral negotiations as “complexity, involving not just large numbers of players but multiple interests, roles, issues, and hierarchies, all of which may vary over the duration of such negotiations.”\(^\text{11}\) They argue that greater complexity in the number of parties and issues involved can complicate or water down an agreement.

Similarly, Hopmann states that as the number of parties involved increases, it becomes difficult to reach agreements that are acceptable, optimal and fair to all parties. Rather, there is a tendency to settle based on the minimum demands of all parties.\(^\text{12}\) Conversely, Zartman offers potential benefits of multiparty talks that may be useful in resolving rogue state problems. He

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proposes that multi-issue negotiations increase the potential for trade-offs on difficult issues that may facilitate a negotiated outcome.\textsuperscript{13}

Existing literature on rogue states focuses heavily on punitive measures, such as regime change and the use of military force or containment strategies, such as economic sanctions. Other literature concentrates on the use of mixed strategies that employ rewards and punishments to bring about a change in a regime’s behavior and attitudes. This literature, detailed below, is most relevant to multilateral negotiations with rogue states, which often employ incentives and punishments to induce behavioral changes.

George proposes “conditional reciprocity” when negotiating particular issues or to encourage change in one or more of an adversary’s policies. It involves linking any concession or benefit to a meaningful change in behavior.\textsuperscript{14} To avoid a rogue state from taking advantage of the process, benefits should not be given in advance. They should be designed to give a rogue leader an interest in continuing negotiations and an understanding of the continued advantages open to him.

Nincic argues that punitive measures against rogue states often backfire. Under certain circumstances, positive inducements are more effective, particularly if the regime is facing internal challenges to its control.\textsuperscript{15} Haass and O’Sullivan similarly argue that countries with economic or security vulnerabilities are more willing to change their behavior in exchange for


\textsuperscript{15} Miroslav Nincic, “Getting What You Want: Positive Inducements in International Relations” \textit{International Security} Vol. 35, No. 1 (Summer 2010)
positive incentives.\textsuperscript{16} However, to be most effective, incentives must also be coupled with credible penalties to influence the target state’s behavior.

**Analytic Method**

I conduct a structured, focused comparison of three cases studies to determine the utility of multilateral negotiations with rogue states and whether common challenges and key factors exist that make these negotiations successful or unsuccessful. The cases involve three nations most often described as rogue states in US political rhetoric: Iran, Libya and North Korea.\textsuperscript{17} Specifically, I will examine the 1992 to 1997 Critical Dialogue between the European Union (EU) and Iran when the EU attempted to improve Iran’s human rights practices with economic engagement; the 2003 disarmament talks involving the United States, the United Kingdom and Libya; and the Six-Party Talks over North Korea’s nuclear program from 2003 to the most recent impasse in 2009.

The three cases represent a range of multi-party formats, participants, issues and outcomes. The cases will be analyzed based on the following questions:

1) How and why did negotiations begin?
2) What were the stated and implicit goals of the negotiations? Did each party share those goals equally? Was any party driven by their own unique goals? Why did the rogue state agree to the negotiations?
3) Did the negotiations lead to any changes in the rogue state’s behavior? What accounted for the success or failure of the talks to produce the desired outcome?

I rely on primary sources when possible to answer these questions, although their availability varies across cases. First-hand accounts of the Critical Dialogue with Iran appear limited; however, two thorough analyses exist that I use throughout the case: V. Matthias


\textsuperscript{17} Hoyt, “The ‘Rogue State’ Image,” 302.

The accounts of George Tenet, former Director of the Central Intelligence Agency, and Flynt L. Leverett, formerly on the Policy Planning Staff at the US State Department, provide key insights on the secret talks between the US, UK and Libya in 2003. In his book, *Failed Diplomacy*, Ambassador Charles L. Pritchard describes the decision making process within the Bush administration on North Korea in the lead-up to the Six-Party Talks. Pritchard’s first-hand account is referenced in several other books on the negotiations and I rely on it extensively in the North Korea case study.

Primary sources representing Iran, Libya and North Korea’s views are regrettably limited. The restricted and closed nature of these regimes prevents negotiation participants and policymakers from publishing or discussing their experiences openly. I therefore will rely on analyses of their behavior and motivations, what was believed about the domestic decision making process at the time and the states’ behaviors during the negotiations.

**Iran: EU-Iran Critical Dialogue, 1992-1997**

The European Union’s Critical Dialogue with Iran aimed to moderate Tehran’s behavior through economic cooperation. Unlike the United States’ containment policy toward Iran during this period, the European Union pursued active engagement. Detractors argue the Critical Dialogue provided the EU diplomatic cover to justify its desire to increase economic ties to
Proponents compared it to US-China relations, where Washington uses economic cooperation as a tool to alter Beijing’s human rights and political behaviors. The Critical Dialogue failed to achieve its objectives but highlights several dynamics of multilateral negotiations with rogue states.

*The EU Perceives A Window of Opportunity*

A confluence of domestic and regional events in the early 1990s suggested to Europeans that engagement with Iran might bear fruit. Iran seemed to trade its “revolutionary” foreign policy for a more pragmatic one after the 1989 death of Ayatollah Ruhollah Khomeini, father of the 1979 Islamic Revolution. Ali Akbar Hashemi Rafsanjani was also elected president in 1989 and sought to reform and rebuild Iran’s economy by attracting foreign investment and improving relations with Europe. In 1991, Iran played a behind-the-scenes role in securing the release of Western hostages held in Lebanon by Iranian-backed captors, which had been a serious impediment to improving relations with Europe. Iran had also granted the UN Special Representative on Human Rights a visit for the first time in 1990.

