



# LEARNING FROM EACH OTHER

How Iran and North Korea  
Approach Nuclear Negotiations

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# Preface

This collection of essays is part of a broader project funded by the John D. and Catherine T. MacArthur Foundation called the Nuclear Boundaries Initiative. The Nuclear Boundaries Initiative has aimed to identify areas of U.S. and international nuclear policy and practice where equities overlap and yet are typically treated as separate, distinct policy issues. Although North Korea and Iran were once classified as “rogue states” posing the threat of nuclear proliferation, they have diverged in their paths in the last twenty years. Should they be treated as proliferating states using the same policy objectives, tools and approaches? Or should they be treated as distinctly separate problems? There are costs and benefits to these different approaches.

The baseline for analysis is the indispensable diplomatic role the United States has played for many years in reducing the risks from nuclear weapons proliferation, both in constructing the nuclear nonproliferation regime and in its implementation. It has also been at the center of negotiations with Iran and North Korea for twenty or more years. It is fair to assume that U.S. policies and actions are closely watched by proliferators and to ask whether negotiating partners learn lessons over time to their advantage. Whether U.S. policymakers treat North Korea and Iran as distinct, separate problems with different solutions, or as different embodiments of the same set of policy problems (proliferation) or use the same approach toward both (e.g., “Maximum Pressure”), such differences or similarities will not go unnoticed by those states.

This set of essays is not meant to be definitive but offers a range of views on answering some of these questions. Its focus is not on whether the two states are mimicking each other or even cooperating in the development of ballistic missiles and nuclear weapons. The hope is that future U.S. policies can be crafted with more sensitivity to how they are perceived by the targets of their attention.

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# Introduction: Reading North Korea and Iran

North Korea and Iran pose serious security challenges to the United States because of their programs to develop weapons of mass destruction (WMD), especially nuclear warheads and long-range missiles designed to carry them. Current US policy seeks the “denuclearization” of both states. In theory, this would require eliminating nuclear weapons capabilities that threaten the United States and its allies, likely to include not just fissile material and the means to make fissile material, but also delivery capabilities and whatever warheads exist. In practice, it is difficult to envision similar end-states for both countries because of their different capabilities, legal obligations, and history of both bilateral and multilateral negotiations.

Apart from a brief period when both states were members of the exclusive “rogue states” club, their proliferation paths have largely diverged. North Korea dropped out of the Nuclear Non-proliferation Treaty (NPT) in 2003, testing its first nuclear weapon in 2006 and then five additional devices. The proliferation risk from North Korea is no longer one of crossing the nuclear threshold but rather acquiring more capabilities that could trigger nuclear use. Two decades of negotiating with North Korea have produced mixed results, but the Trump administration insisted on in the possibility of cutting a deal with North Korea.

Iran has remained in the Nuclear Nonproliferation Treaty, despite revelations beginning in 2002 of

significant clandestine activities. Since 2015, the Joint Comprehensive Plan of Action (JCPOA) has constrained Iran's nuclear activities although missile development continues apace without regard for UN Security Council resolutions. Iran's choice to stay in the JCPOA while slowly ratcheting up capabilities suggests it may be interested in calibrating its actions to influence other partners and competitors more than to achieve specific technological capabilities. In this case, too, Iran appears open to negotiations. Of course, Iran may eventually follow through on its January 2020 threat to leave the NPT.

It's clear that North Korea and Iran do not lend themselves to identical application of nonproliferation principles, tactics, and tools. But how far can policies with the stated objective of denuclearization veer from each other without damaging US credibility or the nonproliferation regime? And, what is the impact of one administration choosing to conduct two negotiations at the same time?

## **A CASE FOR CONSISTENT (AND FAIR) NONPROLIFERATION POLICIES OVER TIME**

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Consistency in foreign policy helps build trust and reassurance, which are integral to strong alliances. It helps enhance credibility, which is important for efforts to influence and persuade other states from engaging in proliferation behavior. In fact, nuclear nonproliferation has been a consistent element of US foreign policy for the last seventy years with the entry into force of the NPT in 1970. Since that time, US policy has opposed the spread of nuclear weapons and supported the universalization of that treaty. Policy tools evolve over time, but the intention of creating norms of nonproliferation for the benefit of the international security regime as a whole has remained consistent.

Likewise, little change in basic technologies, materials, capabilities, and equipment has allowed relative consistency of nonproliferation approaches over time. Those who argue that each nuclear weapons proliferation case should be handled *sui generis* assume that because nuclear weapons are acquired for strategic security, any permanent rollback of nuclear programs has to be tailored to the geostrategic

environment. In practice, policymakers also argue against a "one size fits all" approach, despite having benefited greatly over the years from the ability to fall back upon uniform, if not universal, policies.

Undoubtedly, policymakers have to weigh the negotiating advantages of having flexibility in policy implementation against consistent implementation of laws and policies. In the field of nonproliferation, however, there is added pressure from a steady flow of complaints regarding the discriminatory nature of the nonproliferation regime. In fact, dissatisfaction over discriminatory approaches was the wellspring for negotiating the Treaty on the Prohibition of Nuclear Weapons, set to enter into force on January 22, 2021, a treaty that arguably presents a significant challenge to the future of the NPT.

Some might argue that even if nonproliferation efforts were perfectly nondiscriminatory across countries and over time, there would still be cause for complaint within the NPT regime because of the decision to classify five states as nuclear weapon states and all others as non-nuclear-weapon states in 1968. The erosion of that distinction by the subsequent acquisition of nuclear weapons by Israel, India, Pakistan, and North Korea has raised further complaints of discrimination. Why is India treated differently from Pakistan? Why does no one talk about Israel's nuclear weapons? What if North Korea, which signed the NPT and withdrew from it, never comes back into the nonproliferation fold?

Further cause for complaints of discrimination stem from diffusion of nuclear and related technology over decades. Each revelation of proliferation activity has prompted a slow tightening of restrictions on peaceful uses of nuclear energy that some non-nuclear-weapon states find discriminatory. First came nuclear supplier guidelines in the 1970s, then a full-scope safeguards requirement for nuclear trade in the 1990s, and more recently, efforts to make the Additional Protocol a precondition for nuclear supply. Temporary agreements to withhold supply of enrichment or reprocessing technology/equipment have faded from view, but this does not mean that suppliers fundamentally have changed their minds. They may not yet have been tempted to challenge more restrictive criteria for the sale of sensitive fuel cycle technology. The question is whether a norm not to supply sensitive fuel cycle

technology and equipment is growing or whether there has just been a lull in demand.

Inconsistent implementation of US nuclear non-proliferation policies also draws complaints of discrimination from critics. Competing foreign policy objectives, regional security complications or varying degrees of status or alliance with particular countries have sometimes prompted policy changes or exceptions that are noteworthy. These go beyond political considerations such as the desire to differentiate a new administration's policies from those of the previous administration. In some cases, departures from norms can destroy or erode hard-won consensus, such as the US-India nuclear deal, which overturned decades of policies that limited nuclear trade to countries with comprehensive International Atomic Energy Agency (IAEA) safeguards.

Smaller inconsistencies in US policies, while they can be explained away, can also provoke complaints from allies. US officials have largely tried to dissuade South Korea from acquiring nuclear fuel cycle capabilities, while generally supporting Japan's nuclear fuel cycle capabilities, based on a technicality. As a result, South Korean officials try to level the discrimination by injecting alliance politics when they can. A more recent and significant example of inconsistent application of policies involves US responses to North Korean and Iranian missile tests. In an effort to save negotiations with the North Koreans, the US arguably soft-pedaled North Korea's short-range ballistic missile tests while loudly protesting all missile tests by Iran. Such a contrast brings the perils of inconsistency into sharp relief.

## **TWO PROLIFERATION CRISES: MORE THAN DOUBLE TROUBLE**

The mismatch of US responses to North Korean and Iranian missile tests illuminates the challenge of trying to resolve two proliferation crises at the same time. First, the press can't help but compare the two efforts, even if they are conducted completely separately within the government and with different allies. One particular risk is the emergence of false equivalence between the two sets of negotiations. The actions and context for actions by Iran and North Korea are quite different and therefore, one

could argue that the resolution of the proliferation crises should also be quite different. Iran violated its obligations under the NPT but did not fully develop nuclear weapons. The path of resolution for Iran's proliferation behavior is to establish trust with partners before going back to a "peaceful nuclear energy business as usual" status. The JCPOA included restrictions on Iran's civilian nuclear program designed to do just that but did not eliminate all peaceful nuclear energy applications.

North Korea, on the other hand, never fully came into compliance with its obligations under the NPT, and once it withdrew from the treaty in 2003, it developed and tested nuclear weapons. Still, North Korea has also previously agreed, multiple times, to nuclear disarmament in exchange for broader benefits like a peace treaty, security assurances, and economic cooperation.

The two cases are quite different, and yet the capabilities that will pose a risk into the future are very much the same. If there is a set of capabilities that, if restricted, would provide confidence that neither country had an ongoing nuclear weapons program, wouldn't it make sense to try to strive to limit those capabilities in the same way?

## **ISSUES COVERED IN THIS VOLUME**

Obviously, the proliferation cases of North Korea and Iran have engaged the international community for decades and involve other key countries and international organizations, particularly the IAEA. This set of essays does not intend to diminish the important roles that other states or multilateral institutions have played. Rather, it seeks to focus attention on the unique role of the United States with the hope of shaping future US policies to reflect the special burden upon US policymakers to act consistently, predictably, and reliably.

Given that each country has had experience negotiating with the United States in both bilateral and multilateral contexts, it would be useful to assess the following:

- Do North Korea and Iran compare and contrast their relations with the United States?

- Do they compare “deals”?
- How do they view their ability to negotiate positive outcomes with the United States?
- Is there evidence of analysis in state-run media in North Korea of Iran’s experience negotiating with the US, EU-3, Russia and China, and the IAEA?
- Is there evidence in Iranian open sources and state-run media of analysis of North Korea’s experience negotiating with the US, Russia, China, South Korea and Japan?

We cannot know how policymakers in North Korea and Iran assess the prospects for reaching agreement with the United States, even in this age of social media, but it may be possible to make educated guesses about lessons they might be learning over time regarding interactions with the United States. This collection of essays seeks to do just that.

There are several questions considered within this volume. The first is whether North Korea and Iran have paid attention to the outcomes of negotiations by the United States and whether official communications from those states tell us anything about lessons they might have learned. These are addressed in the essays by Alexander Mariyasov and Ariane Tabatabai for Iran and by Anastasia Barannikova for North Korea. What do North Korea and Iran learn from the current state-of-play? Do they seek clues from other negotiations about how to obtain the best deal from the United States? How do they view the credibility of bilateral agreements with the United States or multilateral agreements in which the United States plays a role because of the US withdrawal from the JCPOA?

From a US perspective, there is the question of whether negotiations conducted by the United States have influenced each other or will influence each other. Will negotiators seek similar or disparate outcomes? If there are firewalls between negotiations, are these ever breached? Does the personal participation by a US president change expectations? These questions are considered in the essay by Peter Almquist, a former State Department intelligence and nonproliferation analyst, and in the essay by Newell Highsmith, a former member of the US State Department legal team.

## CONCLUSIONS

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This collection of essays has sought to advance thinking beyond a theoretical exploration of flexibility versus consistency in foreign policy, particularly in nuclear nonproliferation policy, by reviewing US negotiations with North Korea and with Iran and assessing whether there is evidence of “nuclear negotiations learning” by any of the countries or policymakers within those countries. The evidence of learning is scant in media sources for several reasons: North Korean media may be an unreliable mirror given its role in propaganda; Iran’s leaders have strong interests in avoiding any comparisons to North Korea; and negotiating positions are often guarded quite closely. Still, the actions of Iran and North Korea in negotiations suggest strategies with some similarities, reflecting a lack of trust in the US as a negotiating partner (the US is “unreliable”), calibration of actions for actions, and holding off on irreversible actions until absolutely necessary. One author suggested that some lessons learned from negotiating partners may have been wrong, incomplete, or unduly influenced by cultural influences.

The United States has sought to stem the further proliferation of nuclear weapons since they were invented. Whether to maintain its nuclear dominance, assuage guilt for being the only country to use nuclear weapons for military purposes, or simplify the challenges of living in a nuclear world, the United States has made a policy “habit” of promoting nonproliferation across Democratic and Republican administrations. Its implementation of policies, arguably, has been erratic over the course of seven decades. Some suggest this is flexibility born of necessity and practicality while others criticize US policy for double standards. On the one hand, inconsistent application of policies within an administration and across administrations can make coordinating with allies and competitors more difficult and time-consuming. On the other hand, opportunities should be seized when they arise. Newell Highsmith, in his essay, rings a cautionary note for the future: “If the United States cannot sustain a consistent general approach to nuclear negotiations and nuclear deals, and if US policy continues to vacillate with the vagaries of domestic politics, the day may come when the United States is no longer treated as the indispensable party.” ■

## IRAN

# What Did Iran Learn from North Korea's Negotiations with the United States?

Iran's nuclear program is central to the country's foreign policy, part of a strategy designed to strengthen Tehran's position and influence in regional and international affairs. The program has become a matter of national pride and prestige, evidence of great scientific and technical progress and a symbol of Iran's independence and sovereignty.

This article describes the evolution of Iran's nuclear activities, the problems that it faced in domestic and international contexts, and the role it played in Iran's relations with the United States and leading European countries. Although the development of an Iranian nuclear program was a priority for all political forces and factions in the country,

sometimes it was a source of fierce contention between them. Iranian reformers and pragmatists from the very beginning were open to the possibility of a compromise with the United States on nuclear affairs. But such a line was vigorously opposed by radicals, who rejected any negotiations or compromise with the "Great Satan."

After the Islamic Revolution of 1979, the Shah's ambitious nuclear program was frozen. The leader of the revolution, Ayatollah Ali Khomeini, declared the possession of weapons of mass destruction (WMD) to be "haram" (forbidden by Islam). But a long, bloody war with Iraq forced Iranian leadership to consider additional means to bolster its national security. At the end of the 1980s, Iran



began developing missile systems with the support of North Korean technologies. Tehran started by purchasing modifications of Soviet-made Scud missiles from North Korea, later adapting the Nodong and Musudan missile systems that it had obtained in this way (Kerr, Hildreth, and Nikitin 2016). In addition, Iran developed its own missiles and combat drones.

Due to a severe electricity shortage in the early postrevolutionary years and after the devastating military conflict with Iraq, Iranian authorities chose to finish construction of the Bushehr nuclear power plant with German assistance. They also hoped to obtain nuclear fuel for the Bushehr plant from France.

Simultaneously, Iran decided to revive its nuclear program, though at a modest level and under international safeguards. Iran approached the International Atomic Energy Agency (IAEA) for technical assistance. Iran wanted to take advantage of its right under the Nuclear Nonproliferation Treaty (NPT) to international cooperation for the pursuit of peaceful nuclear power (Porter 2014, 24-26). But the Reagan administration in the United States intervened, preventing IAEA assistance and blocking all technology transfers by external suppliers to Iran's nuclear program. Germany refused to complete the Bushehr plant and France was unwilling to deliver nuclear fuel. From Iran's perspective, the United States had blatantly violated its obligation under the NPT to share the benefits of peaceful nuclear technology with a non-nuclear-weapon-state party to the treaty. Iranian leaders faced a dilemma – to withdraw from the NPT or to become self-sufficient in nuclear technology. Iran acquired centrifuge technology for uranium enrichment and other nuclear infrastructure through the proliferation network of Pakistani nuclear scientist A.Q Khan (Weiss 2005). In 2001, Iran started construction of the Natanz uranium enrichment complex in secret, fearing a possible US or Israeli attack.

When those clandestine activities were revealed in 2002 and the IAEA declared that Iran had the ability to produce nuclear fuel, Iran's reformist president, Mohammad Khatami, stated that Iran's nuclear program was exclusively for peaceful use and that Iran was ready to place the program

under IAEA safeguards. At the same time, Khatami stressed Iran's right as an NPT party to have access to the peaceful uses of atomic energy, including the right to uranium enrichment.

To forestall possible US and Israeli attacks on its nuclear sites and the subsequent need to discuss its nuclear program with the United Nations Security Council, Iran was ready to negotiate compromise agreements with the United States and the so-called E3 (France, Germany, and the United Kingdom), not only on nuclear issues but also on questions of bilateral relations and regional issues. However, the United States refused to negotiate.

The Iranian diplomatic team, headed by Hassan Rouhani – then-secretary of the Supreme National Security Council and now president – conducted negotiations with the E3 from 2003 to 2005. Iran proposed temporarily freezing its enrichment activities to demonstrate the peaceful nature of its nuclear program in exchange for firm guarantees of economic and technical cooperation.

To further confirm its peaceful intentions, Iran gave the IAEA information about its previous nuclear activities. It also signed the Additional Protocol to its safeguards agreement with the IAEA, which allowed intrusive inspections of Iran's nuclear facilities (Mousavian 2013). Furthermore, Iran was prepared to limit the expansion of its enrichment program, reducing the number of centrifuges and capping uranium enrichment at 5 percent uranium-235 to enable its use for fuel but not weapons. It was also ready to ensure that there would be no reprocessing of the spent fuel from the planned Arak heavy-water reactor, which would produce plutonium that would be well-suited for weapons. In return Iran wanted confirmation of its right to enrich uranium for peaceful purposes.

Those were unprecedented compromise offers that could firmly guarantee the peaceful character of Iran's nuclear program. To strengthen Iran's position, Supreme Leader Ali Khamenei confirmed Ayatollah Ali Khomeini's previous "fatwa" (religious order) prohibiting the possession of WMD.

