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Despite the promise of change, the Obama administration has started to address North Korea just as the Clinton and Bush administrations did--accusing it of wrongdoing and trying to punish it for its transgressions. As Pyongyang's recent nuclear test demonstrates, the crime-and-punishment approach has never worked in the past and it won't work now. Instead, sustained diplomatic give-and-take is the only way to stop future North Korean nuclear and missile tests and convince it to halt its nuclear program.

Pyongyang was not alone in failing to keep its agreements. Unfortunately, Washington, Tokyo, and Seoul didn't manage to keep theirs either.

The current crisis truly began last June when North Korea handed China a written declaration of its plutonium program, as it was obliged to do under the October 3, 2007 Six-Party joint statement on second-phase actions. In a side agreement with Washington, Pyongyang committed to disclose its uranium enrichment and proliferation activities, including the help it had provided for Syria's nuclear reactor.

Many in Washington, Tokyo, and Seoul were quick to question whether the declaration was "complete and correct," prompting the Bush administration to demand arrangements to verify the declaration before completing disabling and moving on to permanent dismantlement of North Korea's plutonium facilities. However, the October 2007 accord had no provision for verification.

The day Pyongyang turned over its declaration, the White House announced its intention to relax sanctions under the Trading with the Enemy Act and to delist North Korea as a "state sponsor of terrorism"--but with an important proviso. As Secretary of State Condoleezza Rice told the Heritage Foundation on June 18, "[B]efore those actions go into effect, we would continue to assess the level of North Korean cooperation in helping to verify the accuracy and completeness of its declaration. And if that cooperation is insufficient, we will respond accordingly." She acknowledged Washington was moving the goal posts: "What we've done, in a sense, is move up issues that were to be taken up in phase three, like verification, like access to the reactor, into phase two."

In bilateral talks with the United States, North Korea agreed to establish a Six-Party verification mechanism and allow visits to declared nuclear facilities, a review of documents, and interviews with technical personnel--commitments later codified in a July 12 Six-Party communiqué. Pyongyang also committed to cooperate on verification in the dismantlement phase.

But Tokyo and Seoul demanded more, and President George W. Bush tried to change the terms of the agreement again. The United States handed the North Koreans a draft verification protocol and on July 30 announced it had delayed delisting North Korea as a "state sponsor of terrorism" until they accepted it. Pyongyang retaliated by suspending the disabling at its plutonium facilities at Yongbyon on August 14. Not long after, North Korea began restoring equipment at its Yongbyon facilities.

With disabling in jeopardy, U.S. negotiator Christopher Hill went to Pyongyang on October 1 with a less intrusive draft protocol in hand. His North Korean interlocutor Kim Gae Gwan agreed to allow "sampling and other forensic measures" at the three declared sites at Yongbyon--the reactor, reprocessing plant, and fuel fabrication plant. The United States believed that might suffice to ascertain how much plutonium North Korea had produced. Kim also accepted "access, based on mutual consent, to undeclared sites," according to the State Department. The oral understanding led President Bush to reverse course again on October 11 and delist North Korea as a "state sponsor of terrorism."

This move angered the hard-line Aso government in Tokyo. Seconded by an internally divided government in Seoul, it insisted that energy aid promised under the October 2007 accord be suspended until Pyongyang accepted a written protocol with more intrusive verification, and President Bush changed his stance. On December 11, the United States, Japan, and South Korea announced the decision.

In response to the renege, North Korea stopped disabling. In early February it began preparations to test-launch the Taepodong-2 in the guise of putting a satellite into orbit

Instead of learning from the Bush administration's mistakes, the Obama administration deferred to its allies. In Asia, on her first trip overseas, Secretary of State Hillary Clinton acted as if she were reading from the Rice playbook as she met with the Japanese abductees' kin, spoke of "tyranny" in North Korea, and speculated about a "succession struggle" in Pyongyang. Her words and deeds may have been music to the ears of hardliners in Tokyo and Seoul, but they struck the wrong note in Pyongyang.

In the run-up to the test-launch, the U.S. administration was torn between its desire to keep open the possibility of resuming negotiations with North Korea and demands from Japan and South Korea to punish Pyongyang. China, which thought sanctions wouldn't work but didn't want to bear the opprobrium in Washington for blocking U.N. action, helped temper a presidential statement by the Security Council castigating North Korea and calling for sanctions.

This slap on the wrist gave Pyongyang a pretext to enhance its nuclear leverage by reprocessing the spent fuel unloaded from the Yongbyon reactor in the disabling process. Extracting another bomb's worth of plutonium puts it in a position to conduct another nuclear test without reducing its small nuclear arsenal. Pyongyang also is threatening to step up its uranium enrichment effort, which could take years to yield significant quantities of highly enriched uranium. Much worse, in a matter of months, it also could restart its Yongbyon reactor to generate more plutonium. A new U.N. resolution would only give Pyongyang grounds for doing just that.

Many in Washington, Tokyo, and Seoul say Kim Jong Il will never give up his weapons or his nuclear and missile programs. The speculation encourages him to think he won't have to. The fact is, with the possible exception of Kim Jong Il himself, nobody truly knows. But the United

States needs to find out.

The only way to do so is to probe through sustained diplomatic give-and-take. That requires offering meaningful steps toward a new political, economic, and strategic relationship--including diplomatic recognition, a summit meeting, a peace treaty to end the Korean war, negative security assurances, and a multilateral pledge not to introduce nuclear weapons into the Korea Peninsula as well as other benefits to its security, agricultural and energy assistance, and conventional power plants if possible or nuclear power plants if necessary. In return the United States would get steps toward full denuclearization.

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