Expanding economic cooperation additionally looked promising. Iran’s oil exports to Europe peaked in 1991. In 1992, Europe’s exports to Iran were at the highest level for the ten-
year period of 1986 to 1996. Iran was attempting to rebuild after its 1980-1988 war with Iraq and appeared as a lucrative market for EU goods.\textsuperscript{23}

The European Union was also trying to establish a common foreign policy relative to the independent approaches of its member states. The Critical Dialogue reflected the central role human rights played in the EU’s collective foreign policy formulation. The EU believed human rights reflected the nature of EU cooperation, improved economic cooperation between the EU and third parties and enhanced international security.\textsuperscript{24}

\textit{Joint Goals Pursued Independently}

The EU adopted the Critical Dialogue toward Iran in December 1992, calling for improvement in human rights, the repeal of the \textit{fatwa} against British author Salman Rushdie and ending support for terrorism.\textsuperscript{25} Implicitly, the Critical Dialogue reflected the EU’s desire to strengthen Iran’s moderate elements through economic cooperation. It was viewed as part of a long-term strategy to convince, rather than pressure, Iran into changing its behavior.\textsuperscript{26}

Despite these shared objectives, several members undermined the EU’s common approach by pursuing their own agendas with Iran. Certain countries advocated the issues that they found most important within the dialogue while others pursued issues falling outside its scope. In particular, France was most concerned with securing access to Iran’s oil industry while the United Kingdom focused on the \textit{fatwa} against Salman Rushdie.\textsuperscript{27} After EU efforts to clarify Iran’s official stance on the \textit{fatwa} faltered in 1995, the British sent a former prime minister to

\textsuperscript{25} Ibid, 25-26.
\textsuperscript{26} Ibid, 27.
\textsuperscript{27} Reissner, “Europe and Iran,” 40.
Iran on a private mission to discuss the matter with the Iranian Foreign Minister and other high-level officials.\textsuperscript{28} Such efforts served to circumvent and undermine the EU’s common approach with Iran.

Iran’s goals for the Critical Dialogue reflected the divergent foreign policies of President Rafsanjani and radicals within the Iranian leadership, including Supreme Leader Khamenei. Rafsanjani viewed participation in the Critical Dialogue as a way to condition Iranian elites to improve relations with the West and eventually the United States.\textsuperscript{29} However, efforts to increase economic and political relations with Europe and the West were consistently undercut by radical elements that continued to support “revolutionary” foreign policy, including the use of terrorism.\textsuperscript{30} Radicals instead supported building ties to Europe as a buffer against the United States and to avoid improving relations with Washington.\textsuperscript{31}

\textit{End of Critical Dialogue}

In April 1997, a German court found senior Iranian leadership guilty in the 1992 assassination of four Kurdish opposition leaders in Berlin. The EU ended the Critical Dialogue and recalled their ambassadors from Tehran.\textsuperscript{32}

It is difficult to draw direct links to the Critical Dialogue’s impact on Iranian behavior since numerous human rights abuses and terrorist acts occurred during and after the dialogue. At most, the EU might cite very modest accomplishments. In 1992, Iran’s Foreign Ministry appointed a representative on human rights and the following year, the Iranian parliament set up

\textsuperscript{28} Tarock, “Iran-Western Europe Relations,” 60.
\textsuperscript{29} Pollack, \textit{The Persian Puzzle}, 252.
\textsuperscript{31} Pollack, \textit{The Persian Puzzle}, 252-253
\textsuperscript{32} “EU suspends ‘Critical Dialogue” with Iran,” Deutsche Presse-Agentur, April 10, 1997.
a ‘Committee on Human Rights.’ When Iran came under increased EU pressure for its support of Hamas and Hezbollah after a series of suicide bombings in Israel in 1996, President Rafsanjani declared publicly that Iran opposed terrorism regardless of the perpetrators, making him the first Iranian official to do so.\textsuperscript{34} The Critical Dialogue fell short of its goals for several reasons. The most crucial factor was that the key ruling elements in Iran resisted change. As previously mentioned, President Rafsanjani’s efforts to improve economic and diplomatic relations with the West were undercut by his political opponents. A power struggle emerged in 1992 following parliamentary elections when the Islamic left and Iranian modernists suffered significant losses. Supreme Leader Khamenei also began a campaign against the “cultural aggression of the West” which further stifled Rafsanjani’s efforts at economic reform.\textsuperscript{35}

The EU attempted to leverage its economic ties to influence Iran’s behavior but did not exercise them to shape Iran’s actions, which created a policy of all carrots and no sticks. When Iran contradicted the aims of the dialogue, the EU nations almost never took punitive actions. In 1995 the EU wanted a written statement from the Iranian government stating it would not fulfill the \textit{fatwa} against Salman Rushdie.\textsuperscript{36} After the Iranian Foreign Minister stated the government would repeal the \textit{fatwa}, he quickly withdrew his statement.\textsuperscript{37} Except for Norway recalling its

\begin{footnotes}
\footnote{33 Struwe, \textit{Policy of ‘Critical Dialogue},' 35.}
\footnote{34 Ibid, 30.}
\footnote{35 Reissner, “Europe and Iran,” 38}
\footnote{37 Pollack, \textit{The Persian Puzzle}, 286}
\end{footnotes}
ambassador, no other EU nation took action and the EU did not pursue any collective measures.\(^\text{38}\)

Throughout the Critical Dialogue Iran was accused of supporting terrorist activities. After a series of suicide bombings killed 59 in Israel in 1996, the EU took no specific action to register disapproval or to punish Iran. Instead, EU members made public statements that they might reconsider the Critical Dialogue policy.\(^\text{39}\) Only after a German court found Iran’s senior leadership complicit in the Berlin assassinations in 1997 was dialogue suspended. The EU apparently could not act unless concrete evidence proved Iran’s involvement.\(^\text{40}\)

Iran’s economic downturn in 1993 led trade with the EU to fall significantly. Given the EU’s disinclination to use “sticks” with Iran, the decline in trade and Iran’s growing debt made the Europeans even less willing to use economic ties as political leverage.\(^\text{41}\) While the EU’s policy is criticized for being all “carrots,” the concessions extended to Iran were not entirely beneficial to Tehran, further reducing Iran’s incentive to change. The EU’s offer of export credits and to reschedule Iran’s debt was viewed as a means to ensure the EU received its money instead of benefitting Iran.\(^\text{42}\)

Finally, the Critical Dialogue did not set clearly defined goals for Iran. There were no benchmarks to measure progress and no basis on which to impose penalties or increase rewards. The premise of EU engagement with Iran was that relations would not improve unless Iran

\(^{38}\) Pollack, *The Persian Puzzle*, 286

\(^{39}\) Ibid.