The E3 was inclined to accept Iran's proposal, as their ambassadors in Tehran unofficially were telling the Iranian side. But the United States was

fundamentally against Iran conducting enrichment and other nuclear activities, stubbornly promoting the idea that Iran, under the cover of an ostensibly peaceful nuclear program, wanted to build a nuclear weapon. In August 2005, under US pressure, the E3 declared that only Iran's full cessation of uranium enrichment would be acceptable (Mousavian 2014).

As a result, the negotiations failed. The Western countries missed a unique chance to reach a comprehensive settlement with Iran over its nuclear program while it was still in the early stages of development, comprising only a small number of first-generation centrifuges and a limited number of nuclear sites. The position of Iranian reformers

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was heavily damaged, while the position of the hard-liners was strengthened. A representative of the hard-liners, Mahmoud Ahmadinejad, prevailed in the 2005 Iranian presidential election.

Under Ahmadinejad's tenure, Iran's nuclear program escalated in scale. Iran resumed uranium enrichment, including enrichment above 20 percent, which opens the way to build a nuclear weapon; ended its voluntary (as opposed to legally binding) adherence to the Additional Protocol; and started construction of the Arak heavy-water reactor.

From 2006 to 2010, four anti-Iran sanctions packages were adopted by the UN Security Council. The United States and the European Union imposed their own strict sanctions. Israel insisted that the Iranian nuclear program had military dimensions. But the IAEA and the US National Intelligence Estimates in 2007 and 2010 assessed that Iran did not have a nuclear weaponization program and found that no decision had been made by Iranian leadership to build a nuclear bomb (Risen and Mazzetti 2012).

International negotiations regarding Iran's nuclear program resumed in 2009 when the P5+1 group was established. The group, also known as the E3+3, was composed of the five permanent members of the UN Security Council – China, France, Russia, the United Kingdom and the United States – plus Germany. Negotiations with Iran intensified in 2013 after Rouhani, a moderate pragmatist, won the presidential election in Iran.

As a result of lengthy and difficult negotiations, the Joint Comprehensive Plan of Action (JCPOA) was adopted. The JCPOA, which was concluded in 2015, is a compromise document. It scaled down, rather than eliminated, the Iranian nuclear

program, confirmed Tehran's right to peaceful nuclear activities, and lifted international sanctions. The international community persuaded Iran to limit the scale of its nuclear program, albeit for a limited

period of time, in exchange for the opportunity to conduct regular intrusive monitoring of all Iranian nuclear facilities to prevent their conversion to military uses. The obligations that the JCPOA imposed on Iran closed every possible path for the country to obtain fissile material for a nuclear weapon. Although some obligations under the JCPOA expire after 10, 15, 20, or 25 years, the prohibition against Iran obtaining nuclear weapons is indefinite.

In striking the deal, international negotiators also hoped eventually to involve Iran in compromise agreements on other issues, including its missile program and its support of proxies in the region.

The pragmatic wing of Iranian leadership, headed by President Rouhani, hoped that implementation of the JCPOA would reinvigorate economic relationships and other forms of cooperation with the West and would attract foreign investments and cutting-edge technology. Rouhani expected the JCPOA to improve Iran's socioeconomic situation and strengthen the reformists' domestic policy

positions. Rouhani's government also sought to relieve tension in US-Iranian relations.

But those plans have not materialized. The impulsive and unpredictable Donald Trump, who unexpectedly won the 2016 US presidential election, sought to torpedo his predecessor's domestic and foreign policy legacy. He opposed Barack Obama's policy of engaging with Iran and clearly voiced his rejection of the nuclear deal with Iran.

The United States announced its withdrawal from the JCPOA in May 2018. Washington put forward categorical demands for regime change and resumed tough economic sanctions (Loiaconi 2018). This demoralized Iranian liberals and seriously consolidated the positions of radical leaders.

The withdrawal of the United States from the JCPOA dealt a painful blow to the deal's European participants, who had hoped that implementation of the Vienna agreement would prevent Iran from using its nuclear facilities to make weapons, strengthen Europe's traditionally close trade and economic relations with Iran, and increase the influence of reformists on internal and foreign policy decision-making. After the US withdrawal, the remaining participants reaffirmed their commitment to the JCPOA and their readiness to continue fulfilling their obligations (EU 2019).

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The EU participants expressed their intention to implement a range of measures to shield European businesses from extraterritorial US sanctions. In January 2019, the EU announced the creation of the Special Instrument in Support of Trade Exchanges (INSTEX), a mechanism of payments and settlements to facilitate trade between European economic operators and Iran. However, INSTEX has only recently arranged its first transaction, facilitating the export of medical goods from Europe

to Iran (Cullis 2020). Major European companies and banks, closely dependent on the US financial system and market, have left Iran.

The United States continued its policy of "maximum pressure" toward Iran, imposing sanctions on an increasing number of Iranian companies, banks, and individuals, including the Islamic Revolutionary Guard Corps (IRGC) and even Supreme Leader Khamenei and Foreign Minister Mohammad Javad Zarif.

The Trump administration believed that US withdrawal from the JCPOA and tougher sanctions, which would seriously aggravate Iran's domestic socioeconomic problems, would force Iran to negotiate a new nuclear deal on Washington's terms. Even if this did not happen, US officials believed, the current Iranian regime would eventually have to step down under increasing domestic pressure – a positive development in the view of Trump and other opponents of the deal.

All this indicates that the Trump administration either did not understand the mentality and psychology of Iranians or disregarded these factors. In the more than 40 years since the Islamic Revolution, Iran has repeatedly faced serious external challenges that only served to unite the people of Iran and to increase their determination to

resist these threats. The most serious of these challenges was Iraq's military aggression, which evoked strong nationalism and mass participation in the war. The latest manifestation of strong solidarity among Iranians was mass anti-American demonstrations de-

nouncing the killing of General Qassem Soleimani of the IRGC (BBC 2020). Iran's traditional behavior is to fiercely resist any pressure and humiliation, even at a high cost.

Any hope for regime change in Iran in the foreseeable future is wishful thinking. There is no revolutionary situation in the country. The protests – sporadic, though increasingly violent – mostly involve economic demands and are quickly neutralized by

the authorities. Young people, the largest and most active segment of Iranian society, are not prepared for radical actions, a significant difference from the situation on the eve of the 1979 revolution. There is no powerful and well-organized radical opposition in the country. The exiled leftist radical People's Mojahedin Organization of Iran, on which Trump's entourage wants to stake its hopes, has compromised itself by supporting Saddam Hussein during the Iran-Iraq war and by staging terrorist attacks against Iranian officials. Iran's ethnic minorities have mostly managed to come to terms with the central government and are not eager to confront the country's security and law enforcement agencies, especially the IRGC.

The toughening of US sanctions has had a significant negative impact on Iran's economy and the everyday life of ordinary people. The worsening devaluation of the national currency, a slowdown in economic growth, and growing inflation and unemployment have led to increasingly violent discontent among the population. But so far the authorities have been able to contain such sentiments both by force and through economic reform. Iran began implementing a number of measures to mobilize the country's internal financial and economic resources within the framework of an "economic resistance" policy. Iran has tried, often successfully, to avoid US oil sanctions by using ghost ships – oil tankers that switched off their location transponders – and carrying out ship-to-ship transfers (Evans 2018).

Iran's leadership is confident that the country's flexible system of checks and balances, with the personal involvement of the supreme leader, can neutralize the economic and political challenges that the regime faces. The most important factor is that Iranian clergy still enjoys the strong support of a highly religious and mostly rural population.

In the year following the US withdrawal from the JCPOA, Iran demonstrated strategic patience, strictly observing its obligations under the deal in the hope that the remaining participants would ensure economic benefits for Iran. But so far that hope has been frustrated. Iranians, due to strong feelings of national pride and dignity, didn't want to look weak and helpless by observing their commitments while others didn't. Caught between growing pressure from domestic hard-liners to

exit the deal and the predictable negative international reaction to such a decision, the Rouhani government chose a third option. On May 8, 2019, Rouhani announced the phased reduction of Iran's adherence to its commitments under the JCPOA, to accelerate every 60 days until Iran began to see the benefits promised under the deal. Rouhani emphasized that Iran was using its right to retaliate under Articles 26 and 36 of the JCPOA. Iran urged remaining participants in the deal to undertake serious actions in defense of Iranian interests.

As of December 2019, Iran had taken four steps to reducing its adherence: the removal of a cap on its stockpile of enriched uranium and heavy water, the enrichment of uranium beyond 3.67 percent, the removal of a ban on nuclear research and development, and the injection of uranium gas into centrifuges at the Fordow nuclear site. Each of these steps, according to Iran, is reversible if other parties to the JCPOA can improve implementation of the deal.

Although they officially denounced Iranian actions, the European participants in the JCPOA have taken new steps to prevent further escalation of Iranian nuclear activities. French President Emmanuel Macron offered to open a \$15 billion line of credit as prepayment for future sale of Iranian oil in exchange for Iran's return to full compliance with the JCPOA. On the sidelines of the UN General Assembly's session in 2019, Macron also actively promoted the idea of a personal meeting between the US and Iranian presidents to start negotiations on a wider agreement that covered nuclear issues as well as Iran's missile program and regional activities. Macron proposed that Iran pledge to never acquire a nuclear weapon, fully comply with its obligations under the JCPOA, participate in negotiations for a long-term framework to constrain its nuclear activities, refrain from any aggression, and seek genuine peace and respect in the region through negotiation. The United States in turn should agree to lift all sanctions reimposed since 2017 and allow Iran to export its oil and freely use its oil revenues (Momtaz 2019).

President Rouhani expressed support for the French plan. He stated that Iran did not and would not seek nuclear weapons (Dadouch 2019). He also cited Iran's Hormuz Peace Endeavor, an initiative inviting regional countries to provide peace and security in

the Persian Gulf through confidence-building measures (Ghaderi 2019). President Trump also initially showed interest in Macron's initiative, but he did not accept Rouhani's condition that sanctions be lifted before their meeting. Therefore the French initiative stalled, and Trump reaffirmed his continuation of a "maximum pressure" policy toward Iran.

On January 5, 2020, Iran started the fifth and the last step in reducing its nuclear obligations. Tehran refused to observe limitations on the enrichment levels of uranium, the size of stockpiles of enriched material, and research and development. Iran also

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stopped observing restrictions on the number of centrifuges but continued its cooperation with the IAEA (Iran News 2020). The Europeans, who were becoming seriously concerned and were under pressure by the United States, triggered the JCPOA dispute resolution mechanism. Under the agreed procedures, if disagreements between Iran and the other parties are not resolved in the framework of the JCPOA, they will be sent to the UN Security Council, which may then reimpose international sanctions on Iran. But it seems that the three European countries are not in a hurry to seek that final outcome. To save the deal, they are still trying to persuade the United States to make some concessions by reducing sanctions to lay the groundwork for starting negotiations with Iran.

It should be acknowledged that the maximum pressure policy of the United States has not succeeded in changing the Iranian regime, bringing it to the negotiating table, or curbing its regional activities and missile program. In fact, the policy has backfired, provoking stronger resistance in the nuclear and security sphere by giving Iran a justification for strengthening its defense capabilities. Iran significantly increased its regional activities, especially in

the Persian Gulf and in Iraq. Escalation of the Iran-US confrontation culminated in the killing of General Soleimani by a US missile strike and Iran's retaliatory bombing of two US bases, both on Iraqi territory.

The US administration is running out of sanctions options, and Iran is running out of further reversible steps in scaling down its commitments under the JCPOA. There is not much left to sanction in Iran, and, short of military conflict, there is not much more pressure that can be applied on the country. Under no circumstances is Iran ready to abandon its nuclear program. For Iran, the pro-

gram is a matter of national pride and prestige, demonstrating its material and intellectual capabilities as a big and influential regional country.

Rouhani's interest in preserving

the JCPOA is to avoid facing renewed international sanctions and end international restrictions on arms procurement in 2020. Accordingly, the Rouhani government, while staying in the JCPOA, will try to not boost Iran's nuclear activities too much but to cooperate closely with the IAEA. Such a line may continue until the 2020 US presidential election. Rouhani may hope that a Democratic administration would return to the JCPOA or that a reelected President Trump could revise his own policy toward Iran.

But Rouhani's strategy, even if tacitly supported by Khamenei, is under constant scrutiny and increased pressure from Iranian hard-liners. If Iran's nuclear activities are referred to the UN Security Council and international sanctions resume under Resolution 2231, as the United States and the E3 threaten, Iran will most certainly withdraw from the JCPOA. This would mean the collapse of Rouhani's diplomatic path and a victory for Iranian hard-liners, who would have the upper hand in directing domestic and foreign affairs. They have already won the 2020 parliamentary election and may succeed in the 2021 presidential election. This scenario may result in an escalation of Iran's nuclear program. If

they gained executive powers and had a majority in the parliament, the hard-liners would resume full-fledged nuclear activities and might even withdraw from the NPT to have better leverage in negotiations with the international community.

In private conversations, some Iranian hawks have expressed the view that possessing nuclear weapons would deter Iran's enemies from military actions against the state. But in this author's opinion, no sober-minded, responsible Iranian government would follow North Korea's path in obtaining nuclear weapons unless it was under the threat of direct military attack.

Iran's governing elites believe that their country has more tools and capabilities than North Korea does for withstanding sanctions and other external pressure without weaponizing its nuclear program. By actively supporting Shia proxy forces in Iraq, Lebanon, Syria, and Yemen and by demonstrating the increased effectiveness of its missile and other capabilities, Iran is sending the unequivocal message that the positions of the United States and its allies in the region may be vulnerable in case of a military crisis. If Iran loses European support in preserving the JCPOA, it may rely on the diplomatic, political, and economic support of China, Russia, and other friendly states (Russian Foreign Ministry 2018).

Iranians attentively watch the trajectory of Pyongyang's nuclear and missile proliferation. They admitted that North Korea had failed in its initial efforts to use its nuclear program as a bargaining chip to guarantee its security by normalizing relations with the United States. In 2002, the United States decided to jettison the 1994 Agreed Framework, which had frozen the operation of North Korea's existing nuclear facilities and the construction of planned new ones in exchange for shipments of heavy oil and the construction of two light-water reactors, which are less proliferation sensitive than the ones North Korea was planning to build. The US decision convinced Pyongyang to pursue a more robust nuclear deterrent (Wertz 2018). Strict US sanctions, the inclusion of North Korea in the "axis of evil" along with Iraq and Iran, and demonstrations of military force triggered North Korea's decision to escalate its nuclear and missile programs. Iran observed that Pyongyang's tactical back-and-forth negotiations with the United States

never undermined North Korea's ultimate reliance on building strong nuclear and missile capabilities. The most important lesson for Iran was that North Korea's strong resistance to US sanctions pressure and persistent development of its nuclear program and missile technology to a highly advanced level forced the Trump administration to seriously soften its rhetoric and its confrontational approach toward North Korea (Nasr 2018; Sanger 2020). At the same time, Iran has noted that Kim Jong Un's meetings with Trump, as well as North Korea's latest steps toward denuclearization, have not brought any meaningful results in lifting sanctions or serious improvement of bilateral relations (Nebehay 2020). That is probably why Rouhani and Zarif refused to meet Trump on the sidelines of UN General Assembly session in September 2019 and Khamenei cautioned Iranian officials against any negotiations or contacts with Americans.

North Korea's experience reinforced Iran's conviction to make no unilateral concessions to the United States without reciprocal positive actions. Iranians, like North Koreans, have also learned from their own experience to never trust Americans and Europeans. That is why Iranian negotiators took great care to exclude any ambiguous provisions from the JCPOA text that might be interpreted in favor of other parties.

Today, the JCPOA is in great danger. The Trump administration continues to reiterate its line on the final destruction of the nuclear deal, provoking Iran to exit it. Washington is trying to push a UN Security Council resolution on the extension of arms embargo on Iran and trigger the JCPOA sanctions "snapback" mechanism under UN Security Council Resolution 2231. It is important that the remaining parties to the JCPOA block US attempts to kill the deal.

In view of the dangerous development of the coronavirus pandemic in Iran, the E3 could intensify efforts to use INSTEX and the Swiss Embassy in Tehran to provide wider humanitarian assistance to Iran. Taking into account the growing threat of a military conflict between the United States and Iran in the Persian Gulf and in Iraq, the E3 could directly or through friendly states in the region help to establish a direct, unofficial line of communication between the US and Iranian military in order to prevent unintended incidents. ■

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IRAN

# Watching Pyongyang from Tehran: Limited Lessons

Iran has long watched US policy toward North Korea and learned lessons pertaining to its own national security, US nonproliferation policy, nuclear weapons, and negotiations. North Korea has gained similar knowledge from observing US policy toward Iran. That the two regimes would seek to learn from one another is not surprising. After all, the Trump administration placed Iran and North Korea among its key national strategy concerns, singling out these two “rogue regimes” and their proliferation activities in both the 2017 National Security Strategy (NSS) and the 2018 National Defense Strategy (NDS) (White House 2017; US DoD 2018).

The Trump administration spent the better part of its tenure devising and implementing a strategy

of “maximum pressure” to eliminate the nuclear threat posed by the two states. The US approach toward North Korea yielded two summits between President Trump and North Korean leader Kim Jong Un. Trump sought to replicate parts of his North Korea policy in the Iranian case with limited success. This is in part because of the significant differences between the two countries. Another important factor is the lessons that Iran has been learning from North Korea (Tabnak 2018; Asriran n.d.).