\(^{40}\) Struwe, *Policy of 'Critical Dialogue,'* 30-31

\(^{41}\) Reissner, “Europe and Iran,” 38-39

\(^{42}\) Ibid, 39, 45.
changed its behavior, but explicit goals were never established.\textsuperscript{43} Iran’s resistance to change, the EU’s reluctance to impose penalties and the lack of a clear roadmap meant the Critical Dialogue fell short of its objectives.

**Libya: US-UK-Libya Disarmament Talks, 2003**

Libya’s surprise announcement that it was giving up its weapons of mass destruction programs in December 2003 was heralded by the George W. Bush administration as proof of its strategy that gave international leaders a choice – to either pursue these programs and live in isolation, or to give them up and join the family of nations.\textsuperscript{44} Many attributed Libya’s decision to the invasion of Iraq to forcibly disarm Saddam Hussein of his alleged WMD programs. However, Libya’s actions reflected its decade long campaign to shed its rogue state image and end UN and US sanctions against it. Sustained economic and diplomatic isolation made Libya’s possession of WMD and support of terrorism more costly than their purported benefits.

**Several Attempts at Negotiations**

Tripoli’s first outreach to Washington came in 1992 when it offered to turn over two suspects in the Pan Am flight 103 bombing that killed 270 people over Lockerbie, Scotland in December 1988. Libya wanted to begin discussions on lifting UN sanctions and eventually normalizing relations with Washington. The US rejected the offer, stating no progress could be made until Libya complied with the UN resolutions against it.\textsuperscript{45} UN Security Council Resolutions 731 and 748 called on Libya to disclose all information on the Lockerbie bombing,

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\textsuperscript{42} Ibid, 43  
acknowledge the role of its officials in carrying out the attack, to renounce terrorism and provide compensation to the victims’ families.\textsuperscript{46}

Another attempt at dialogue came in 1999 when US and Libyan negotiators held five secret meetings from May of that year to early 2000.\textsuperscript{47} During the negotiations, Washington again stipulated that Tripoli had to meet its responsibilities regarding the Lockerbie bombings before sanctions could be lifted or normalization talks could begin.\textsuperscript{48} In consultation with the United Kingdom, the US and Libya compromised on the handling of two Libyan intelligence officers implicated in the Lockerbie attack. Libya opposed the men being tried in Scotland as the UN Security Council Resolutions stated. The American and British negotiators offered to allow the suspects to be tried in the Netherlands by an all-Scottish court.\textsuperscript{49} Libya agreed; the US and UK consented to suspending UN sanctions but not lifting them entirely until Libya met its other obligations in the Lockerbie case.\textsuperscript{50}

During these meetings, Libya attempted to expand the scope of the talks to its weapons of mass destruction (WMD) programs by offering to sign the Chemical Weapons Convention and allow inspections of suspected chemical weapons facilities. At the time, US officials deemed Libya’s chemical weapons program not imminently threatening and the nuclear program immature. The US remained immediately focused on the resolution of the Lockerbie case and ending Libyan sponsorship of terrorism. It offered to fully remove UN sanctions once Libya took

\textsuperscript{46} Ibid, 71-72.
\textsuperscript{50} Leverett, “Why Libya”
appropriate steps on the Lockerbie case and further indicated removal of US sanctions would
require full disclosure both on Libya’s chemical and nuclear weapons programs.\textsuperscript{51}

Concern in the Clinton administration the talks would be leaked during the upcoming
presidential campaigns led to their temporary suspension in 2000. In 2001, the George W. Bush
administration picked up the secret negotiations that eventually involved the UK. With the
British, the administration proposed a ‘script’ with specific steps Libya had to take to fully
resolve the Lockerbie bombing. This became the roadmap for three-party negotiations that began
when Libya’s intelligence chief, Musa Kousa, and Moammar Gadhafi’s son, Seif al-Islam,
approached the British government in March 2003. The message they delivered indicated
Gadhafi was personally ready to reengage with the United States and the United Kingdom.\textsuperscript{52}

\textit{Unified and Consistent Demands}

Even before talks began in 2003, the United States and United Kingdom shared a unified
approach toward resolving the Lockerbie case and ending Libya’s WMD programs. The majority
of the victims of the bombing were American, British and French citizens, which provided a
mutual cause in seeking settlement with Tripoli.\textsuperscript{53} Strong alliance ties and security interests
between Washington and London undoubtedly bolstered a common strategy throughout
negotiations.

The conclusion of the two Libyan intelligence officers’ trial in 2001 left the international
community split over how to deal with Tripoli, but the US and UK continued to push for

\begin{flushright}
\textsuperscript{52} Ron Suskind, \textit{The One Percent Doctrine: Deep Inside America’s Pursuit of Its Enemies Since 9/11}, (Simon &
\textsuperscript{53} Hochman, “Rehabilitating a Rogue,” 71.
\end{flushright}
resolution of the Lockerbie case. Some nations saw the verdicts as closure that paved the way for economic and political engagement that would help solidify the positive changes in Libya’s behavior. The US and UK still opposed fully lifting UN sanctions on Libya and their vetoes on the UN Security Council ensured their positions stood at the international body.\textsuperscript{54}

Improving Libya’s economy, ending its diplomatic isolation and mitigating threats to the regime’s control appear to have motivated Moammar Gadhafi to again seek talks with the US and UK in 2003. Beginning in the 1990s, the combination of international sanctions, domestic mismanagement and falling oil prices gradually weakened Libya’s economy.\textsuperscript{55} US and UN sanctions had isolated the Libyan market for nearly 20 years, cutting it off from international investment, trade and new technology for its oil industry.\textsuperscript{56}

Libya’s growing economic trouble threatened an important pillar of the Gadhafi regime. As long as Gadhafi ensured the well being of the Libyan people, he was allowed to pursue his foreign policy agenda with few domestic political constraints. When this social contract broke down, political challenges increased. In 1993 an army uprising occurred over unpaid wages, the decline of the military’s capabilities and anger over a poorly planned operation in Chad.\textsuperscript{57} Islamic fundamentalist challenges increased as well. Attacks against the government organized by the Libyan Islamic Fighting Group and the Libya Martyrs’ Movement occurred between 1995 and 1998.\textsuperscript{58}

\textsuperscript{54} O’Sullivan, \textit{Shrewd Sanctions}, 184-185.
\textsuperscript{56} Hochman, “Rehabilitating a Rogue,” 67-68.
\textsuperscript{57} O’Sullivan, \textit{Shrewd Sanctions}, 204.
\textsuperscript{58} Jentleson, “Who ‘Won,’” 66.
Gadhafi likely viewed closer ties to the United States after the September 11, 2001, terrorist attacks as a way to gain assistance against al Qaeda and other Islamic extremist elements that threatened his rule. In 1996, the Libyan Islamic Fighting Group, alleged to have ties and financial links to al Qaeda, attempted to assassinate Gadhafi.⁵⁹ Gadhafi was one of the first leaders to condemn the September 11 attacks and in subsequent months provided the United States intelligence on terrorist suspects with ties to al Qaeda.⁶⁰

Rejoining the Family of Nations

Disarmament talks with Libya in 2003 were relatively short and clearly successful. Tripoli granted IAEA inspectors greater access to its nuclear facilities in March 2004 and by October 2005 all nuclear program components and materials had been removed from the country. Libya also signed the Comprehensive Nuclear Test Ban Treaty, acceded to the Chemical Weapons Convention, agreed to eliminate all of its ballistic missiles beyond a 300-kilometer range and to abide by Missile Technology Control Regime guidelines.⁶¹

Several factors account for the success of the disarmament talks. Chief among them was Gadhafi’s willingness to change. Decades of international isolation and sanctions finally took a toll on Libya’s economy and the regime’s security. Gadhafi’s support of terrorism and pursuit of WMD programs did not provide relief from the threats he faced – only lifting UN and US sanctions and normalizing ties with Washington could accomplish those goals.

⁶⁰ George Tenet with Bill Harlow, At the Center of the Storm: My Years at the CIA (Harper Collins Publishers, New York: 2007) 288.
The US and UK maintained a clear quid pro quo arrangement with Libya throughout the talks that was established the first time Tripoli attempted reconciliation in 1992. Even when Libya attempted to circumvent its responsibilities proscribed in UN resolutions regarding the Lockerbie bombings by offering to give up its chemical weapons program, the US (and later the UK) position remained the same. Libya had to first resolve its role in the Lockerbie case and renounce terrorism to lift UN sanctions. Only then would the US be willing to discuss Libya’s WMD programs, lift unilateral sanctions and normalize relations.

Although much was unknown about Libya’s nuclear program before US and IAEA inspectors arrived, the level of US information and detection capabilities probably convinced Tripoli that it was futile to try to cover its nuclear tracks. Initially, Libya acknowledged its chemical but not its nuclear program in the 2003 negotiations. They also resisted facility inspections. However, in October 2003 a ship bound for Libya, the BBC China, was intercepted in Italy carrying containers filled with centrifuge components labeled “used machine parts.” Tripoli claimed the shipment had been arranged before negotiations began and that those responsible did not know about Libya’s impending decision to give up its nuclear program. Later that month, the first group of US weapons experts arrived in Libya to begin WMD facility inspections.

Why Gadhafi would take the ostensibly contradictory step of acquiring additional WMD materials during disarmament talks is unclear, especially given his compliance with other US and UK demands. In August 2003, Libya had finally acknowledged the role of its officials in the

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63 Litwak, Regime Change, 85.
64 Tenet, Center of the Storm, 292-294.
Lockerbie bombing and agreed to pay settlements to the victims’ families.\textsuperscript{65} Libya was also pursuing a clandestine uranium-based nuclear program through the A.Q. Khan network during negotiations in the late 1990s, although it was unknown to the US at the time.\textsuperscript{66} Analysts have speculated Gadhafi may have been trying to improve his WMD capabilities as a bargaining chip or as back up should talks break down.\textsuperscript{67} Given the on-again, off-again nature of negotiations with the US and UK and Gadhafi’s sudden backpedaling on the nuclear issue after the \textit{BBC China} discovery, this explanation seems relatively plausible.

The talks’ secrecy arguably provided negotiators leeway to bargain in ways that would have been impossible if they were held publicly. The US position was driven by the influence of the Lockerbie victims’ family lobbying group. In 1996 Congress passed the Iran-Libya Sanctions Act, which was originally meant only to apply to Iran.\textsuperscript{68} Demonstrating the depth of their political influence, the victims’ family lobby successfully campaigned to add Libya to the legislation that required the president to impose sanctions on foreign firms investing $40 million or more in Iran or Libya’s oil and natural gas industries.\textsuperscript{69} US negotiators may have faced public pressure from the victims’ family lobby had they not been held in secret. Gadhafi also benefitted

\begin{itemize}
\item \textsuperscript{65} CRS, “Libya: Background and US Relations,” 11.
\item \textsuperscript{67} Slavin, “Libya’s Rehabilitation.” On the \textit{BBC China} seizure, David Albright, president of the Institute for Science and International Security, stated, “They were hedging their bets. If they could use the centrifuges as a bargaining chip, fine; if not, they’ll have nuclear weapons eventually.” David Crawford cites “several weapons inspectors and Western diplomats at the IAEA” who speculated that Libya “may have been motivated as much by the desire to develop a nuclear bargaining chip as by the drive to build a bomb” in “Libya Was Far From Building Nuclear Bomb: Program Was Haphazard, but Shows How Technology Was Bought Off-the-Shelf,” \textit{Wall Street Journal}, February 23, 2004. Accessed March 31, 2011. http://proquest.umi.com/pdqweb?did=548719611&sid=1&Fmt=3&clientld=11201&RQT=309&VName=PQD
\item \textsuperscript{68} Litwak, \textit{Regime Change}, 179.
\item \textsuperscript{69} Ibid.
\end{itemize}
from the talks’ secrecy. He was able to portray the decision to give up WMD programs and resolve the Lockerbie case as his decision and not one made because of US pressure.