Iran’s president, Hassan Rouhani, implicitly referred to these lessons in the lead-up to the 2019 UN General Assembly annual conference in New York. Many observers anticipated (and hoped for)



a meeting between Trump and Rouhani, which would have served to dial down the rapidly escalating tensions between the two nations (Forgey 2019; Iranian officials 2013-2019). These tensions had almost brought the United States and Iran to the brink of a direct military exchange on several occasions in the spring and summer of 2019.

Commenting on the prospects for a meeting with Trump, the Iranian president said, "If someone intends to make it as just a photo op with Rouhani, that is not possible" (Forgey 2019). He was referring to the Trump-Kim summits, which had provided for photo opportunities without significant movement toward settling the dispute between the nations and providing tangible sanctions relief for North Korea. This rare acknowledgment by a senior Iranian official of the country's attention to the US-North Korea dynamics and the fate of Pyongyang's nuclear-weapon program served as a reminder that although the two files are mostly dissimilar, they do bear on each other.

This paper builds on fieldwork conducted during and since the 2012-15 nuclear talks, including dozens of interviews with Iranian officials involved in the Iranian nuclear program or the diplomacy surrounding it. It also makes use of Iranian primary sources, mostly news articles and statements, in addition to the (thin) existing liter-

***The maximum-pressure campaign targeting the two countries has sought to change Pyongyang's and Tehran's calculus, focusing on freezing the nuclear program to begin the process of denuclearization in the case of the former and implementing a comprehensive 12-point change of behavior in the latter.***

ature on the depth, breadth, and nature of Iran-North Korea relations; Iran's nuclear program; and plausible lessons learned. Any such analysis, however, must begin with an important caveat: the topic at hand is considered extremely sensitive in Iran. Hence, there is limited data on this subject and the reporting and analysis that are available are not always complete and accurate.

One must therefore exercise caution when drawing conclusions from the available sources. Iran maintains (despite much evidence to the contrary) that it has never pursued a nuclear-weapon capability and that its program has always been strictly civil in nature. Moreover, as described below, Iran does not wish to be compared to North Korea, a nation seen as underdeveloped and isolated. Hence, there is very little open-source information on the levels of Iran-North Korea scientific, technological, and military exchanges and the lessons Tehran may have learned from Pyongyang's experience, which includes decades of nuclear-weapon development, US and international sanctions and isolation, and negotiations.

## BACKGROUND

Although Iran and North Korea are often lumped together as two of the most significant challenges to US nonproliferation efforts, most US experts concede that the two countries are fundamentally different and not comparable. However, President Trump has seemingly applied the same playbook to both nations (Gilsinan 2019). His administration pursued a maximum-pressure strategy, which has largely centered around sanctions and harsh rhetoric (Stewart and Spetalnick 2018; Cooper 2019). The maximum-pressure campaign targeting the two countries has sought to change Pyongyang's and Tehran's calculus, focusing on freezing the nuclear program to begin the process

of denuclearization in the case of the former and implementing a comprehensive 12-point change of behavior in the latter (Brunnstrom 2019; Pompeo 2018).

While different in scope, the US administration's demands of both regimes have been similarly criticized as unrealistic and unclear. Ultimately,

many argue that US maximum pressure in both cases has failed (Goldberg and Thomas 2019; Miller 2019; Pillar 2019; Brewer 2018). Nevertheless, the president has offered not just the lifting of sanctions, as previous administrations had done, but also economic aid and the recovery it might be expected to encourage (Borger and McKernan 2019; Rich 2018). North Korean and Iranian attitudes toward US nonproliferation efforts and the administration's maximum-pressure campaigns have differed. President Trump withdrew the United States from the 2015 Joint Comprehensive Plan of Action (JCPOA) and reimposed sanctions on Iran even as the International Atomic Energy Agency (IAEA) and the US intelligence community found the country to be implementing the nuclear deal (Murphy and Emmott 2018; Sanger and Barnes 2019). He also zigzagged between harsh criticism and offers to negotiate and help the country prosper. In the North Korean case, after an initially heated exchange in which the president famously vowed "fire and fury," the administration started negotiations (Baker and Sang-Hun 2017). The president met with Kim Jong Un on three occasions—two summits on the nuclear issue and an ostensibly impromptu visit by Trump to the Demilitarized Zone between North and South Korea.

## THE VIEW FROM TEHRAN

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Iran's relations with North Korea have been complicated since the 1979 Islamic Revolution. On the one hand, there is some evidence suggesting a degree of cooperation between the two countries, especially pertaining to the acquisition of missile capabilities (Charbonneau 2011). It is worth noting that the level of this exchange remains mostly opaque in the open-source reporting, although as Michael Elleman has noted, "there is little evidence to indicate the two regimes are engaged in deep missile-related collaboration, or pursuing joint-development programs" (Elleman 2016). On the other hand, Iranians do not want to be viewed as occupying the same category as North Korea. Iran's relatively friendly relations with South Korea coupled with its broader international considerations have translated into denials that Tehran and Pyong-

yang have any relationship at all. Iranian media report on US allegations of such cooperation but virtually never confirm or deny their accuracy (Eghtesad 2018). The risk of further exposure to sanctions and the reputational costs of being associated with Pyongyang have led Tehran to keep any cooperation covert and limited. The fact that the United States, most recently in the Trump administration's security strategies (NSS, NDS), categorized Iran and North Korea as similar "rogue" states does not reflect that the two regimes have more differences than they do similarities. The Islamic Republic of Iran—the regime that has been in place since the 1979 revolution—represents a hybrid system, comprised of both democratic and nondemocratic elements. Unelected leaders with significant sway coexist and share power with elected officials. Elections in Iran are far from free and fair, but they take place and populate key positions in the executive and legislative branches, particularly the office of the president and seats in the parliament. A number of checks are built into various parts of the Iranian system, although they do not always function as such or provide for balance. These positions are not dissimilar to some democracies. For example, the president and lawmakers serve terms that last for a defined amount of time. In the case of the president, he (women are not able to hold that office although they are eligible to become members of parliament) can serve two four-year terms.

However, unlike in a democracy, the Iranian president's powers are heavily restrained by the supreme leader, who does not have any limits on his (again, women cannot serve in that capacity) tenure. The supreme leader is an Islamic jurist by training who is elected by the Assembly of Experts. (That group is also meant to provide a check on his performance—albeit mostly on paper.) The supreme leader is the final arbiter in Iranian politics with veto power on all foreign and domestic matters. Hence, the Iranian regime is much more open than the North Korean one and, as a result, more vulnerable to domestic criticism. Protests are not rare in the country and have on some occasions almost spiraled out of the regime's control. This was the case in 2009, for example. Following the reelection of the hard-line president, Mahmoud Ahmadinejad, in June of that year, millions took to the streets to protest

the process and outcome of the elections, which were widely seen as fraudulent.

The North Korean governance system, in contrast, poses few limits on Kim Jong Un. He has few critics capable of threatening his rule and can crush opposition very effectively and with few implications for his power. That is not the case with the Iranian regime. Although it has a history of silencing and even crushing opposition, it nonetheless is vulnerable to criticism and more accountable to the populace. Moreover, the Iranian regime's power centers check each other. Decisions require intricate bargaining and consensus-building processes among key power centers, which again create dissent and make some accountability inevitable. In contrast to the North Korean case, the Iranian supreme leader is part of a broader system. Although he has veto power over all domestic and foreign policies and the ability to create the framework within which policy-making occurs, he is not the only decision-maker in Iran.

The Iranian regime is by no means a liberal democracy; nonetheless, it possesses some democratic elements, and it wants to be viewed as a legitimate, popular, and democratic system. Although some of these aspirations are also shared by the North Korean dictator, the Islamic Republic wishes to distinguish itself from the Kim regime, widely regarded as one of the most oppressive governments in existence in the 21<sup>st</sup> century. Additionally, Iranians of all walks of life point to their country's history—notably its achievements and contributions in science, technology, and culture—and do not wish to be put in the same category as a poor nation whose isolation on the international stage is unparalleled. Finally, the two countries' ideologies are at odds. Iran's current regime was built on the ashes of disparate groups, many of them communist, which came together to topple the US-backed monarch known as the shah. But today, it is an Islamic republic, where religious figures are at the highest echelons of power, including the supreme leader and various powerful councils of unelected clerics. By contrast, North Korea's ideology is based on the notion of *Juche*, which grew out of Marxism-Leninism.

## NUCLEAR PROGRAMS

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Iran and North Korea are both hard cases in US nonproliferation policy. One administration after another has tried to curb the two countries' nuclear activities and prevent them from developing a nuclear weapon. The outcome of these efforts has been very different, however. Pyongyang today possesses a small nuclear arsenal (Hecker et al. 2018). Iran has elements of the fuel cycle—an enrichment program but no reprocessing capabilities, although it has worked on a heavy-water reactor (NTI 2018).<sup>1</sup> Moreover, while North Korea's nuclear-weapon program now resides outside the Nuclear Nonproliferation Treaty (NPT) and there are few checks on it, the Iranian nuclear program remains restrained by the NPT and the JCPOA and is monitored by the International Atomic Energy Agency (IAEA) accordingly (KCNA 2003; IAEA n.d.). The IAEA has access to Iranian nuclear facilities and materials thanks to Iran's comprehensive safeguards agreement (CSA) with the agency and additional measures imposed by the JCPOA. A key element of these measures is the requirement that Iran implement the IAEA's Additional Protocol, giving the agency broader access to the country's nuclear program. Another crucial aspect is the provisions that add to the transparency requirements of the CSA and the Additional Protocol—for example, the monitoring of centrifuge workshops (Joint Comprehensive Plan of Action 2015).

Iranian officials routinely threaten to withdraw their country from the NPT (Norman and Meichtry 2019; Iranian officials 2013-2019). But these threats are likely a bluff, as Iran recognizes that a withdrawal would likely entail significant repercussions, potentially even inviting a US and/or Israeli military action. Nevertheless, some hard-liners have long advocated for Tehran following the North Korean example and withdrawing the country under Article X of the NPT, which stipulates that "each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary

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1. Nuclear reactors produce spent fuel that contains plutonium. But the plutonium needs to be separated from the spent fuel during the course of reprocessing in order to make it usable in a nuclear weapon. For various reasons, heavy-water reactors are particularly well suited to producing plutonium for weapons.

events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country.” According to this line of thinking, North Korea built leverage by leaving the NPT and accelerating its nuclear program (Iranian officials 2013-2019; Tabnak 2018; Mehr News 2019). Should Iran follow its example, proponents of this course of action believe, it would have the upper hand in dealing with the West. Others in Iran believe that the costs of leaving the NPT would outweigh the benefits (Iranian officials 2013-2019; Daftar-e Basij-e Asatid 2012).

North Korea may have nuclear weapons, but it is also largely isolated, and its economy is in shambles (Choe 2020). More significantly for those who advocate following the North Korean model by withdrawing from the NPT, the North Korean

***In the days and weeks following the 2018 Trump-Kim summit, Iranian hard-liners praised Kim for learning the lessons that, as they saw it, their own government had failed to absorb following the US withdrawal from the JCPOA.***

precedent’s application to the Iranian case has a number of limitations. Domestic politics are far more vibrant in Iran and a complete collapse of the economy could lead to unrest and threaten regime stability and survival. Moreover, unlike in North Korea, whose possession of nuclear weapons raises the costs of US intervention, Iran does not yet have a nuclear-weapon capability. Tehran lacks a deterrent beyond its missile program and network of proxies, tools that are more limited than Pyongyang’s nuclear option. Moreover, some US partners in the region, chiefly Israel, have expressed their interest in a more muscular approach to Iran and may push the United States to strike Iranian facilities—a dynamic that does not exist in East Asia (Bergman and Mazzetti 2019).

## LESSONS LEARNED

For years, Iranians have carefully observed the developments in the North Korean nuclear program (IR Diplomacy 2013; ISNA 2018). Divergent views of nuclear weapons in general and the North Korean nuclear program in particular exist within the Iranian ruling class. Some view nuclear weapons as a threat to national and international security, while others see them as a stabilizing force (Iranian officials 2013-2019). Likewise, in discussing the North Korean nuclear-weapon program, some stress that the project has come at a great cost for the country (in the form of economic sanctions and international isolation) while others emphasize North Korean resilience and, ultimately, success (Iranian officials 2013-2019). Iranian

views of the North Korean attempts to solve the controversy surrounding its nuclear-weapon program via diplomacy are similarly divided. For many of Iran’s moderates, while the results of possessing nuclear

weapons may be desirable, the cost of keeping the nuclear program intact is too high.<sup>2</sup> Many Iranian hard-liners believe that their country would be better off following in North Korea’s footsteps, acquiring nuclear capabilities, and negotiating with the United States from a position of strength.

In the lead-up to the 2012 resumption of the nuclear talks that ultimately resulted in the JCPOA, hard-liners in general and Supreme Leader Ayatollah Ali Khamenei in particular wished to build more capabilities before returning to the table (Iranian officials 2013-2019). The rationale was that the West would push to keep the country as far away from the bomb as possible. In the West, this concept was often expressed in terms of

2. It is not clear from publicly available information where key Iranian officials may stand on the subject of the acquisition of nuclear weapons. However, Rouhani, for example, was likely aware of Iran’s nuclear-weapon program and possibly in favor of it. Others, including Khamenei; the secretary of the Supreme National Security Council, Ali Shamkhani; and former president Aliakbar Rafsanjani are believed to have played a key role in developing the weapons-related aspects of the nuclear program. Nevertheless, Rouhani also clearly believes that negotiations with the United States and concessions to curb the program are in the national interest.

“breakout time”—the time necessary to produce and accumulate enough fissile material for a nuclear weapon. Thus, if Iran came to the table with a breakout time of a few months and, in the negotiations, tried to keep it at a few months, the West would look to push it to one year. If instead it came to the table with a breakout time of one year, the West would push for one and a half years. Thus, Iran would be in a better position if it returned to the table only after having already decreased its breakout time to a few months or even weeks (Iranian officials 2013-2019). Similarly, hard-liners now believe that North Korea’s nuclear weapons are essentially accepted today and the United States cannot realistically center its policy around the removal of any nuclear capability in North Korea.

In the days and weeks following the 2018 Trump-Kim summit, Iranian hard-liners praised Kim for learning the lessons that, as they saw it, their own government had failed to absorb following the US withdrawal from the JCPOA (Tabatabai 2019, 7). From their perspective, the lesson of the JCPOA (and previous attempts at cooperation with the United States) was that countries should engage the United States only from a position of strength. And they should never give up their own capabilities in exchange for US promises and assurances. Prior to the JCPOA, other instances of failed US-Iran diplomacy were the 2001 US-Iran engagement to install a new national unity government in Afghanistan, where the two countries had overlap-

***As some Iranians see it, the North Korean case demonstrates that nuclear weapons do not just buy national security; they also ensure regime survival and afford it stability.***

ping interests and objectives and where they were able to work effectively, and the 2012-15 nuclear talks (Dobbins 2007; Iranian officials 2013-2019). As hardliners in Iran would lament for years to come, their country trusted and supported the United States in its efforts in Afghanistan only to be characterized as part of the “axis of evil” by President George W. Bush in his 2002 State of the Union address. As these hardliners put it, Kim had

absorbed the lessons that their own government had failed to learn despite several attempts at negotiations and engagement, all gone wrong. According to this line of thinking, the North Koreans have learned that the United States could not be trusted, a point that Khamenei had repeatedly made to no avail to other officials in the Iranian government.

These interpretations help explain Iran’s thinking about its nuclear program. Behind closed doors, some Iranian decision-makers and officials acknowledge that they believe their country would be much less vulnerable with a nuclear capability. As some Iranians see it, the North Korean case demonstrates that nuclear weapons do not just buy national security; they also ensure regime survival and afford it stability. When examining recent nonproliferation history, Iran is faced with two sets of examples: regimes and leaders who gave up or failed to acquire nuclear weapons and who were overthrown (illustrated by the downfalls of Saddam Hussein in Iraq and Moammar Gaddafi in Libya) and those who built a nuclear arsenal against all odds and whose survival has been secured (exemplified by the Kim regime in North Korea). Despite its lack of a strong economy, conventional-weapon capabilities, or serious political standing internationally, Pyongyang negotiates from a position of strength thanks to its nuclear weapons, whereas Iran, whose economic situation has been far superior to that of North Korea is often at a disadvantage internationally and in negotiations due to its lack of nuclear capability.

When Iranian media began to cover the US-North Korean negotiations in 2018-19, hard-line outlets and

individuals in Iran often pointed to the failure of their own (moderate) leaders to reach a position of strength before negotiating with the United States. From their standpoint, Iran had given up too much too fast, while the North Korean regime had chosen the wisest path: the slow and steady development of its nuclear capabilities before coming to the table and engaging in talks from a position of strength rather than weakness.

Perhaps the most illustrative example of this viewpoint lies in the hard-line daily newspaper *Kayhan's* March 2, 2019, front-page coverage of the talks: "North Korea learned the lessons from the JCPOA and didn't get fooled by the United States" (Tabatabai 2019, 5).

The Rouhani government, in contrast, interpreted the episode as a cautionary tale. When Rouhani announced in September 2019 that he would not be meeting with Trump at the UN General Assembly annual meeting in New York, he pointed to the Trump-Kim summits to argue that his country was not interested in photo ops. The sequencing of events insisted upon by Tehran involved sanctions relief on the front end of any talks and the possibility of a high-profile photo op on the back end.

Various quarters of Iran differ on the lessons learned from North Korea. Hard-liners in general view them as highlighting the importance of building a nuclear deterrent and negotiating from a position of strength, while moderates point to the country's economic struggle. However, from Iran's perspective in general, a repeat of the Trump-Kim summit would be politically toxic at home (likely ending several officials' careers) and would not afford Iranians the substantial results they needed, chiefly sanctions relief. Hard-liners object to any normalization with the United States. Moderates may see diplomacy as fruitful in some cases, but not this one. They see it as too politically costly to engage the United States, especially if negotiations do not ultimately pay off and allow them to point to economic recovery as an outcome of the talks.

## CONCLUSIONS

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Although Iranians have long watched the North Korean nuclear-weapon program and even benefited from North Korean expertise in that domain, the lessons learned and publicized have been fairly limited. This is because Iranians largely see themselves as differing from North Koreans with regard to culture, ideology, politics, and security. And public acknowledgment that Iran observes and learns from the North Korean experience could be perceived as an admission of guilt, suggesting that Tehran acknowledges its past activities relating to nuclear weapons. Nevertheless, the North Korean experience has informed some discussion about the fate of the nuclear program in Iran, including its role in securing the regime, deterring the United States, and giving oneself a strong hand in entering negotiations with the United States.

Iran and North Korea are different cases of proliferators and should be treated as such. It is, however, important to consider the implications of the North Korean file for the Iranian one. For example, should efforts to convince North Korea to denuclearize fail and its nuclear weapons gain acceptance through diplomacy, nuclear arms control, or risk reduction measures, Tehran would likely take note of the failure of NPT state parties to achieve their stated objective of denuclearization or otherwise punish Pyongyang. This could lead the Islamic Republic to reconsider the costs and benefits of crossing the nuclear weapons threshold. ■

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## NORTH KOREA

# Iran's Nuclear Program Seen through the Lens of North Korean News Agencies

Experts argue that the Trump administration's decision to withdraw from the Joint Comprehensive Plan of Action (JCPOA) with Iran and the recent exchange of military provocations between the two countries have affected the process of denuclearization on the Korean Peninsula (Kwon and Jang 2018). This phenomenon is not new; the case of Iran has influenced the nuclear posture of North Korea for decades. In fact, it is likely that the influence between Tehran and Pyongyang runs in both directions. A survey of statements and articles published by the Korean Central News Agency (KCNA) and other state media allows us to monitor changes in North Korean and Iranian positions on nuclear issues and infer what kinds of influence might have been at work.

## NORTH KOREAN STATE MEDIA

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State media in North Korea serves two purposes. On the one hand, it is a tool for exporting propaganda to the outside world. Official state media is typically more informative than the press releases and bulletins spread by diplomatic missions of North Korea abroad. For countries that have no ties with North Korea, state media may be the main open source of information on the official positions, priorities, and intentions of the North Korean leadership. In addition to its role in external messaging, North Korean state media is used as a tool of domestic propaganda to gain popular and elite support for specific regime policies.

What state media does not cover is as important as what it does cover. In service to foreign policy goals, North Korea may refrain from coverage or criticism of other states that might otherwise be targets. For example, the United States is the most frequently criticized country in North Korean state media, but KCNA did not report negatively on the United States from June to August of 2018, a period coinciding with the first US-North Korea summit and the first round of denuclearization negotiations, or from February to March of 2019, a period coinciding with the second US-North Korea summit. As denuclearization progress stalled, KCNA gradually resumed its criticism of the United States on subjects such as the US position on sanctions, North Korean human rights issues, and the ensuing stalemate in denuclearization dialogue (KCNA 2019c). At first, this criticism was comparatively limited, focusing on specific policies or events, such as joint US-South Korea military drills and specific US officials and other prominent figures, such as national security adviser John Bolton, Secretary of State Mike Pompeo, and former Vice President Joe Biden (KCNA 2019a; KCNA 2019b; KCNA 2019d). However, after the US-North Korea dialogue pro-

***Although Iran and North Korea pursued nuclear development in different ways, there are many parallels in their experiences and in the response of the international community to their civilian and military nuclear programs.***

cess deteriorated further, more broadly negative articles on the United States and its president began to appear, demonstrating North Korea's deepening frustration with the absence of progress in its dialogue with the United States.

North Korean state media outlets, among them KCNA, *Rodong Sinmun*, and *Uriminzokkiri*, are distinct publications with diverse audiences. Nevertheless, these outlets frequently run identical articles and speeches on socioeconomic and

political topics and cite one another. North Korean state media can therefore be treated as a relatively coherent body of official statements and positions that provide insight into how North Korean leaders communicate externally and internally. The analysis in this article primarily relies on materials accessed from a database hosted by the Korea News Service. This database contains English-language North Korean state media publications from 1997 to the present.<sup>1</sup>

## **THE NUCLEAR PROGRAMS OF IRAN AND NORTH KOREA: EARLY HISTORY**

Although Iran and North Korea pursued nuclear development in different ways, there are many parallels in their experiences and in the response of the international community to their civilian and military nuclear programs. The North Korean nuclear program began in 1952, the year that the Atomic Energy Research Institute was established at North Korea's Academy of Sciences. The Soviet Union and China are generally credited

with providing early assistance to the North Korean program. Japan also provided an essential foundation for North Korea's nuclear development, since the "fathers" of the North Korean nuclear program

were trained by the Japanese during the occupation of the Korean Peninsula (Wilcox 2019). By comparison, the Iranian nuclear program began in 1957 with support from the United States under President Dwight Eisenhower's Atoms for Peace program. In 1967, the United States provided Iran with its first research reactor, along with highly enriched uranium fuel for the 5-megawatt unit.

By the 1970s, the Iranian and North Korean nuclear programs had begun to accelerate beyond the

1. The Korea News Service is a Japanese company affiliated with the General Association of Korean Residents in Japan. Since 2015, the website that hosts the Korea News Service database (<https://kcna.co.jp>) has been geoblocked to restrict access outside Japan (Williams 2015).

assistance provided by other states. North Korea modernized its reactor and increased its capacity without notifying the USSR; during this time, North Korea began exploring the possibility of creating its own nuclear weapons (Rozhkov 2003). North Korea signed the Nuclear Nonproliferation Treaty (NPT) in 1985, a prerequisite for technical cooperation with the USSR in the construction of a nuclear power station in North Korea. However, due to a number of factors, including the collapse of the Soviet Union in 1991, the nuclear power plant was not built. Iran ratified the NPT in 1970. Favorable economic conditions due to the oil boom of the 1970s allowed Iran to intensify the development of its civilian nuclear program. Eventually, US officials be-

***North Korea's criticism of the nonproliferation regime illustrates a belief that certain states would be punished for nuclear development, regardless of intention or scale, while other states would be welcomed by the international community despite violations of the nonproliferation regime.***

gan to fear that Iran would seek nuclear weapons (Inskeep 2015). These officials tried to persuade Iranian leadership to limit its nuclear program, but Iran insisted that it had the same right to nuclear power as any other state. After the Islamic Revolution of 1979, US nuclear assistance ended abruptly as relations between Iran and the West deteriorated. After the revolution, Iran's nuclear program was declared "un-Islamic" by the new leadership and set aside (Malus 2018). The withdrawal of Western and US support for the Iranian nuclear program led to a "brain drain" of Iranian nuclear scientists, significantly slowing any progress in nuclear development (Bruno 2010).

In the late 1980s and 1990s, the nuclear program of North Korea continued to develop. North Korea started negotiations with Pakistan and acquired nuclear technologies through Pakistani scientist A. Q. Khan in 1992 (Kutchesfahani 2011, 566; IISS 2007, 72). In 1993, North Korea threatened to withdraw from the NPT, catalyzing the nuclear crisis on the Korean Peninsula. The Iran-Iraq War, which lasted from 1980 to 1988, highlighted regional security challenges and

created severe power shortages in Iran, prompting the country's leadership to resume the nuclear program. During the Iran-Iraq War, Iran acquired technical schematics for building P-1 centrifuges from Khan's illicit network just as North Korea had (NTI 2020).

## ANALYSIS

During the 1990s, North Korean state media cited Iran as an example of the inconsistencies in the nonproliferation policies of countries such as the United States. In 1999, a KCNA article cited Iran, among other states, to highlight perceived double

standards in nuclear development: "[T]he west was oversensitive to the nuclear tests conducted by India and Pakistan and slung mud at Iran's nuclear reactor construction... But, they are conniving at, encouraging and tacitly assisting such

countries as Japan and Israel in their moves to develop nuclear weapons" (KCNA 1999). Another article blamed the US government for using North Korean and Iranian missile programs as an "absurd pretext for [missile defense]," pointing out that the real goal of those systems is "to make the nuclear deterrents of Russia, China and other countries powerless" (KCNA 2001).

North Korea's criticism of the nonproliferation regime illustrates a belief that certain states would be punished for nuclear development, regardless of intention or scale, while other states would be welcomed by the international community despite violations of the nonproliferation regime. Iran's example appears to reinforce this belief: the relationship between Iran and the United States has not correlated with the pace of Iran's nuclear development. Iran's close partnership with the United States did not break down when the United States believed that Iran was considering the pursuit of a nuclear-weapon capability at the end of Shah Mohammad Reza Pahlavi's regime. Rather, the relationship soured after the 1979 Islamic Revolution

– even though the new Iranian regime dismantled Iran’s nascent nuclear program. Iran was ready to suspend uranium enrichment and tried to strike a nuclear deal with European countries in 2003 (Vaez 2012); however, negotiations were disrupted at the last minute by the United States. Finally, the United States withdrew from the Joint Comprehensive Plan of Action in 2018 despite Iranian compliance with the most comprehensive nuclear verification regime ever designed. The lesson that North Korea appears to have learned from Iran’s example, which has been repeatedly reinforced, is that the United States will not deal with a “rogue state” or undesirable regime in a transparent and fair manner, regardless of the regime’s NPT status or state of nuclear development.

It is important to note, however, that Iran’s nuclear program was only one of many examples that North Korea used to illustrate its argument about double standards in the nonproliferation regime. KCNA articles also elaborate on the double standards Pyongyang perceived as being applied by the West to the cases of North Korea versus Japan and Iran versus Israel (KCNA 2006c; KCNA 2007). The conclusion of a nuclear agreement between the United States and India, which was outside the NPT regime, was also cited by North Korean state media as an example of “double-dealing” (KCNA 2006a). North Korean state media clearly drew parallels between the programs of North Korea and Iran, but it also did so with the programs of India, Pakistan, and others.

That began to change when the United States singled out Iran, North Korea, and Iraq as unique threats to the global international order. US President George W. Bush, who took office in 2001, publicly branded the three countries as members of the “axis of evil.” Articles in North Korean state media began to link the security challenges of North Korea more explicitly with those faced by Iran and Iraq (KCNA 2002a). One example argued that a “secret order to the US special-ops troops to destroy arms supply lines of the DPRK [the Democratic People’s Republic of Korea, the official name of North Korea], Iran and Iraq... makes clearer what the US seeks in dismissing the DPRK-proposed conclusion of a non-aggression treaty with the US and trying to disarm the DPRK under the pretext of threat from weapons of mass destruction” (KCNA 2002b).

In 2003, crises intensified in each of the states in Bush’s axis. The United States invaded Iraq and removed Saddam Hussein from power; the United States officially accused Iran of seeking a nuclear-weapon capability; and North Korea announced its withdrawal from the NPT, following the collapse of the Agreed Framework. (In that 1994 document Pyongyang had agreed to freeze the construction and operation of its indigenous nuclear reactors in exchange for construction of light-water reactors, which are more proliferation resistant, by a consortium of other countries.) In the same year, KCNA published articles that highlighted the Iranian government’s support of North Korea’s position on nuclear issues (KCNA 2003a) and monitored growing US-Iran tensions and the reaction of the international community. The number of references to Iran in the North Korean press rose during this period, showing that North Korea began monitoring the Iranian case with increased attention. Special attention was paid to perceived attempts to replace the regime in Iran with a Western-style government (KCNA 2003b). A number of KCNA articles in the early 2000s mention attempts by the United States to destabilize regimes in other countries, stating that the United States was attempting “to create a political chaos under the signboard of ‘democratization’ and the pretext of the ‘nuclear issue’” (KCNA 2003c); “[the United States] undisguisedly intervened in other countries’ internal affairs in a bid to realize regime change, destabilize and split society in those countries and force them to change their systems” (KCNA 2005a). As these articles show, North Korea considered regime change to be the ultimate desired outcome, explaining pressure from the West on the countries that comprised the axis of evil. From the perspective of North Korea, nuclear nonproliferation was a pretext rather than a sincere concern: the “nuclear issue [is] a means for overthrowing the system of a sovereign state” (KCNA 2011t).

Despite North Korea’s continued engagement in the six-party talks, which started after Pyongyang’s withdrawal from the NPT in 2003, KCNA began publishing articles on the virtues of nuclear weapons for self-defense. In 2004, KCNA wrote that “the increase of self-defensive power is the best way of defending sovereignty” (KCNA 2004). In 2005, the North Korean Foreign Ministry explained its withdrawal from the talks this way: “whenever it took a step for self-defence to cope with the US

stepped-up policy to isolate and stifle it, North Korea opened the step to the world and has built nuclear deterrent in a transparent manner, informing the US of it each time” (KCNA 2005b).

From 2006 to 2009, KCNA published fewer articles referencing Iran, perhaps because North Korea did not want to draw attention to its nuclear program given its nuclear-weapon tests in 2006 and 2009. North Korea noted the shift of the US strategic theater from the Korean Peninsula to the Middle East (KCNA 2006b), publishing an article on US moves to impose sanctions on Iran and the reaction of the international community (KCNA 2008a). North Korea expressed support for Iran’s intention to develop nuclear technologies for peaceful purposes (KCNA 2008b) and noted the Iranian government’s support for North Korea (KCNA 2009).

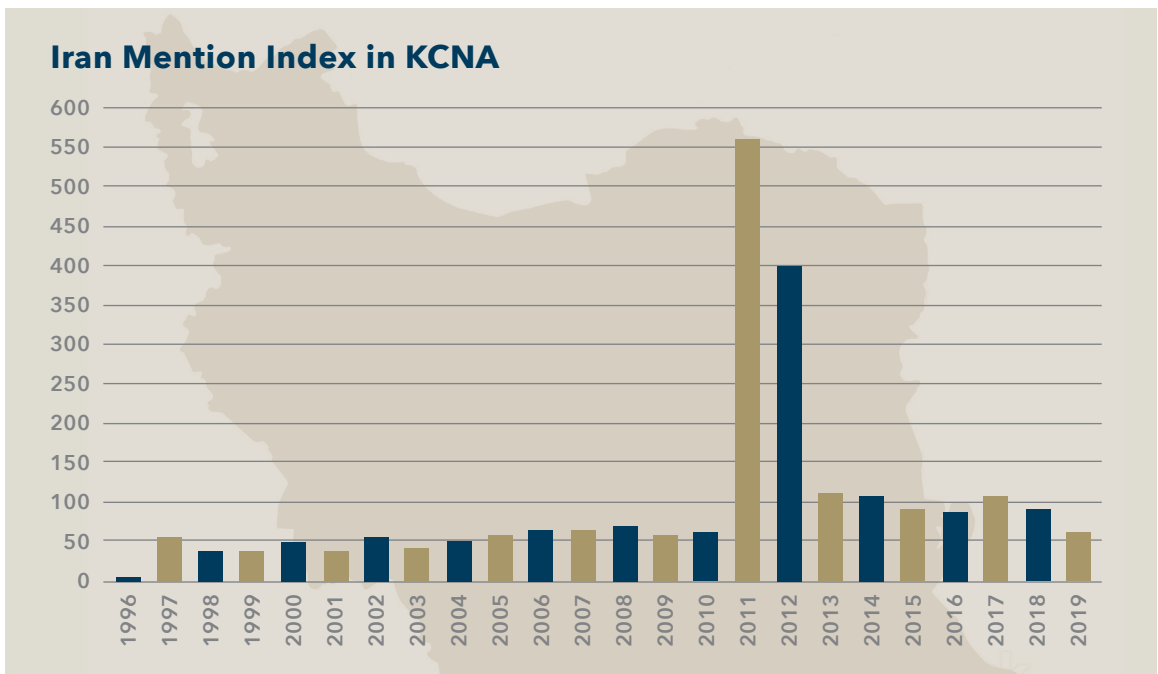
## SANCTIONS AGAINST IRAN

Mahmoud Ahmadinejad took office as Iran’s president in 2005. The Obama administration tried to negotiate a nuclear deal with Iran in 2009

but without success. As a result, the United States continued its sanctions regime to put pressure on Iran. The international community also placed sanctions on Iran. In 2010, the UN Security Council adopted Resolution 1929, significantly expanding sanctions against Iran. Further, the European Union agreed to “a comprehensive and robust package of measures in the areas of trade, financial services, energy, [and] transport, as well as additional designations for [a] visa ban and asset freeze” targeting Iran.

By 2011, Iran was under extreme duress from sanctions and domestic instability. That year, the number of KCNA publications that mentioned Iran increased dramatically (Figure 1). Many of these articles were devoted to the efforts of Iran to cope with sanctions connected to Iran’s nuclear program. KCNA cited Iranian government representatives stating that Iran’s economy was growing in spite of sanctions (KCNA 2011a; KCNA2011i; KCNA 2011j), criticizing the International Atomic Energy Agency (IAEA) for lack of independence (KCNA 2011b; KCNA 2011c; KCNA 2011n; KCNA 2011p), and accusing the UN Security Council of discrimination (KCNA 2011d). Special attention

Figure 1: Mentions of Iran in North Korean state media



Source: Author’s Estimate

was paid to Iran's determination to continue its nuclear activities and bolster its defense (KCNA 2011e; KCNA 2011f; KCNA 2011g; KCNA 2011h; KCNA 2011i; KCNA 2011m; KCNA 2011q; KCNA 2011r; KCNA 2011s). KCNA also reported the positions of Russia and China in relation to Iran (KCNA 2011k; KCNA 2011o).