North Korea: Six-Party Talks, 2003-2009

As with most things regarding North Korea, the verdict on the efficacy of the Six-Party Talks is contentious. Critics argued the agreement struck over North Korea’s nuclear program is identical to the 1994 Agreed Framework the Bush administration rejected upon taking office, but with a major exception—Pyongyang’s program was more advanced and it had a demonstrated nuclear capability. Proponents emphasized the deal required North Korea not only to freeze but dismantle its nuclear program and that Pyongyang would receive the bulk of diplomatic and economic incentives after it made meaningful progress on denuclearization. Multilateral participation also ensured the US did not make a deal with North Korea alone, which was important to the Bush administration.70

While the Six-Party Talks did not accomplish its ultimate objective of denuclearizing the Korean peninsula, it made several notable achievements. One of these was bringing countries located in a high-tension region together to address a mutual security concern. Upon examination, the shortcoming of the Six-Party Talks was not the format, but North Korea’s unwillingness to disarm.

A Multilateral Solution to Bilateral Problems

The Bush administration viewed North Korea with suspicion when it came to office in 2001. It disliked the terms of the existing 1994 Agreed Framework, which some in the administration believed appeased an odious regime and kept it in power without eliminating its

nuclear program. After a year of harsh rhetoric between Washington and Pyongyang, the discovery of North Korea’s efforts to develop a highly enriched uranium program pushed bilateral relations to their lowest point in a decade. The downturn led to the second crisis over North Korea’s nuclear program and the search for a multilateral solution.

The Agreed Framework was negotiated after the first North Korean nuclear crisis, when Pyongyang threatened to withdraw from the Nuclear Non-Proliferation Treaty (NPT) in 1993 and to unload irradiated fuel rods from the Yongbyon nuclear facility in 1994. Unloading the fuel rods would have allowed North Korea to restart reprocessing to produce more nuclear weapons material. The agreement required North Korea to freeze and eventually dismantle its nuclear facilities under IAEA supervision. In return, the United States would build North Korea a light-water reactor through an international consortium and provide 500,000 tons of heavy fuel oil each year until the reactor was complete.

The Bush administration’s June 2001 policy review signaled it planned to take a firmer approach toward North Korea. The review indicated the United States would levy additional demands, such as increased inspections of nuclear facilities and reductions in conventional forces, but did not specify whether anything would be offered to Pyongyang in return. Ambassador Charles L. Pritchard, former Special Envoy for North Korea, described the review’s

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71 Ibid, 44.
73 Ibid, 357.
74 Chinoy, Meltdown, 63.
three basic tenets: “policy was to reflect the ABC (Anything But Clinton) ethos; bad behavior was not to be rewarded; the Agreed Framework was agreed to be a bad deal.”

Negative rhetoric towards North Korea peaked in the President’s 2002 State of the Union Address when it was named, along with Iraq and Iran, part of an “Axis of Evil.” However, by June 2002, the Bush team was prepared to restart bilateral talks. A planned trip to Pyongyang was cancelled however, after US intelligence revealed North Korea had pursued a highly enriched uranium (HEU) program in violation of the Agreed Framework.

When US negotiators disclosed knowledge of Pyongyang’s HEU pursuits in October 2002, their North Korean interlocutors confirmed the allegations. In response, the United States cancelled fuel shipments required under the Agreed Framework. In turn, North Korea informed the United States that its decision to halt fuel deliveries nullified the Agreed Framework and that Pyongyang would restart its nuclear facilities. It later announced publicly that it would expel IAEA inspectors and remove monitoring devices. In January 2003, North Korea withdrew from the NPT.

To avoid the perceived failure of the Agreed Framework, the Bush administration focused on a multilateral solution to diffuse the situation and to avoid direct contact with North Korea. Pyongyang insisted that direct talks with Washington were the only way to resolve the crisis. After North Korea rejected several multilateral proposals to resolve the situation, Secretary of State Colin Powell approached Chinese leaders about hosting multilateral talks that

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76 Ibid, 27-29.
77 Ibid, 39, 42, 43.
78 Ibid, 57.
79 Chinoy, Meltdown, 166.
would eventually include South Korea and Japan. North Korea eventually accepted China’s proposal to first hold trilateral talks with the US, but only after Beijing reassured Pyongyang it could talk bilaterally with Washington. Trilateral talks were held in April 2003, but ended inconclusively and without direct US-North Korea dialogue.  

A combination of Chinese pressure and reassurance led North Korea to agree to a multilateral format. In July 2003, Chinese Deputy Foreign Minister Dai Bingguo met with Kim Jong Il to deliver a letter from President Hu Jintao that explained the importance of resuming nuclear negotiations. Hu wrote to Kim that China would mediate the negotiations, North Korea would be offered greater economic aid than in the past and that Beijing would help persuade Washington to make a nonaggression pledge in exchange for Pyongyang’s denuclearization. North Korea finally agreed to the Six-Party Talks that would include the United States, China, South Korea, Japan and Russia. The first meeting was held in August 2003.

**Six Parties, Six Points of View**

All Six-Party Talks participants wanted to denuclearize North Korea, but did not prioritize this goal in the same way. This resulted in disagreements over how to approach the talks, what incentives should be offered and how comprehensively pressure should be applied against North Korea. This discrepancy appears linked in part to how threatened the participants felt by North Korea’s nuclear program.