The trend continued through 2012 with optimistic articles such as "Iranians Made Success in Face of Western Sanctions" (KCNA 2012a) and "Iran Will Respond to Any Threat" (KCNA 2012f). KCNA cited claims from Iranian leadership that Iran was

***North Korea cannot have missed that Iran's relations with the international community have hardly improved since the adoption of the JCPOA.***

successful in countering US and Western sanctions (KCNA 2012d; KCNA 2012g; KCNA 2012h). North Korea also monitored the progress of Iran's nuclear program with special attention, evidenced by the number of articles on the program and the degree of detail with which it was covered (KCNA 2012b; KCNA 2012c; KCNA 2012e).

After this sustained period highlighting Iran's success in economic development that corresponded with its development of nuclear technologies in 2011-2012, the North Korean leadership declared that the country would follow a policy of *byungjin* – parallel nuclear and economic development – in 2013. The *byungjin* policy itself was not a new course for North Korea; Kim Jong Un borrowed the concept of parallel construction from his grandfather, Kim Il Sung. It is possible that the above-mentioned publications of 2011-2012 were part of a deliberate, long-term domestic propaganda campaign to prepare the population for economic hardships due to the intensification of North Korea's nuclear program and the inevitable sanctions that would follow.

In 2013, Iran elected a new president, Hassan Rouhani, a moderate who sought to improve Iran's relations with the world and signaled a new readiness for compromise. During this time, North

Korea was busy testing ballistic missiles and nuclear weapons, and Iran was actively involved in talks on a draft agreement on its nuclear program with a group comprising six world powers – China, France, Germany, Russia, the United Kingdom, and the United States. From 2013 to 2014, the number of KCNA articles related to Iran decreased drastically. This relative quiet on the subject of Iran indicates that North Korea took a wait-and-see position on how the international community would build relations with Iran. In 2015, when the Joint Comprehensive Plan of Action (JCPOA) was concluded, KCNA responded negatively to US attempts to link

the nuclear issues of Iran and North Korea. KCNA quoted the spokesman for the North Korean Foreign Ministry as saying that "Iran's nuclear agreement is the achievement made by its protracted efforts to have its independent right to nuclear activities

recognized and sanctions lifted. The DPRK is a nuclear weapons state both in name and reality and it has interests as a nuclear weapons state. It is illogical to compare Iran's nuclear agreement with the situation of the DPRK" (KCNA 2015).

However, North Korea cannot have missed that Iran's relations with the international community have hardly improved since the adoption of the JCPOA. The sanctions regime targeting Iran has remained largely in force, and relations with the United States deteriorated soon after Donald Trump took office as president of the United States in 2017. The United States withdrew from the JCPOA in 2018 and resumed all sanctions. North Korea, which was actively preparing for a dialogue with the United States, refrained from criticizing the US decision on Iran. Notably, KCNA did not even cover US threats to withdraw or actual withdrawal from the JCPOA. The official media of North Korea maintained its silence on Iran issues when Iran was blamed for attacking merchant oil tankers in May and June of 2019. It also made no comments on the meeting between Japanese Prime Minister Shinzo Abe and Iranian Supreme Leader Ali Khamenei in June of 2019. KCNA limited its coverage of Iran to reports on Iran-North Korea bilateral meetings and signed memorandums of understanding. Even in 2020, when it

became clear that the US-North Korea dialogue was not as productive as had been hoped, North Korea refrained from criticizing the United States for the assassination of Qasem Soleimani, an Iranian major general in the Islamic Revolutionary Guard Corps and commander of its Quds Force. That represented a sharp contrast from previous years when North Korean mass media strongly reacted to less significant US actions against Iran. This incident no doubt has made an impression on Pyongyang's leadership, which is known to be highly sensitive to US actions targeting the leaders of other states. Some analysts argue it could be a warning to North Korea not to provoke the United States (D. Kim 2020; *Dong-A Ilbo* 2020). Others say that the assassination of a top official of Iran, which does not have nuclear weapons, could only convince North Korea that its chosen (nuclear) path is the only rational one (Johnson 2020).

Nevertheless, the way news of the assassination was disseminated by the *Pyongyang Times*, a state-owned publication, illustrates the reluctance of state media to share details of the Soleimani assassination. It took four days for the *Pyongyang Times* to report the strike that killed Soleimani. On January 7, 2020, the paper published an article on antiwar protests in the United States, briefly mentioning that the catalyst of these protests was "a missile attack on an airport in Baghdad, Iraq" (*Pyongyang Times* 2020a). The next day, another article mentioned "the recent US' missile attack on an airfield in Baghdad that killed Iranian and Iraqi high-ranking officers" (*Pyongyang Times*

***Iran, a country struggling against the West and seeking to overcome sanctions, is an example to encourage North Koreans.***

2020b). Not until January 13, 2020, 10 days after the assassination, did the publication include key contextual information about Soleimani's high position in the Iranian military, describing the strike as a "US air raid which killed eight people including the commander of the al-Quds corps of the Iranian army and a high-ranking officer of the Iraqi paramilitary forces" (*Pyongyang Times* 2020c). The North Korean regime might have

used the US assassination of a sovereign state's military leader as an example of US imperialism and perfidy, common themes of state propaganda; instead, the regime was clearly reluctant to share key details with the public. The efforts by North Korean state media to suppress coverage of Soleimani's assassination, as well as the high public interest that made suppression impossible, demonstrate the potency of this event to shape North Korean public attitudes about regime security (J. Kim 2020).

## OUTCOMES

KCNA, first and foremost, is a propaganda tool. Detailed explanations in KCNA of the North Korean position on Iranian issues are used to justify North Korea's nuclear-weapon program to international and domestic audiences. Iran, a country struggling against the West and seeking to overcome sanctions, is an example to encourage North Koreans. Despite the improvements in the economy after Kim Jong Un assumed power, the incomes of ordinary people in North Korea are still very low, and the government has to explain to them why the country's limited resources are directed toward developing expensive strategic weapons.

KCNA and other official media within North Korea, however, also provide insight into the country's foreign policy goals. In particular, silence on particular topics can be meaningful. North Korean government and state media can refrain from critical statements even if they oppose specific actions. A toning down of rhetoric may demonstrate that

North Korea feels secure enough that it can refrain from militant and aggressive language. For example, Iran, dissatisfied with its deal with Washington, openly warned North Korea not to trust the United States. In 2018, President Rouhani told North Korean foreign minister Ri Yong Ho, "The US administration performance in these years has led the country to be considered untrustworthy and unreliable around the world which does not meet any

of its obligations” (Shin 2018). However, this was not covered by KCNA or any other media outlet in North Korea. The assassination of a senior Iranian military official demonstrated to North Koreans the ability and will of the United States to destroy top officials of a hostile state on the territory of a third country. The assassination probably resonated very strongly in North Korea, particularly in light of US-South Korean military exercises in which the two countries targeted North Korea’s top political and military leadership. However, KCNA kept silent, which may indicate that North Korean leaders have not yet considered dialogue with the United States to have failed and therefore have refrained from harsh criticism of Trump’s actions.

North Korea undoubtedly monitors the reactions of Russia and China to the confrontation between the United States and Iran. The reactions in Moscow and Beijing may be an important encouraging factor for North Korea, particularly these countries’ intentions to prevent military action against Iran.

Iran’s negative experience of cooperation with the IAEA may be an additional obstacle to persuading North Korea to ever permit inspection of its nuclear facilities. For the same reason, it would be difficult to implement an approach to denuclearization such as the one proposed by three scholars at Stanford University (Hecker, Carlin, and Serber 2019). That approach relies on demilitarization of North Korean nuclear program – that is, eliminating North Korea’s nuclear weapons and civilianizing its nuclear facilities – and implies that North Korean cooperation with the United States and South Korea that would lead to inevitable disclosure of nuclear scientists’ identities. North Koreans undoubtedly are very aware of the negative experience of Iran: the details of the IAEA report on Iran’s nuclear program, including the identities of some Iranian nuclear scientists, were leaked to the media in 2012. One of the exposed scientists was subsequently killed, an act for which Iran has blamed the West.

## CONCLUSIONS

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An examination of KCNA coverage of US policy toward North Korea and Iran over the past two decades leads to several conclusions. First, US hostility to Iran, consistent despite changes to Iran’s nuclear program, convinced North Koreans that denuclearization would not improve their relationship with the United States. Specifically, North Korean state media used Iran as one of many examples of double standards in the US approach to nonproliferation. Second, the Bush administration’s identification in 2002 of Iraq, Iran, and North Korea as members of the axis of evil pushed Iran and North Korea closer together and caused North Korea to see its security positions as increasingly analogous to those of Iran. After Bush’s 2002 speech, North Korean media increasingly discussed Iran as a direct parallel to North Korea. Third, as North Korea observed US behavior toward Iran and Iraq, North Korean leaders increasingly presented the US nonproliferation agenda as a pretext for its true purpose, which they perceived to be regime change. In this period, North Korea seems to have decided that a nuclear capability was the best option for avoiding the fate of Iraq – and perhaps now Iran. Lastly, the example of Iran has been useful to North Korean officials as part of a propaganda campaign to combat domestic discontent with the burden of sanctions. A massive spike in North Korean communications about Iranian sanctions and the nuclear program occurred from late 2010 to 2013 as North Korea was combating similar economic hardships as the result of sanctions. This could be simply coincidence or it could also indicate an effort by the newly installed Kim Jong Un regime to shore up support. ■



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UNITED STATES

# Parallel Processes: North Korea, Iran, and Lessons Learned from Nuclear Negotiations with Washington

North Korea and the Islamic Republic of Iran have been bitter adversaries of the United States since their respective foundings in 1948 and 1979. Multiple US administrations have put military, economic, and diplomatic pressure on the two countries in an effort to change their behavior. Given the decades of mutual hostility, the United States (and others) have been especially anxious to prevent Pyongyang or Tehran from obtaining nuclear weapons or the capability to build them. North Korean officials have negotiated with their US counterparts over the North's nuclear program off and on since 1993. Officials from Iran have negotiated over their country's program, first with European representatives from 2003, and then, from 2006, with officials

from a larger group of countries, eventually including the United States.

Three of four agreements reached with North Korea since 1994 collapsed, and the fourth, a 2018 joint statement, also seems doomed. Two agreements between European negotiators and Iranian officials, reached in 2003 and 2004, also collapsed; a third agreement reached in 2015, is at risk after Washington's 2019 withdrawal.

North Korea and Iran have also been partners with each other – not allies, but with some shared interests and diplomatic and commercial ties – since the early 1980s. Given their experiences, it would seem reasonable for officials from Pyongyang and

Tehran to share their insiders' views on negotiating with Washington. But their assessments are unlikely to offer unique or specialized insights. Instead, the lessons each has drawn from its expe-

***US negotiators will have to recognize this legacy of previous bargaining efforts and will have to address that history as they work to reach agreements in the future.***

periences are almost certainly clear and predictable to those in both countries who follow the issue.

The most important of these lessons is probably that Washington is an unreliable negotiating partner, demanding negotiations but often unwilling or unable to fulfill its side of an agreement. Despite meaningful concessions by North Korea or Iran, the US will continue its hostile policies towards each, according to this perspective. Washington portrays each country's nuclear program as an impediment to better relations, but it turns out to be only one of many.

Because Washington is unreliable and hostile, Pyongyang and Tehran have also learned to insist on receiving any tangible benefits from negotiations early in the process. As the two countries have come to see it, one side's actions should be matched by those of the other side, rather than trading concrete actions for future promises. This also allows them to pace their own concessions with the delivery of benefits.

A third, closely related, lesson is to resist taking actions that cannot be reversed. Much of what Washington has offered in negotiations, such as the lifting of sanctions or the promise of long-term aid, can be easily withdrawn, while the actions that Washington demands as a condition for those steps are much more difficult to undo. This imbalance and its problematic implications were highlighted in US demands that North Korea's denuclearization be "irreversible," and explicitly addressed in the subsequent negotiations with Iran.

These are just three of many such lessons apparently drawn in Pyongyang and Tehran. To

be clear, these are not necessarily the correct lessons or the lessons that the United States and its allies want the other side to draw. But US negotiators will have to recognize this legacy of

previous bargaining efforts and will have to address that history as they work to reach agreements in the future. Negotiators from Iran and North Korea

will have a similar task. This legacy will have a significant impact not only on the terms of any agreement, but also on how it is implemented and judged.

## **PARTNERS, NOT ALLIES**

In September 1980, Iraq's Saddam Hussein attacked Iran in the hope of quickly toppling the regime that had come to power in the Iranian Revolution the previous year. The Iraqi attack launched a brutal eight-year conflict that would cost hundreds of thousands of lives on both sides. The United States, which had been surprised by the shah's overthrow in 1979, responded to the new Iranian regime's virulent anti-Americanism, its talk of exporting revolution in the region, and its seizure of the US embassy by imposing sanctions, siding with Iraq in the Iran-Iraq War, and pushing allies to block the sales of arms and military equipment to Tehran.

The US effort to prevent military sales to Iran opened the door for North Korea (and others) to step in. In September 1981, the speaker of Iran's parliament (and later president) Akbar Hashemi Rafsanjani traveled to Pyongyang, where the two sides "decided to embark on a deep and serious mutual cooperation" (Rezaei 2017, 58). Pyongyang and Tehran struck a series of deals under which Iran received North Korean arms, including Scud B short-range ballistic missiles (SRBMs), paying for them with oil and hard currency (US CIA 1984, 11). By 1986, North Korea was Iran's largest supplier of military material (US CIA 1986, 3), and that year the Washington Post cited "intelligence

reports” that “at least 300 North Korean military advisers are working with the Iranian armed forces at the highest levels” (Anderson and Van Atta 1986).

Although the Iran-Iraq War ended in 1988 with a cease-fire brokered by the United Nations, the Iran-North Korea arms trade relationship continued, especially in the missile field. Iran reportedly purchased 150 to 200 additional Scud B SRBMs, four launchers, and production technology from North Korea from 1988 to 1994 and in 1997, 100 to 170 longer-range Scud Cs and related production technology. North Korea also sold Iran longer-range systems and production technology, including No Dong medium-range ballistic missiles (MRBMs) in 1993 and the BM-25 MRBM in 2005 (Einhorn and Van Diepen 2019, 9-11). As of 2019, Iran was reportedly “one of the two

most lucrative markets” for North Korean military-related cooperation, and Pyongyang’s primary arms export entities were reportedly still active there despite years of sanctions (UNSC 2019, 34).

The military ties served as the backbone for diplomatic relations between the two countries. However, the political relationship between the two, one a hereditary socialist dictatorship and the other a theocratically constrained democracy, is more one of shared antipathy to the United States than of shared values. In 1989, Ali Khamenei – then Iran’s president and now supreme leader – summarized the relationship well when he told Kim Il Sung, “anti-Americanism can be the most important factor in our cooperation” and “among the reasons why Iran is close to Korea is the USA’s enmity toward both our countries” (AP 1989).

## Hardened Worldviews: Survey Results on Iran, North Korea, and the US

Polling conducted in the past several years reflects hardened views of the United States in North Korea and Iran and of those two countries in the United States. Surveys of recent North Korean defectors on their attitudes while in the North indicated that most (almost 85 percent in 2016) had viewed the United States as “the biggest threat to peace on the Korean peninsula” (Cha and DuMond 2018).

Similarly, in a 2019 survey of Iranians, two-thirds agreed with the statement that “America is a dangerous country that seeks confrontation and control,” up from 46 percent in 2005. More than eight out of 10 Iranian respondents in 2019 had a “somewhat unfavorable” (13 percent) or “very unfavorable” (73 percent) view of the United States (Gallagher, Mohseni, and Ramsay 2019).

At the same time, Iran and North Korea are regularly identified by US respondents as among the “greatest enemies” of the United States and periodically in the number one spot (Gallup n.d.). At times, polls have also shown a majority in the United States willing to use military force against North Korea and Iran “if economic and diplomatic efforts are unsuccessful” or “fail to achieve the United States’ goals” (Saad 2017; Younis, 2019).

Recent US polling shows that “the US public exhibits only limited aversion to nuclear weapons use and a shocking willingness to support the killing of enemy civilians” in surveys about a hypothetical conflict with their countries (Haworth, Sagan, and Valentino 2019, 182). Under certain circumstances, “a majority of Americans are willing to support the use of a nuclear weapon against an Iranian city killing 100,000 civilians. Contrary to the theory that Americans accept the noncombatant immunity norm, an even larger percentage of the US public was willing to kill 100,000 Iranian civilians with conventional weapons” (Sagan and Valentino 2017, 75). It is unclear if Iranian and North Korean officials are aware of these polls.

The arms trade ties and diplomatic contacts provide natural opportunities for North Korea and Iran discuss how they deal with the United States. Their officials and brokers almost certainly discuss issues related to transactions between their countries, including clandestine deliveries of military technology, payments for these deliveries, and ways to work

***The lessons drawn by policymakers and negotiators are largely shaped by their preconceptions. Whether these views are accurate is immaterial.***

around sanctions. They may also use these channels to discuss their experiences negotiating directly with the United States. But the most important lessons on negotiating with the United States are likely those drawn from each side's own experiences and observations, rather than anything shared in such exchanges. For observers in both Pyongyang and Tehran, the US negotiation and implementation record is clear, and their parallel experiences simply reinforce and justify their existing skepticism.

## **EXPERIENCE MAY TEACH, BUT WHAT DO WE LEARN?**

The world is complex, and people – including policymakers in Pyongyang, Tehran, and Washington – develop their worldviews based on their innate biases, education, and experiences. Years of research on political psychology have led to the recognition that “what leaders see is, to a substantial extent, filtered through the multiple, though inconsistent, lenses of their own psychologies and beliefs, subject as well to significant cognitive limitations” (Renshon and Renshon 2008, 509).

When new information arises, people rely on various shortcuts to fit it into their already existing worldview. Beliefs are “buffered” against refutation by “cognitive mechanisms such as selective attention to confirming evidence, denial, source derogation, and biased assimilation of contradictory evidence.” This is especially apparent in the views one holds of an opposing state already believed to be “implacably hostile,” when “con-

trary indicators, that in another context might be regarded as probative, are ignored, dismissed as propaganda ploys, or interpreted as signs of weakness” (Tetlock 1998, 880).

As a result, the lessons people draw tend to be those that reinforce what they already believe. “It is perhaps the most confirmed proposition in cognitive psychology,” notes Robert Jervis, “that once a belief or image is established, new material

will become assimilated to it, with discrepant and ambiguous information being ignored or fitting into the established views. Change is difficult and slow . . .” (Jervis 2010, 169). Surveys of North Korean defectors and the general public in Iran and the United States seem to provide evidence of the strength that such views have (*Box 1, Page 36*).

As a result of their background and experience, officials in North Korea and Iran most likely believe that the United States uses its economic, diplomatic, and military clout to pressure those that disagree with it; that challengers risk being isolated, weakened, and left vulnerable to internal and external threats; that Washington views North Korea and Iran as challengers to its regional hegemony and that of its proxies; and that despite its claims that it does not seek regime change, Washington wants to undermine the ruling authorities in both countries.

Leaders in both North Korea and Iran likely believe the United States poses an existential threat to their regimes, and this perspective shapes their interpretation of US actions. This is not to say everyone thinks the same, or would make the same choices – there are differences among Iranian leaders (Tabatabai and Pease 2019) and among North Korean institutions (McEachern 2010) – but most are working within a shared general consensus. Bureaucracies tend to reinforce a broad consistency among their members, and leaders tend not to select subordinates with significantly different worldviews. As a result, policymakers who argue against the prevailing collective view likely will have an uphill battle.

This brief foray into political psychology is to lay the groundwork for a simple point: the lessons drawn by policymakers and negotiators are largely shaped by their preconceptions. Whether these views are accurate is immaterial. Officials in North Korea and Iran have a deep well of national experience with the United States that serves as the basis for determining whether and how to negotiate with Washington and how best to achieve their objectives and avoid pitfalls.

## THE LESSONS OF NUCLEAR NEGOTIATIONS WITH THE UNITED STATES

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The United States and North Korea have directly engaged in four sets of negotiations involving the latter's nuclear program:

- Under the **Agreed Framework** (1994) North Korea was to shut down its plutonium production program in exchange for a nuclear power plant, energy aid until the plant came online, and normalization of political relations with the US.
- In various documents over the course of the **six-party talks**, North Korea agreed to disable its Yongbyon plutonium production capability and provide a list of all its nuclear programs in exchange for energy assistance. The United States also agreed to launch bilateral talks aimed at moving toward full diplomatic relations, end the application to North Korea of the Trading with the Enemy Act, and begin the process of removing North Korea from the list of state sponsors of terrorism.
- Under the 2012 **Leap Day parallel statements**, North Korea agreed to a moratorium on nuclear tests, long-range missile launches, and uranium enrichment activity at Yongbyon in exchange for steps to improve the bilateral relationship “in the spirit of mutual respect for sovereignty and equality,” 240,000 metric tons of “nutritional assistance,” and, according to only the North Korean version, “discussion of issues concerning the lifting of sanctions on the DPRK [Democratic People’s Republic of

Korea, the formal name of North Korea] and provision of light water reactors” once the six-party talks resumed (KCNA 2012a).

- Under the very general **joint statement** reached in Singapore between President Donald Trump and North Korean leader Kim Jong Un in June 2018, North Korea committed to “work toward complete denuclearization of the Korean Peninsula,” while the United States agreed to “establish new US-DPRK relations in accordance with the desire of the people of the two countries for peace and prosperity.”

Since 2003, there has also been a series of negotiations with Iran over its nuclear program. The number of interlocutors has increased over time, with the United States finally joining the talks in 2008 during the waning months of the Bush administration:

- EU3 negotiations resulted in the 2003 **Tehran Declaration**, under which Iran agreed to voluntarily suspend its uranium enrichment activities and sign and commence ratification of the International Atomic Energy Agency’s (IAEA’s) Additional Protocol, which provides the IAEA with expanded verification rights, in exchange for EU3 recognition of Iran’s right to peaceful nuclear-energy development and a promise to assist in that development. The negotiations also led to the 2004 **Paris Agreement**, under which Iran agreed to voluntarily suspend several enrichment-related activities during talks among the four countries, while the EU3 members agreed to support inviting Iran to join the IAEA’s Expert Group on Multilateral Approaches to the Nuclear Fuel Cycle and the opening of negotiations for Iran’s accession to the World Trade Organization.
- The P5+1 and parallel secret US-Iran negotiations led first to the 2013 **Joint Plan of Action** (JPOA), an interim agreement under which Iran agreed to limits on key aspects of its nuclear program in exchange for some sanctions relief and the release of \$4.2 billion in frozen Iranian funds. Under the 2015 **Joint Comprehensive Plan of Action** (JCPOA), Iran agreed to limits on its



ability to enrich uranium and on the size of its enriched-uranium stockpile, modification of the Arak heavy-water reactor to limit the possible production of weapon-grade plutonium, and extensive IAEA monitoring in exchange for relief from several US and international sanctions and the release of additional frozen Iranian funds. The JCPOA was “endorsed” by the UN Security Council in Resolution 2231 on July 20, 2015.

Most of these agreements with North Korea and Iran have collapsed – some within weeks, some after years – and the two that remain nominally in effect, the Singapore joint statement and the JCPOA, are at risk. However, it is not the purpose of this paper to discuss the reasons for their collapse or to lay blame, but rather to discuss the lessons that North Korea and Iran likely took away from their experiences with these agreements as participants or observers.

### **The First Lesson: The United States Is Unreliable**

Officials in both North Korea and Iran argue that their respective countries have adhered to their agreed obligations. The officials also condemn the United States for failing to meet its commitments.

From North Korea’s perspective, the United States delayed fulfillment of its most important promises under the Agreed Framework, including construction of light-water reactors, delivery of heavy fuel oil as a form of energy assistance, lifting of sanctions, and movement toward the normalization of relations. Pyongyang was already worried in 1999, when a commentary in *Rodong Sinmun* (the official paper of Workers’ Party Central Committee) complained that “the DPRK feels disillusioned with the behaviour of the United States which reverses what it promised to do and pretends that it has not made any promises” (KCNA 1999). Washington’s decision in November 2002 to halt delivery of heavy fuel oil, citing information indicating a secret North Korean uranium enrichment program, prompted Pyongyang to declare the Agreed Framework “a dead document” (KCNA 2002), restart its shuttered reactor, and separate plutonium from the spent fuel that had been in storage.

Similarly, from Pyongyang’s perspective, Washington undermined the six-party talks in late 2008 when it demanded verification measures in the first phase beyond those that had been agreed, and then when the United States and the United Nations imposed additional sanctions after North Korea launched a satellite in early 2009. As North Korea’s Foreign Ministry noted in 2012, “the US imposed ever-harsh sanctions on the DPRK and the DPRK responded by starting the construction of light-water reactor (LWR) on its own and the production of enriched uranium to meet the fuel need for the LWR” (KCNA 2012b).

The US response to another North Korean satellite launch also killed the short-lived Leap Day deal in Pyongyang’s view. The US and North Korean statements both referred to a North Korean commitment to adhere to a moratorium on “long-range missile launches.” However, the two sides had differing interpretations of that language. When North Korea (unsuccessfully) attempted to launch a satellite in April 2012, Washington “took issue with” it, according to the North’s Foreign Ministry, “arguing that the space launch was based on the same technology with the long-range missile launch and went ahead with unilaterally abrogating the February 29 Agreement, upgrading sanctions on the DPRK. . . . The US saw our satellite carrier rocket as a long-range missile that would one day reach the US because it regards the DPRK as an enemy” (KCNA 2012b). US negotiators had reportedly made it clear to their North Korean counterparts that a space launch would destroy the deal, while the North Koreans had rejected the US position (Oberdorfer and Carlin, 455).

Finally, the North appears to have largely given up on the joint statement reached in Singapore in 2018. According to North Korean media, Kim Jong Un told a party conference in late December 2019 that, despite the North’s shutdown of its nuclear test site and its declaration of a halt to testing of nuclear weapons and intercontinental ballistic missiles, “the US, far from responding to the former with appropriate measures, conducted tens of big and small joint military drills which its President personally promised to stop and threatened [North Korea] militarily through the shipment of ultra-modern warfare equipment into south Korea, he said. The US also took more than ten indepen-

dent sanctions measures only to show before the world once again that it remained unchanged in its ambition to stifle the former, he said” (KCNA 2020a). The following month, the veteran North Korean nuclear negotiator Kim Kye Gwan announced that “we have been deceived by the US, being caught in the dialogue with it for over one year and a half, and that was the lost time for us. . . What is clear is that we will never lose our time again, being taken in by the US trick as in the past” (KCNA 2020b).

In each case, Pyongyang has argued that the United States has failed to live up to its commitments, in some cases despite specific promises made by the president.

In Iran’s case, EU3 discussions led to an Iranian decision to temporarily suspend enrichment in 2003, but in 2005 the EU3, encouraged by the United States, insisted that enrichment be suspended for an open-ended period of negotiations. As Tabatabai and Pease note, “Washington fixed the goal of ‘zero enrichment,’ thus effectively closing the door to any negotiated solution” (Tabatabai and Pease 2019, 28). Tehran rejected that position, and Iran moved quickly to begin enrichment under its new and hard-line president, Mahmoud Ahmadinejad (Mousavian 2014, 205-206).

The 2015 JCPOA, like the 1994 Agreed Framework with North Korea, faced significant political opposition in the United States. More than 40

***Both North Korea and Iran have learned that US commitments...are likely to have a limited shelf-life.***

Republican senators had signed an open letter to Iran’s leaders emphasizing that the next president could revoke “with the stroke of a pen” an agreement that did not have Senate approval (Sherman 2018, 172-173).

Donald Trump had promised as a candidate to withdraw the United States from the agreement, and in May 2018 began to do so on the grounds that the JCPOA “failed to protect America’s

national security interests.” US sanctions lifted under the JCPOA were ordered immediately reimposed (US White House 2018).

Not surprisingly, Iranian officials argue that Washington has reneged on its commitments, illegally withdrawing from the JCPOA and violating the related UN Security Council resolutions (Office of the President of the Islamic Republic of Iran, 2019; Khamenei.ir 2018a; IRI MFA 2019). Immediately after the US withdrawal, Iran’s supreme leader, Ayatollah Ali Khamenei asserted that Iran could not work with the United States “because the US does not fulfil its own commitments. . . The US government always goes against its commitments: this is not their first time around; events from the past confirm this. . . It is not possible to trust, work with or sign an agreement with such a capricious government: this is the gist of the matter” (Khamenei.ir 2018b).

Iranian President Hassan Rouhani subsequently asked “how can we trust the US government now that it has officially reneged on its international commitments, most notably U.N. Security Council resolution 2231,” the resolution that endorsed the JCPOA and lifted UN sanctions on Iran’s nuclear program (Rouhani 2018). Nationally, more than seven out of 10 survey respondents in Iran agreed in December 2018 that “the JCPOA experience shows that it is not worthwhile for Iran to make concessions when negotiating with world powers, because Iran cannot have confidence

that if it makes a concession world powers will honor their side of an agreement” (Farmanesh 2019, 10).

Both North Korea and Iran have learned that US commitments, even those made

by the president, are likely to have a limited shelf life. Congress could undermine the implementation of an agreement or a future president may walk it back. An unfortunate consequence for Washington is that presidential commitments, particularly those that require time to fulfill, are likely to be devalued. And if a president is unable to deliver on his or her promises, bilateral summit meetings such as those that President Trump has held with Chairman Kim and has offered to

Supreme Leader Khamenei are likely to be seen as of little more than symbolic importance.

### **The Second Lesson: Insist on Action for Action, Words for Words**

Because they view Washington as unreliable, North Korea and Iran have sought to ensure that the United States matches concessions they make in terms of both substance and timing. The view that one should “never exchange concrete benefits for the promise of future behavior by a rogue regime,” attributed to Vice President Dick Cheney (Gellman 2008, 372), was also shared in Pyongyang and Tehran, but with the United States cast in the role of rogue.

After it signed the Agreed Framework, North Korea promptly shuttered its reactor, began storing the spent fuel, and stopped construction on two

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other reactors. However, US delays in the delivery of new replacement reactors, in energy assistance, in the lifting of sanctions, and in movement towards normalization prompted the North to focus on simultaneity – “words for words” and “actions for actions” – in the subsequent six-party talks (KCNA 2004). When North Korean funds frozen at Macao’s Banco Delta Asia were released in June 2007, Pyongyang announced that “the DPRK, too, will start implementing the February 13 [2007 six-party] agreement on the principle of ‘action for action’” (KCNA 2007).

Seven months later, in January 2008, the North used the action-for-action argument to assert that “other participating nations” were delaying the fulfillment of their commitments. As a result, “the DPRK is compelled to adjust the tempo of the disablement of some nuclear facilities on the principle of ‘action for action.’ The DPRK still hopes that the October 3 [, 2007,] agreement can be smoothly implemented should all the participat-

ing nations make concerted sincere efforts on the principle of simultaneous action” (KCNA 2008a).

In July 2008, North Korea again asserted that its actions were ahead of those required of the other parties: “[T]he disablement of the nuclear facilities in the DPRK has been done more than 80 percent as of now and it implemented the agreed point that calls for presenting an accurate and complete nuclear declaration. . . . The commitments of the five parties to make economic compensation have been fulfilled just 40 per cent as of now” (KCNA 2008b).

In November 2008, North Korea’s official news agency reported that the country “has taken the measure of decreasing half the tempo of unloading spent fuel rods on the principle of ‘action for action’.

It is a natural countermeasure taken by the DPRK to cope with the delayed economic compensation by the five parties” (KCNA 2008c). In practice, this meant that the withdrawal of the 8,000 fuel rods from the reactor

at a maximum rate of 80 rods per day (KCNA 2008a; Amanpour 2008), was slowed, first to only 30 rods withdrawn per day, then to only 15 per day in in both June and October 2008 (ROK MND 2008, 325-328).

In discussing North Korea’s negotiating approach in 2009, Secretary of Defense Robert Gates famously said “I’m tired of buying the same horse twice” (Bumiller 2009). North Korea’s argument, however, is that the United States never completed payment for the horse under the Agreed Framework, so the North’s negotiators demanded payment on delivery, not promissory notes, in the six-party talks.

In the case of Iran, the interim JPOA, signed on November 24, 2013, was structured in such a way that several actions had to be taken by Iran and verified by the IAEA before the agreed first day of implementation (January 20, 2014). The United States and the European Union were to take sev-

eral reciprocal actions on that day, and still others within six months.

While this was a case of Iran taking the first steps, such as reducing its stockpile of enriched uranium, the time for US and the EU actions in response, such as suspending certain sanctions and providing access to frozen Iranian funds, was very short. All sides would know quickly if obligations were not being met.

The JPOA's basic approach – taking several key actions *before* an official “implementation day” – was carried through into the 2015 JCPOA. Again, Iran agreed to take several steps, including reducing the number and type of centrifuges engaged in uranium enrichment and cutting its stockpile of low-enriched uranium, before “Implementation Day” (which was January 16, 2016). IAEA certification that Iran had taken the agreed actions triggered further US, EU, and UN sanctions relief and the release of more frozen funds to Iran.

This is a clever approach, as the actions to be taken, such as removing thousands of centrifuges or lifting specific sanctions, are taken up front; other actions, such as enriching uranium at Fordow or reintroducing sanctions, are proscribed for the duration of the agreement.

After North Korea's experience with the Agreed Framework, Pyongyang insisted on “actions for actions, words for words” in its nuclear nego-

***Closely related to “actions for actions, words for words” is avoiding steps that are irreversible – especially if the United States or allies do not match them.***

tiations with the United States, and timed the implementation of its commitments to match the actions by the other members of the six-party talks to meet their commitments. However, the very objective of the negotiations created an inherent difficulty for North Korea: if it actually eliminated its nuclear capabilities quickly and

completely, it would lose what leverage it had to ensure other participants delivered the promised aid and lifted sanctions.

Iran, in contrast, was negotiating not over the elimination of its nuclear program, but over actions that would extend the time required for it to produce a nuclear weapon. In addition, Iran was not negotiating over “aid,” but over the lifting of sanctions. Actions Tehran agreed to undertake, and those it sought from others, could be accomplished quickly. And, in contrast to North Korea, Iran appears to have decided that having a nuclear research and development base and nuclear industry rather than producing nuclear weapons was sufficient.

### **The Third Lesson: Resist the Irreversible**

Closely related to “actions for actions, words for words” is avoiding steps that are irreversible – especially if the United States or allies do not match them. It is understandable that those seeking to prevent North Korea or Iran from obtaining nuclear weapons have wanted to close off such a possibility permanently. However, because there is little that the United States and its allies are willing to offer that is comparably permanent, Pyongyang and Tehran have learned to resist taking actions that are irreversible.