Eliminating North Korea’s nuclear program was the United States’ primary goal in the Six-Party Talks. Washington sought to prevent Pyongyang from transferring nuclear materials, 

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80 Pritchard, *Failed Diplomacy*, 60, 62, 63.
equipment or technology to other states or transnational groups.  

China shared US non-proliferation concerns, but they ranked second to maintaining stability in the region and along the Sino-North Korean border. As its only ally and major trading partner, China arguably has the most leverage over North Korea, but uses that leverage sparingly in order to avoid destabilizing the country and mitigating the potential for regional conflict.

When North Korea conducted ballistic missile launches and nuclear tests in 2006 and 2009, Beijing supported UN Security Council Resolutions that levied sanctions against Pyongyang. The resolutions called on members to prevent North Korea from transferring or receiving materials that would support its ballistic missile and nuclear programs, but China indicated it would not interdict North Korean vessels. Even when North Korea escalated tensions in the Six-Party Talks through provocative behaviors, China viewed responding with increased pressure as risking further escalation.

Like China, South Korea’s desire to prevent tensions on the Korean peninsula guided its approach to the Six-Party Talks, particularly under President Roh Moo-hyun. Roh and others in his administration viewed tough measures toward North Korea as unproductive and feeding Pyongyang’s belligerency. During his tenure Roh tried to define South Korea’s foreign policy as more independent of the United States while maintaining the security alliance with Washington. Friction developed on other bilateral issues, but particularly on how to approach the North Korean nuclear problem.

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82 Pritchard, *Failed Diplomacy*, 90.
85 Pritchard, *Failed Diplomacy*, 93.
Roh also sought to preserve the gains made since the late 1990s in inter-Korean relations. Inheriting the ‘Sunshine Policy’ toward North Korea from his predecessor, Roh continued to pursue its basic tenets of engagement, reconciliation, coexistence and cooperation. Roh did not link North Korea’s behavior in the Six-Party Talks to inter-Korean economic or political engagement, resisting the Bush administration’s calls to suspend inter-Korean economic projects after the 2006 nuclear test. However, current President Lee Myung-bak, inaugurated in 2008, took a firmer approach towards North Korea by conditioning further inter-Korean economic cooperation on North Korea’s denuclearization progress.

Japan’s position most closely mirrored that of the United States. It supported comprehensive pressure and punitive measures after Pyongyang’s missile launches and nuclear tests and even imposed its own unilateral sanctions against North Korea. However, Japan sought to resolve a purely bilateral matter within the Six-Party Talks framework—determining the fate of Japanese nationals abducted by North Korea in the 1970s and 80s. In a 2002 summit with Prime Minister Junichiro Koizumi, Kim Jong Il admitted his government abducted Japanese citizens to train North Korean spies on language and culture for operations in South Korea. Tokyo’s stance drew criticism from China, South Korea and Russia as obstructionist and unhelpful. While the abduction issue did not hinder Six-Party progress on denuclearization, it arguably marginalized Japan’s position within the talks. At times, Tokyo appeared so concerned with

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87 Ibid, 339.
resolving the fate of the abductees that ending North Korea’s nuclear program seemed a secondary goal.

Russia’s behavior suggested it was less concerned over North Korea’s nuclear program and more with preserving its role in Northeast Asia and reclaiming the influence it lost after the Cold War. Moscow publicly opposed Washington’s position on several issues, such as whether North Korea had the right to peaceful nuclear energy when the United States officially argued against it. 90 At times Russia appeared most interested in opposing the United States, demonstrating its great power status, and backing China’s role in the talks as China supported Russia’s position on Iran’s nuclear program at the United Nations. 91

North Korea’s goals in joining the Six-Party Talks are more difficult to discern. Most analysis suggests Pyongyang either never intended to give up its nuclear program but participated to gain political and economic concessions, or that it was willing to relinquish its program but was not offered the right incentives. North Korea’s brinkmanship tactics, contradictory actions and inflammatory rhetoric further cloud an accurate assessment. It appears Pyongyang agreed to participate in the talks to maintain good relations with Beijing and negotiate directly the United States. Once in the talks, North Korea primarily sought security guarantees from the United States, to remove US sanctions against it, normalize relations and receive energy assistance, including a light water reactor.

90 Pritchard, Failed Diplomacy, 95.
Challenges, Breakthroughs and Setbacks

Despite failing to rid North Korea of its nuclear program, the Six-Party Talks ended in 2009 with several arguable accomplishments. North Korea affirmed its commitment in the September 2005 Joint Statement to abandon “all nuclear weapons and existing nuclear programs,” allowed IAEA and US inspectors to monitor the disablement of facilities at Yongbyon for almost two years, provided a declaration of its nuclear activities supported by over 18,000 pages of historical operational documents and demolished the Yongbyon cooling tower.\(^92\)

Much of this progress was made when the United States backed down from an “all or nothing” tactic and the parties agreed to follow a step-by-step approach with North Korea. Initially, the US demanded “complete, verifiable, irreversible dismantlement” of North Korea’s nuclear program before it could offer security guarantees or economic aid.\(^93\) The US eventually relaxed its position when it agreed to the September 2005 Joint Statement that stated “the Six-Parties agreed to take coordinated steps…in a phased manner in line with the principle of ‘commitment for commitment, action for action.’” This guided the compensation North Korea received as it shut down and disabled its nuclear facilities. It both reassured North Korea it was not giving up too much too soon and satisfied the Bush administration, which wanted to avoid front-loading benefits to Pyongyang without having it take reciprocal steps to disarm.

The Six-Party Talks were structured so that the nuclear issue drove overall progress, but other issues of concern could be addressed in separate forums. An agreement signed in February 2007 laid out a plan to implement the goals of the Six-Party Talks by establishing five working


\(^93\) Rozman, Strategic Thinking, 32.
groups. Among them, a working group for the normalization of North Korea-Japan relations where Tokyo could work to resolve the abduction issue. Another focused specifically on economic and energy cooperation to address North Korea’s power needs.\textsuperscript{94} This allowed both North Korea and the other parties to address broader concerns without stifling progress on the nuclear issue.