During the six-party talks, the United States and its allies insisted that North Korea accept “complete, verifiable, irreversible denuclearization,” or CVID, as the ultimate goal; the most difficult piece of that objective is its irreversibility. In a 2018 interview, Robert Gallucci, the US negotiator of the 1994 Agreed Framework, expressed concern about this later US approach: “[W]e latch onto a standard which is, physically, not actually plausible. There's no way of doing something

that's irreversible, that I know of” (Welna 2018). In general, the concessions offered by the United States and its allies to North Korea, including delivering heavy fuel oil and nutritional assistance, suspending military exercises, lifting sanctions, and providing security assurances, can be reversed relatively easily.

In contrast, once equipment is destroyed or a facility torn down, it may be difficult or impossible to replace. The North Koreans were clearly aware of this in deciding which actions to take under the six-party talks. Six months after the February 2007 Action Plan

***Indeed, a key point of the JCPOA is that the agreement is reversible, and quickly, if either side is found wanting in its implementation.***

was agreed, North Korean lead nuclear negotiator Kim Kye Gwan reiterated to a Stanford delegation that “the agreement was for initial disablement, not for irreversible disablement (meaning dismantlement)” (Braun, Hecker, Lawrence, and Papadiamantis 2016, 16). Once the North decided to reverse the 10 initial disablement steps it had taken, it was quickly able to conduct a new reprocessing campaign in 2009 and restart the Yongbyon plutonium production reactor in 2013 (Braun, Hecker, Lawrence, and Papadiamantis 2016, 10, 17).

In 2018, North Korea attempted to use the promise of irreversibly destroying its nuclear-weapons test site in an effort to renew negotiations with Washington. Foreign journalists traveled to Punggye to record North Korea’s destruction of two tunnels that had been used for nuclear tests and two that were unused. However, foreign experts argued that it was impossible to determine the extent of destruction within the tunnels and, as a result, how irreversible the destruction actually was.

In Iran’s case, “the final, and perhaps most crucial, development” in negotiating the JPOA interim agreement in Istanbul in 2012 was, according to Trita Parsi, “the establishment of a step-by-step process guided by the principles of reciprocity and proportionality. This meant that if the United States were to offer an irreversible concession to Tehran, the Iranians would have to reciprocate by offering a proportionate and irreversible concession of their own. As diplomacy grew more serious, these principles became increasingly important” (Parsi 2017, 145).

Ensuring that the degree of reversibility was reciprocal was clearly important to Iran. Under the

JPOA, “the structure of our nuclear program is preserved,” Abbas Araqchi, one of Tehran’s lead negotiators, said in January 2014. “Whenever we feel the other side is not following through with its commitments, whenever we feel there are

other motives involved, whenever – now, say, under pressure from Congress or something else – they take action against their commitments, say put in place new sanctions, we will

immediately revert to the current status quo. And we will again continue our nuclear program in the form that it is today” (Rogin 2014).

In February 2014, in the midst of the first round of JCPOA negotiations, an unidentified senior Iranian official told the International Crisis Group that “both sides have to accept similar risk. Merely waiving sanctions does not inspire the confidence necessary for making monumental nuclear concessions” (International Crisis Group 2014, 26). In March 2015, just four months before the JCPOA was signed, Araqchi told the press that “any measure that the two sides would take (under a deal) should be reversible in an equal manner, or if irreversible, it should be so for the both sides. We have observed such principle in the talks” (Tasnim 2015).

Indeed, a key point of the JCPOA is that the agreement is reversible, and quickly, if either side is found wanting in its implementation. If Iran is found to be violating the deal, there is a mechanism under which sanctions could “snap back” into place. At the same time, “the Iranians had their own snapback – they could always start spinning more centrifuges in response to P5+1 violations” (Parsi 2017, 310). Very few of the steps taken under it are irreversible. “The reversible nature of the concessions allowed each party to retain sufficient leverage to guard against the other’s potential renegeing,” noted the International Crisis Group in reference to the JPOA, but the point is equally applicable to the subsequent JCPOA (International Crisis Group 2014, 2).

In practice, this approach meant that the numbers and types of centrifuges Tehran was allowed to operate were limited, and the roughly 13,000

excess machines were stored at the Natanz Fuel Enrichment Plant, not destroyed. The uranium enrichment facility at Fordow was converted to enriching other isotopes for medical purposes, not torn down. Similarly, the Iranians spiked the uncompleted Arak reactor by pouring cement into the tubes of the calandria – a metal lattice that holds specialized tubes containing the fuel assemblies for the reactor – but an Iranian official later claimed that the country had secretly stockpiled replacement

later restarting uranium enrichment at Fordow. In its fifth step, Iran announced in January 2020 that it would no longer consider itself subject to the restrictions on centrifuges contained in the deal. Iran’s foreign minister described these steps in a tweet as “reversible upon EFFECTIVE implementation of reciprocal obligations” (Zarif 2020).

North Korean and Iranian officials are likely pleased that they did not agree to any significant irreversible actions under the six-party talks or the JCPOA, respectively. When the six-party talks collapsed in 2009, equipment that had been disabled at Yongbyon could be replaced or returned to service. A decade later, when the United

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tubes that would presumably allow it to produce a new calandria (Albright and Stricker 2019).

Iranian negotiators’ desire to retain certain facilities and equipment was interpreted by many as driven by a need to assure their domestic audience that they were not giving up Iran’s nuclear program or its “right” to enrich uranium as part of a claimed peaceful nuclear program. “It was all about perception,” one negotiator told the *New York Times*. “[The Iranian negotiators] fought to keep the buildings and tangible equipment. It was easier for them to give up fuel or parts of the equipment people didn’t see” (Sanger and Gordon 2015).

While perceptions likely played an important role, retaining “the buildings and tangible equipment” also ensured that Iran’s concessions under the deal could be reversed – could “snap back.” And, in fact, Iran’s first steps in response to the 2019 US withdrawal from the JCPOA included reversing political commitments to limit the amount of low-enriched uranium it retained and to slightly increase the enrichment level to pressure the JCPOA participants. It continued by installing and operating the more advanced centrifuges that, under the JCPOA, it had placed in storage and

States withdrew from the JCPOA, centrifuges in storage at Natanz could quickly be put back into operation. The prospects for achieving “irreversible” steps to prevent a nuclear-weapon program have always been slim; the North Korean and Iranian experiences have made them even less likely, perhaps anywhere.

## CONCLUSIONS

The most important lessons likely drawn by officials in Pyongyang and Tehran from their nuclear negotiations with Washington are that the United States is unreliable, that agreements should be structured so that the Americans must meet their obligations in a timely or balanced way, and that irreversible steps should be resisted.

Such lessons are unlikely to surprise North Korean and Iranian officials, given their worldviews. While these lessons may be wrong or incomplete, they are easy to accept because they are consistent with existing assumptions and prejudices. They seem to confirm those very assumptions and prejudices.

US and allied officials have drawn similar lessons about both North Korea and Iran. To most Americans, North Korea and Iran are unreliable. Therefore, in the US view, agreements need to be structured so Pyongyang and Tehran meet their obligations quickly and the United States should avoid irreversible steps. The State Department's annual report on compliance with arms control commitments concludes that North Korea violated the 1994 Agreed Framework, the 2005 six-party talks joint statement, and its IAEA safeguards agreement (US Department of State 2020). Although the same report did not identify any violations of the JCPOA by Iran, President Trump has asserted, without providing evidence, that Iran "has committed multiple violations" of the agreement (US White House 2017).

And yet negotiations must be undertaken unless one believes that the current situations with Iran and North Korea are acceptable and will not get worse. Washington and its allies seek to limit North Korea and Iran's nuclear programs, while Pyongyang and Iran seek an end to US and international pressure campaigns. Pressure alone – whether in the form of expanding a nuclear arsenal, developing a breakout capability, or intensifying sanctions – is unlikely to achieve those objectives.

Negotiators will continue to find creative work-arounds, ranging from simply dropping problematic terms (such as "irreversible") to complex implementation arrangements (such as in the JCPOA). But these work-arounds impose additional burdens on any final agreement: the 1994 Agreed Framework was negotiated over four months and was four pages long (with a separate three-page confidential minute) while the 2015 JCPOA (including five annexes) was negotiated over 20 months and totaled more than 100 pages.

At its heart, the issue is one of US leadership. Changes in Washington, including routine changes resulting from elections, are a double-edged sword for officials in North Korea or Iran. A new administration will likely bring a change in perspective on the costs, risks, and benefits of negotiating with Pyongyang or Tehran, as well as a different approach to balancing the various tools of influence at its disposal. It will also choose whether to build on or scrap any agreements that are already in place. But scrapping agreements may come at a high cost: if Washington is seen as unreliable, as unwilling or unable to meet its obligations, its commitments will mean less – and its influence will decline. ■

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UNITED STATES

# US Negotiations with North Korea and Iran: Singing from the Same Hymnbook?

North Korea and Iran are widely deemed to present the gravest challenges to the nuclear nonproliferation regime. The international community has devoted extraordinary diplomatic resources – backed by unprecedented economic sanctions – to finding a peaceful resolution to these challenges. For its part, the United States has engaged in on-again/off-again nuclear negotiations with North Korea for over 25 years and with Iran since 2006. In each case, the United States has been the “indispensable nation” without which no negotiated settlement could be reached.

Several questions therefore arise: How has the United States approached these twin challenges? Have negotiations with North Korea influenced the

US diplomatic approach to Iran, or vice versa? Or has the United States applied different criteria and principles to the different cases? The fear is that disparate approaches to the two states lead each to learn the wrong lesson. This paper will consider whether US negotiating positions with these adversarial states reflected a consistent approach and whether the US approach to one state benefited from lessons learned in negotiations with the other.

## THE AGREED FRAMEWORK OF 1994

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The Clinton administration was barely in office when the North Korea nuclear crisis reached a

boil: the International Atomic Energy Agency (IAEA) called for special inspections in February 1993 to resolve discrepancies in North Korea's nuclear declaration, and North Korea responded in March by giving three months' notice of its withdrawal from the Nuclear Nonproliferation Treaty (NPT). The crisis ebbed and flowed until the sum-

***The Agreed Framework recognized that the level of distrust precluded either side from committing to take all of its required actions at once.***

mer of 1994, when negotiations began on what would become the Agreed Framework of October 21, 1994. The commitments in the Agreed Framework were political – that is, not legally binding. North Korea pledged to freeze and ultimately dismantle its existing nuclear program and come into compliance with the NPT and the United States pledged to arrange for North Korea to receive fuel oil, proliferation-resistant light-water reactors, and a measure of sanctions relief. Both sides pledged to take steps to improve their bilateral relations.

In the Agreed Framework negotiations, the US delegation (on which I served as legal adviser) was working from a blank slate in two respects: no precedent existed for negotiating a rollback of an established nuclear program,<sup>1</sup> and the United States (like most of the rest of the world) had minimal experience negotiating with isolationist North Korea. The latter point cannot be overemphasized; the level of mutual distrust was extraordinarily high. Even with adversaries like the Soviet Union, the United States had years of experience negotiating and implementing complex agreements involving nuclear weapons. With North Korea, there was only four decades of suspicion and hostility. The United States also faced the core reality that North Korea had likely separated enough plutonium for one to two nuclear weapons, according to intelligence estimates. The consensus view was that North Korea must be prevented from acquiring any more.

The US approach to the negotiations was firmly in line with long-standing US nonproliferation policy in that the focus was on North Korea's path to acquiring fissile material and the IAEA had to play the central role in verifying North Korean compliance with the terms of the deal. North Korea was required to freeze and ultimately dismant-

le its Radiochemical Laboratory, the facility at which it reprocessed spent fuel to extract plutonium for its nuclear weapons. In addition,

North Korea pledged to implement the 1992 Joint Declaration of the Denuclearization of the Korean Peninsula, under which both North Korea and South Korea had committed not to develop the capability to enrich uranium or to separate plutonium from spent fuel by reprocessing. (As discussed below, North Korea violated this commitment when it later conducted uranium enrichment activities.)

The Agreed Framework recognized that the level of distrust precluded either side from committing to take all of its required actions at once. Rather, it established a step-by-step process to enable each side to gain confidence over time that the other side would fulfill its commitments. For example, North Korea would take steps to freeze its existing program while the United States provided shipments of fuel oil. Similarly, the United States (and its allies in the Korean Peninsula Energy Development Organization) committed to complete a significant portion of the first light-water reactor, but would not be required to provide the key nuclear components of the reactor until North Korea came into compliance with its safeguards agreement with the IAEA, which would necessarily include disclosure and dismantlement of its nuclear weapons. Thus, in addition to the other measures intended to improve bilateral relations, the nuclear provisions themselves were designed to build sufficient confidence for each side to complete its part of the deal.

1. South Africa eliminated its nuclear weapons program, including its stockpile of six to seven nuclear weapons, between 1989 and 1994. However, the South African government made this decision on its own; it was not a result of negotiations with other countries.

Despite having harshly criticized the Agreed Framework, President George W. Bush decided not to scrap the deal when he took office in 2001. However, one year later, he lumped North Korea with Iran and Iraq in his “axis of evil” speech – a move guaranteed to fracture any trust that had been built between the United States and the notoriously prickly North Koreans. Two months later, he refrained from certifying North Korean compliance with the Agreed Framework. The last straw was a disputed admission by North Korea in October 2002 that it was conducting uranium enrichment activities. North Korea denied that it had made such an admission, and subsequent intelligence analyses questioned the extent of North Korean progress toward an enrichment capability (Sanger and Broad 2007), but the death knell for the Agreed Framework had sounded. By the end of 2002, both sides had ceased performing their commitments under the deal. In early 2003, North Korea gave three months’ notice of its withdrawal from the NPT, as provided for in the treaty’s withdrawal clause.

Both before and after the deal became moribund, the Bush administration sent mixed signals to North Korea, which was predictable given the tensions within the administration over nuclear nonproliferation policy. While various officials reiterated the message that the United States was prepared to negotiate with North Korea with no preconditions,

***The Bush administration adopted the same approach for both countries: elimination of nuclear-energy programs as well as nuclear-weapon programs.***

others (including President Bush) vilified North Korea, a nation demonstrably sensitive to insults, real or perceived. While some officials may have favored using the Agreed Framework as a tool to bring North Korea back on track, as the Clinton administration had done, others looked for North Korean missteps in order to kill the deal: then-Un-

dersecretary of State John Bolton later wrote in his memoir that North Korea’s apparent enrichment admission “was the hammer I had been looking for to shatter the Agreed Framework.”

## TWIN CRISES (2003-PRESENT)

Prior to the demise of the Agreed Framework, the Bush administration had been treating North Korea and Iran differently, continuing the project to provide North Korea with light-water reactors (per the Agreed Framework) while vigorously opposing Russia’s supply of light-water reactors to Iran’s Bushehr nuclear power plant. It cited proliferation risks and Iran’s abundant oil reserves as grounds for doubting that Iran’s nuclear program was for peaceful purposes.

The 2002 revelation that Iran had been conducting a clandestine uranium enrichment program immediately escalated the Iran nuclear issue. The United States for the first time faced two full-fledged nuclear crises at once. The Bush administration adopted the same approach for both countries: elimination of nuclear-energy programs as well as nuclear-weapon programs. In six-party talks with North Korea,<sup>2</sup> the United States insisted on “complete, verifiable, and irreversible dismantlement” of all nuclear programs (a policy known as CVID). It continued to oppose Russia’s provision of peaceful nuclear reactors to Iran.

The 2003-2004 approach, which was maintained throughout President Bush’s first term, had policy consistency in that it sought

elimination of nuclear-energy programs in both countries that were perceived as shielding nuclear-weapon activities. Although no country has ever developed nuclear weapons from light-water reactors devoted to energy generation, the Bush administration took a broad approach rather than focusing on the specific technologies necessary

2. The six-party talks included the two Koreas, the United States, China, Japan, and Russia. These talks, which occurred intermittently between 2003 and 2009, sought to address North Korea’s nuclear and missile programs and its demand for various security assurances.

for acquiring weapon-grade nuclear material—that is, uranium enrichment and plutonium separation. However, North Korea and Iran take pride in their nuclear achievements and were never going to accept an approach requiring them to forgo peaceful reactors. Moreover, this approach would be perceived by many countries as inconsistent with the sovereign right of states to develop nuclear energy (a right recognized in Article IV of the NPT). Such an approach was not likely to garner the full-throated support of key states whose cooperation in pressuring North Korea and Iran was essential to a positive outcome.

With no progress on either front, the Bush administration modified its approach in its second term in office by recognizing both states' right to develop peaceful nuclear energy. In the six-party talks, it expressed openness to possible light-water reactor transfers to North Korea at some time in the future, and it dropped opposition to Russia's supply of civil reactors to Iran.<sup>3</sup> The United States joined P5+1 negotiations with Iran in 2006,<sup>4</sup> marking the first time that the United States negotiated with both countries at the same time. These talks – six-party talks with North Korea and P5+1 talks with Iran – continued until the end of 2008. The Bush administration maintained a consistent approach in the two sets of talks, demanding that North Korea dismantle its existing nuclear program and that Iran cease all uranium enrichment.

This consistency of approach again did not translate into meaningful results. North Korea conducted its first nuclear-weapon test and continued conducting missile tests. While it closed certain facilities in exchange for fuel aid and destroyed a cooling tower at one of its nuclear plants, further disputes at the end of 2008 led to another nuclear-weapon test and missile tests in early 2009. Meanwhile, as P5+1 talks dragged along, Iran increased its deployed centrifuges from a

few hundred to more than 3,000, despite a steady increase in US unilateral sanctions and UN Security Council sanctions.