Despite George W. Bush’s affirmation in 2006 that he would not “get caught in the trap of sitting at the table alone with the North Koreans,” bilateral dialogue broke most of the major impasses in the Six-Party Talks.\textsuperscript{95} Early in Bush’s tenure, some officials believed the US lacked real incentives to influence North Korea, so anything they wanted should be withheld to get something in return. Because Pyongyang wanted direct dialogue, it was denied.\textsuperscript{96} Not until a series of bilateral meetings were held during the fourth round of Six-Party Talks in July 2005 were sensitive issues resolved between the US and North Korea, leading to endorsement of the September 2005 Joint Statement.\textsuperscript{97} In 2007, bilateral meetings in Berlin got talks back on track after North Korea conducted missile launches and a nuclear test in 2006. Pyongyang’s provocative actions were in response to US sanctions levied in 2005 against a bank, Banco Delta Asia in Macau, that North Korea regularly used to launder money.\textsuperscript{98} US officials discussed resolving the sanctions issue and hashed out a way forward on disabling the Yongbyon nuclear

\textsuperscript{96} Pritchard, Failed Diplomacy, 53-54.
\textsuperscript{97} Ibid, 112.
\textsuperscript{98} Chinoy, Meltdown, 256.
facilities. Bilateral contact within a multilateral framework allowed the Bush administration to claim it was not repeating the mistakes of the Agreed Framework yet helped push the Six-Party Talks forward.

Once the parties concurred on a structural format and negotiation process, the Six-Party Talks were not without difficulties, but proceeded until 2009. The breakdown of talks appears due to a combination of factors mostly related to internal North Korean decision-making. On April 5, 2009, North Korea launched a Taepo Dong 2 intercontinental ballistic missile, claiming it was a peaceful satellite launch. Pyongyang warned beforehand that it would withdraw from the Six-Party Talks if the UN criticized the launch. Within days the UN Security Council issued a statement denouncing the launch as a violation of UN Security Council Resolution 1718 that banned North Korean ballistic missile activity. In response, on 14 April North Korea announced its withdrawal from the talks, its intent to restart its nuclear program and to expel US and IAEA monitors.

North Korea had agreed to disable the Yongbyon nuclear facilities in October 2007 and by early 2009 the process was nearly 80% complete. Throughout this period, Pyongyang had gradually slowed disablement to match the energy compensation it received from the other parties and to influence ongoing negotiations. As disablement neared completion, the parties sought to establish measures to verify North Korea’s nuclear declaration to include the use of sampling and site inspections, which Pyongyang vehemently opposed. North Korea may have...

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100 CRS, “North Korea’s Nuclear Weapons,” 3-4.
101 Ibid, 7.
102 Ibid, 10.
103 Ibid, 9-10.
concluded it could not slow disablement any further to delay and avoid discussing verification and therefore used its missile launch as justification to withdraw from the talks.

Kim Jong Il’s health and possible succession preparations might have played a role in North Korea’s withdrawal. Following Kim’s stroke in August 2008 speculation arose over whether he would begin grooming one of his sons to eventually succeed him.\textsuperscript{104} The Taepo Dong 2 launch coincided with an important Supreme People’s Assembly (North Korea’s Legislature) meeting in early April when Kim made his first major public appearance since his stroke. During the session Kim was reelected Chairman of the powerful National Defense Commission, the primary position through which he rules the country.\textsuperscript{105} Kim may have determined he needed to project a strong image in order to rally North Korean elites around the regime during the beginning of a delicate power transition process and thus could not give up the nuclear program.

**Findings**

As the three cases demonstrate, multilateral negotiations themselves are not a surefire method to change a rogue state’s behavior. Their success depends on the presence and absence of key factors. While each occurred under unique circumstances, commonalities emerge across cases. Together, these factors and characteristics can help inform future strategy on whether to pursue multilateral negotiations with rogue states and how to shape those talks to produce favorable results.

\textsuperscript{104} Ibid, 11.

The Regime’s Willingness and Ability to Change

The most important factor for successful multilateral negotiations appears to be the rogue state’s ability and willingness to change. This is extremely difficult to predict before talks begin, as the Iran case demonstrates. President Rafsanjani’s efforts to improve economic and diplomatic ties to Europe appeared promising before the Critical Dialogue started, but were undercut by radical elements that continued to support the use of terrorism.

The Libya case reinforces O’Sullivan and Nincic’s argument that regimes facing economic or security threats are more willing to change their behavior in exchange for positive incentives. Libya’s failing economy and threats to Gadhafi’s rule from Islamic extremists appear to have motivated his decision to comply with the UN resolutions on the Lockerbie case and give up his WMD programs in 2003. The North Korean case seems to provide a caveat, however. If Kim Jong Il faced an internal threat or uncertainty over succession, the theory would predict that North Korea should have been more willing to give up its nuclear program to gain energy assistance and security guarantees from the United States. Yet, it withdrew from the talks in 2009. This suggests that certain security threats, such as those related to a power transition, can actually cause the state to retreat from engagement.

The importance of whether a state is willing or able to change should not discourage pursuing or considering multilateral negotiations with rogue states. Given the difficulty in predicting whether the regime is ready or willing to change, negotiations may be worth trying if other strategies to change the rogue state’s behavior fail. Reformist or moderate elements, if they exist, may gain more influence within the regime during the course of negotiations. Security and
economic threats could also emerge that compels a regime’s leadership to change its policies. Engaging rogue states through multilateral negotiations provides an opportunity to take advantage of these situations should they arise.

Why Do Rogue States Participate?

If a rogue state is unwilling or unable to change its behaviors, then why does it agree to participate in negotiations at all? These regimes may have plans to take advantage of the negotiations by getting what they can without giving up anything meaningful in return. A less cynical view is that the regime has not made a final decision internally on the ultimate trajectory of its foreign and security policy. The ruling elite in Iran were divided over foreign policy when the Critical Dialogue began, as Tehran’s continued support for terrorism and unwillingness to officially deny the \textit{fatwa} against Salman Rushdie demonstrated. The Six-Party Talks seemingly ended amid Kim Jong Il’s succession preparations, suggesting the regime may have wanted to avoid making a final decision on the nuclear program during a delicate power transition period.

Another explanation for a rogue state’s initial decision to participate and whether it continues to do so may involve the degree to which the other participants exclusively possess the economic, diplomatic or security guarantees the regime seeks. The EU’s offer to increase economic cooperation was not the Iranian regime’s only option to rebuild and strengthen its economy. Iranian officials believed that if Europe cut its economic ties to Tehran, it could easily reach out to Asia for trade and Russia and China for political support.\footnote{Reissner, “Europe and Iran,” 40, 43.}

Libya and North Korea’s options were much narrower. Some countries pursued economic cooperation with Libya despite UN and US sanctions, but Tripoli needed both revoked before it

106 Reissner, “Europe and Iran,” 40, 43.
could significantly improve its economy with foreign investment and trade. The US and UK held decisive positions in lifting both sets of sanctions, limiting Libya’s choice to holding direct negotiations with Washington and London. Similarly, one of North Korea’s apparent goals in the Six-Party Talks was to gain security guarantees from the United States. If Pyongyang’s nuclear program was meant to prevent a US attack or absorption into South Korea, only Washington could provide the security guarantees North Korea needed. Pyongyang initially rejected a multilateral negotiating format, but pressure from China and the prospect it could talk directly to the US appears to have motivated North Korea to participate in the Six-Party Talks.

If true, this suggests participants in multilateral negotiations should consider whether they hold a monopoly on the concessions the rogue state seeks. This may help determine the types of demands the negotiating parties can reasonably levy on the rogue state. It can also help the other parties prioritize those concessions based on the goals of the negotiations.

*Clear Goals, Reciprocal Steps*

When demonstrable progress was made in any of the cases, clear goals and reciprocal actions were communicated, agreed upon and fulfilled by each side. While this is important in any negotiation, it appears especially so when dealing with a rogue state. In all cases, varying degrees of mistrust existed between the rogue state and the other negotiation participants due to existing hostile relations. Additionally, rogue states do not want to appear to buckle to outside pressure while other parties in the negotiations do not want to be accused of rewarding bad behavior, which makes reciprocal actions important for both sides.

The Critical Dialogue made little progress because clear goals and steps to achieve them were not established. There was no way to measure Iran’s progress to condition economic
incentives based on its behavior. Conversely, the US and UK set up a clear and consistent quid pro quo arrangement with Libya. When Tripoli handed over the two suspects in the Lockerbie case, UN sanctions were suspended but not lifted. Libya first had to fully resolve the Lockerbie issue for their removal. Only then were the US and UK willing to discuss the WMD issue and normalize relations. When Libya took these steps it received something in return, which showed Gadhafi that he could expect further compensation for his actions and admissions. A major impasse was broken in the Six-Party Talks after the US backed down from its demand to make North Korea completely disarm before extending economic or security concessions. Instead, North Korea was commensurately compensated with heavy fuel oil for the shut down and disablement of the Yongbyon nuclear facilities.

Multilateral negotiations with rogue states should be designed to break problems down into small steps and reciprocal actions to help build a pattern of cooperation among the parties. It also provides a gauge to measure progress in the negotiations so the other parties can bestow incentives accordingly. It ensures rewards are tied to meaningful actions taken by the rogue state to reinforce the advantages of complying with international norms.

*Managing Divergent Goals and Bilateral Interests*

Except for the Libya example where the US and UK already had close bilateral relations and shared security goals, it appears likely that participants in multilateral talks will be driven by their own diplomatic, economic and security interests with the rogue state. Historical relations, threat perceptions and geographic proximity are a few factors that may drive a state’s approach in negotiations. In the Iran case, the divergent goals of EU member nations undermined the organization’s joint approach to the Critical Dialogue and contributed in part to its failure.
The Six-Party Talks provides a model on how to manage participants’ interests without detracting from the overall goal of the negotiations. The creation of working groups, such as one focused on resolving bilateral issues between Japan and North Korea, created forums within the multilateral framework to address specific topics so they did not become an unnecessary roadblock in negotiations.

The Six-Party Talks also demonstrates that under some circumstances, bilateral negotiations within a multilateral framework can be beneficial. The US and North Korea had a history of negotiating the nuclear issue bilaterally under the 1994 Agreed Framework. When the US and North Korea met during the Six-Party Talks, they again mainly dealt with the nuclear issue. Since this was the focus of the negotiations, this did not detract from overall progress and helped propel negotiations out of a stalemate. Early on, the Bush administration did not want to engage North Korea directly. However, holding bilateral talks within the multilateral framework met the administration’s self-imposed restrictions in dealing with North Korea and allowed negotiations to move forward.

**Conclusion**

As demonstrated, multilateral negotiations with rogue states appear neither wholly advantageous nor ineffective. Success depends on the presence and management of key conditions. The most crucial of these is the rogue state’s ability and willingness to change. The singular focus of multilateral negotiations on altering a nation’s behavior and the importance of the regime’s readiness to change appear to give the rogue state significant leverage in negotiations. If the state decides it cannot or will not give up its objectionable behavior, it can simply withdraw from negotiations with few consequences.
Multilateral negotiations may therefore be best pursued in tandem with punitive strategies against a rogue state. Sanctions and other punishments can help convince the state continuing its behavior does not outweigh the associated costs, while negotiations offer the rogue state a chance to trade changes in its behavior for economic or security incentives.

As states like Iran and North Korea continue challenging international norms and threatening US security interests, policy makers will be aided by a better understanding of the pros and cons of various approaches. The factors and characteristics identified here provide an initial foundation for future study and analysis of multilateral negotiations with rogue states.
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