## JOINT COMPREHENSIVE PLAN OF ACTION (2015)

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The Obama administration took office in 2009 with neither set of talks showing much promise of bearing fruit. Within months, North Korea withdrew from the six-party talks, launched a space launch vehicle, and conducted its second nuclear-weapon test. During the next eight years, the administration negotiated intermittently with North Korea, but had no more success than its predecessor had in the six-party talks with regard to freezing, much less eliminating, North Korea's nuclear-weapon program. Nuclear-weapon tests and long-range missile tests continued and were met by increased sanctions by the United States and the UN Security Council. The one diplomatic breakthrough was the Leap Day agreement of February 29, 2012, in which North Korea pledged to halt uranium enrichment, nuclear-weapon tests, and long-range missile tests in exchange for substantial food aid. But this deal was scuttled in a matter of months when North Korea launched a space-launch vehicle carrying a satellite, which was inconsistent with its moratorium on long-range missile tests.<sup>5</sup>

The Obama administration devoted much greater energy and creativity to resolving the Iran nuclear crisis. During the P5+1 talks, Iran had steadily increased its enrichment capability, ceased implementing the Additional Protocol (February 2006), begun the Arak heavy-water reactor project (2006), and built a second enrichment facility deep underground at Fordow (disclosed in 2009). The Additional Protocol, which most countries had already adopted, affords the IAEA enhanced

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3. The September 19, 2005, joint statement of the six-party talks included the following: "The DPRK [Democratic People's Republic of Korea, the formal name of North Korea] stated that it has the right to peaceful uses of nuclear energy. The other parties expressed their respect and agreed to discuss, at an appropriate time, the subject of the provision of light water reactor to the DPRK." Similarly, in a speech dated May 31, 2006, Secretary of State Condoleezza Rice addressed the Iranian program: "The Iranian people believe they have the right to civil nuclear energy. We acknowledge that right." The change in the US position on Iran followed Russia's pledge to take back spent fuel from the Bushehr nuclear reactors.

4. The United Kingdom, Germany, and France began the "E3" negotiations with Iran in 2003, not long after Iran's clandestine enrichment activities were revealed. In 2006, the United States, Russia, and China joined the negotiations, which became known as the P5+1 negotiations – that is, the five permanent members of the UN Security Council plus Germany. (The Europeans typically used the term E3+3 rather than P5+1.)

5. Space launch vehicles are widely understood to employ technology indistinguishable from ballistic-missile technology. Ideally, the Leap Day agreement would have addressed space launch vehicles explicitly.

access to a country's nuclear activities, which was essential to verifying Iranian compliance with its NPT obligations given its record of clandestine nuclear activities. The heavy-water reactor at Arak, while ostensibly intended for research, would be well suited for plutonium production, potentially giving Iran a second pathway to nuclear weapons.

As an initial overture, the United States worked with the IAEA and Iran in 2009 on an arrangement to fuel the Tehran Research Reactor, which provided medical isotopes for cancer treatment and other medical purposes. The United States hoped that this effort might lead to progress on other nuclear issues, but the Iranian legislature rejected the deal even though (or because) President Mahmoud Ahmadinejad supported it. In 2011, Iran alarmed experts by increasing uranium enrichment levels to 19.75 percent, which would significantly shorten the time needed to reach weapon grade.

Just four years later, Iran entered into the Joint Comprehensive Plan of Action (JCPOA) with the P5+1 and the European Union (EU), rolling back key elements of Iran's nuclear program and greatly enhancing transparency measures in Iran in exchange for relief from nuclear-related sanctions. Two factors likely account for this diplomatic turnaround: the combination of US and EU sanctions that sharply cut Iran's oil revenues<sup>6</sup> and the Obama administration's decision to drop the demand for eliminating all uranium enrichment in Iran.<sup>7</sup> The latter decision recognized the reality that states will rarely abandon a significant scientific and technological achievement that has been fully demonstrated and developed.<sup>8</sup> While uranium enrichment continued in Iran, the JCPOA imposed a 15-year cap of no more than 300 kilograms of uranium enriched to no more than 3.67 percent.

This cap, together with constraints on the numbers and types of operational centrifuges, extended from a few months to one year Iran's "breakout time" – the time needed to acquire a bomb's worth of weapon-grade (90 percent enriched) uranium. (This does not count the additional time needed to fabricate a usable weapon.) Like the Agreed Framework, the JCPOA consisted of political commitments that are not legally binding.

The US team negotiating the JCPOA was extremely familiar with the history of negotiations with North Korea, including the 1994 Agreed Framework.<sup>9</sup> The team recognized the merits of the Agreed Framework – taking into account the difficulty of negotiating with North Korea and the crisis environment at the time – but sought to improve upon it in the JCPOA (Nephew and Highsmith 2017). These improvements included the following:

- A concerted effort was made to close all possible loopholes, create shared interpretations of key clauses, and foreclose even activities Iran had not attempted (such as reprocessing spent fuel). The result was a highly detailed document over 80 pages in length, compared to fewer than 10 pages of general commitments in the Agreed Framework.
- A dispute resolution mechanism was established, with clear consequences for nonperformance, including the snapback of sanctions lifted under the deal.
- Most importantly, the deal imposed the most stringent verification measures ever included in a nuclear accord, including a legal undertaking to implement the Additional Protocol,

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6. A complex web of US sanctions laws was designed to put economic pressure on Iran to change its behavior, but the sanction that proved to have the most bite was section 1245 of the National Defense Authorization Act for Fiscal Year 2012. This provision essentially blocked access to the US banking system by any foreign bank that engaged in a "significant financial transaction" with the Central Bank of Iran or any other Iranian bank designated by the Treasury Department. In testimony before the Senate Foreign Relations Committee on January 21, 2015, Undersecretary of the Treasury David S. Cohen described this sanction as a "death penalty for any international bank" due to the central role of the US banking system in international currency exchange. As a consequence, most banks ceased transactions with the Central Bank of Iran, which meant that Iran could not access the proceeds of its oil sales. On January 23, 2012, the EU announced an embargo on the purchase of Iranian oil, effective in July of that year, as well as banking sanctions. The EU had been a major purchaser of Iranian oil.

7. The United States informed Iran of this significant change during bilateral talks in Muscat, Oman, in February 2013 (Burns 2019).

8. South Africa and Libya may appear to provide counterexamples in that they did abandon their nuclear programs. However, South Africa did so only after a radical change in its government and its national direction. And Libya never developed a viable nuclear program, finding that it lacked the technical capacity to exploit the nuclear technologies it had acquired on the black market.

9. Ambassador Wendy Sherman, who led the JCPOA team, had worked extensively on North Korea nuclear issues in the Clinton administration, and other team members studied the Agreed Framework and six-party talks. I was the legal adviser for both the Agreed Framework and the JCPOA negotiating teams.

additional intrusive verification measures ranging from 15 to 25 years, and establishment of a procurement channel to monitor Iranian acquisition of nuclear-related items and technology.

Nevertheless, the overall approach to the JCPOA resembled the approach to the Agreed Framework in several respects. First, it focused on the path to acquiring weapon-grade nuclear material. Second, it emphasized the essential role of the IAEA in verifying Iran's compliance with its commitments. And third, it recognized that a step-by-step process was needed to build confidence

***The nuclear crises in North Korea and Iran share one hard reality: a military solution is not deemed feasible, even as a last resort.***

gradually given the historic hostility between the United States and Iran. In addition to the JCPOA's phased implementation plan, a phased implementation process had preceded the JCPOA itself: a Joint Plan of Action was adopted in November 2013, establishing interim measures to be fulfilled by both sides. As the two sides continued to fulfill their commitments under this interim deal, they gained confidence that future commitments would also be fulfilled. The interim deal also provided breathing room to negotiate the comprehensive deal.

## **HARD LESSONS**

The nuclear crises in North Korea and Iran share one hard reality: a military solution is not deemed feasible, even as a last resort. It is doubtful that either nuclear program could be destroyed by bombing; some key facilities might be destroyed, but they could be rebuilt in even less accessible sites. Both countries now know how to build nuclear programs, and such knowledge cannot be bombed away.

Furthermore, the price of such a bombing campaign would be enormous – and in the case of war on the Korean Peninsula, catastrophic.

Beyond that, the two crises differ significantly. The North Korean economy is relatively invulnerable to economic sanctions due to the country's isolation and the government's willingness to impose untold suffering on its people. North Korea had separated enough plutonium for one to two nuclear weapons when the United States began negotiations in 1993 and since 2002 has continued to build (and test) its nuclear deterrent. Already possessing a nuclear deterrent and having no

nuclear facilities designed for civil power generation, North Korea has consistently been willing (at least on paper) to commit to dismantling its existing nuclear pro-

gram. Its prior adherence to the 1992 North-South denuclearization agreement provided a template for forgoing enrichment and reprocessing (and ensuring that South Korea does the same). Without that agreement, North Korea would likely have insisted in negotiations on its "right to enrich," as Iran has done.

Iran's economy is more vulnerable to economic sanctions. Although it endured sanctions for many years before engaging in serious negotiations, the government has to be sensitive to the level of suffering inflicted on the population. Iran does not have nuclear weapons and is assessed to have suspended most of its weapons efforts in 2003. It has functioning power reactors at Bushehr, which provide a superficially plausible reason for retaining its enrichment capability (even though Iran started developing enrichment with nuclear weapons in mind).

Accordingly, the United States has sought different types of nuclear constraints in negotiating with North Korea as compared to Iran. The differences are tailored to the different realities of the

10. The Additional Protocol did not exist when the Agreed Framework was negotiated, but should unquestionably be required in any future deal with North Korea, even if implementation is not immediate.



two countries. Even in the all-important area of verification, some differences are inevitable. For example, Iran's legal commitment to implement the Additional Protocol and to do so immediately was a critical element of the JCPOA. In contrast, it is unrealistic to expect that any future deal with North Korea will require immediate, full implementation of the Additional Protocol, as North Korea will no doubt retain nuclear weapons until a later phase in any such deal.<sup>10</sup> This discrepancy is not ideal any more than Iran's continuing enrichment is ideal, but negotiated solutions seldom result in either side's ideal outcome.

Policy consistency is important. The challenge in any negotiation is to demonstrate consistency in policy while at the same time recognizing the unique reality of the other side. For better or worse, the United States has a long history of balancing nuclear nonproliferation principles with the realities of individual states. For example, the United States spent years persuading the Nuclear Suppliers Group to condition nuclear supply on the recipient agreeing to full-scope IAEA safeguards, but in 2008 the Bush administration sought the

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first exception to that rule for India after negotiating the US-India agreement for nuclear cooperation. Similarly, Senator John Glenn authored sanctions for transfers of enrichment and reprocessing equipment in the 1970s as well as sanctions under the Nuclear Proliferation Prevention Act of 1994, emphasizing consistent standards applicable to all countries. But executive-branch application of these sanctions against Pakistan yielded to the

exigencies of the Soviet invasion of Afghanistan in the late 1980s and, decades later, the terrorist attacks of September 11, 2001. Even the policies themselves may not be models of consistency. The NPT has one set of rules for the five states that tested nuclear weapons before January 1, 1967, and another set for all the rest. The Glenn sanctions noted above are action-based rather than country-based and hence apply to all states that transfer or receive enrichment or reprocessing technology,<sup>11</sup> but they do not sanction states that already have such technologies or that have acquired nuclear weapons (such as Israel). And their effect is felt only by states reliant on US assistance, such as Pakistan, and not those that do not receive such assistance, such as India. Thus, the underlying policies reflect a balancing of nonproliferation interests with other interests, just as occurs with implementation of those policies.

Furthermore, strict consistency in nuclear negotiations has not produced the desired results. The Bush administration arguably maintained consistency between its approach to North Korea and its approach to Iran, at first demanding that both

give up all nuclear activities and later acknowledging that both had a right to peaceful nuclear energy and allowing for the possibility of power reactors

(but not enrichment or reprocessing facilities). But this consistency failed to produce a negotiated solution to either crisis.

Perhaps "failed" is the wrong word to describe the Bush-era policies, as some in the Bush administration clearly did not want a negotiated solution with either country, other than a "negotiated" solution in which the United States dictated all the terms.

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11. Section 101 of the Arms Export Control Act prohibits the provision of certain economic and military assistance to any country determined by the president to have delivered to another country or received from another country "nuclear enrichment equipment, materials, or technology." 22 USC 2799aa. The sanctions do not apply if both parties to the transfer reached agreement to place all such items "under multilateral auspices and management when available" and the recipient country placed all items under IAEA safeguards. The "multilateral auspices" envisioned when these sanctions were enacted have never been established. The president can waive the sanctions if he determines that termination of assistance "would have a serious adverse effect on vital United States interests" and receives reliable assurances that the recipient country will not develop nuclear weapons or assist other countries in doing so. Section 102 of the Arms Export Control Act prohibits the provision of certain economic and military assistance to any country determined by the president to have delivered to another country or received from another country "nuclear reprocessing equipment, materials, or technology." 22 USC 2799aa-1(a). The president could waive the sanctions if he determined that termination of assistance "would be seriously prejudicial to the achievement of United States nonproliferation objectives or otherwise jeopardize the common defense and security."

During Bush's first term, the United States refused to engage in direct bilateral discussions with North Korea and insisted that North Korea forgo even civil nuclear-energy activities. The United States did not join European efforts to negotiate with Iran until 2006, well into Bush's second term. Combined with harsh rhetoric toward both countries, the first-term approach of the Bush administration seemed designed to *avoid* a negotiated solution.

Opposition to a negotiated solution with North Korea or Iran may be defensible to the extent that one believes that resolving other issues with

***It was not essential that identical nuclear constraints be applied to both North Korea and Iran, but it was important that the general approach to these two countries be consistent.***

that country is as important as (or more important than) resolving the nuclear issue or that negotiations are futile, even dangerous, because Iran will never truly abandon efforts to acquire nuclear weapons and North Korea will never give up its nuclear weapons. While the first point is seldom made openly, it is implicit in the approach taken by some countries and individuals. The Clinton and Obama administrations simply did not share that view and believed that resolving the nuclear issues with North Korea and Iran had to come first. The second point – that one or both countries may be implacably determined to have a nuclear deterrent – is not just a concern of those opposing negotiated solutions with these two countries. It was a constant concern of the US teams negotiating the Agreed Framework and the JCPOA. They negotiated with the idea that whatever deal they reached had to be in the best interest of the United States *even if* the other side was indeed so determined – hence the focus on enhanced transparency, as well as ensuring that the other side would not be able to improve its nuclear program during the life of the

deal. In any case, for those who believed the United States should negotiate only where it could dictate the terms, a desire for strict policy consistency was not what determined their views.<sup>12</sup>

The US team negotiating the JCPOA learned valuable lessons from the negotiations with North Korea that occurred in the prior 15-20 years. Policymakers dealt with each country based on the nature of its nuclear program and the tools available to the United States to induce the country to change its behavior. It was not essential that identical nuclear constraints be applied to both North

Korea and Iran, but it was important that the general approach to these two countries be consistent. This was done in each administration, not necessarily through close coordination

between the teams negotiating with the two countries, but based on long-standing nonproliferation policies and time-tested negotiating objectives. In addition, senior policymakers oversaw talks with both countries, and they had every incentive to avoid proposals to one country that would harm the US position vis-à-vis the other country. For example, the team negotiating the Agreed Framework regularly briefed the national security adviser, the secretary of state, and the secretary of defense, even in the midst of negotiations overseas. Similarly, JCPOA negotiations were often led by the secretary of state, and the secretary of energy participated extensively as well. The president was briefed regularly and made critical decisions on the direction of the JCPOA negotiations.

As a result, the general approach in each case reflected the following common principles:

1. Any deal must focus on the facilities and technologies needed to acquire weapon-grade nuclear material (even though

12. After the Gulf War in 1991, the United States and its allies were able to dictate the terms for eliminating Iraq's weapons of mass destruction program and for verifying that Iraq had followed through. While the elimination effort was successful, it did not prove sustainable, as Saddam Hussein's government began resisting inspections. Even nonproliferation regimes that were imposed after a war rather than negotiated may not be a cure-all.

a deal with North Korea ultimately would also have to address existing stockpiles of weapon-grade material and the nuclear weapons themselves).

2. Commitments must be detailed and specific to enable the two sides to measure compliance and minimize implementation disputes down the road.
3. Implementation must entail a step-by-step process to build confidence that the other side will deliver on its commitments.
4. Most important, “it’s the verification, stupid”: a deal must empower the IAEA to verify compliance. These measures also provide the international community a window into the nuclear activities of concern.

With regard to the last two points, the level of distrust between the United States and these two hostile countries precludes the development of real “trust.” Hence, any deal must be crafted so as not to depend on trust.<sup>13</sup> In the absence of trust, each side must have sufficient confidence that the other side will perform, that cheating will be detected, and that in the event the deal breaks down neither side will appear disadvantaged vis-à-vis the other side.

## GOING FORWARD

Implementation of the Agreed Framework was always going to be a bumpy road, with North Korea testing the limits of the deal, if not indeed violating them. The same is true of the JCPOA and, for the matter, arms control agreements with Russia. If the Bush administration had used the Agreed Framework as a tool to bring North Korea back into compliance, would North Korea have nevertheless expanded its arsenal and proceeded to test its weapons? Or did the Agreed Framework represent a window of opportunity for freezing and perhaps ultimately rolling back its nuclear-weapon program? We will never know.

Looking at the course of negotiations with North Korea since the demise of the Agreed Framework – from the six-party talks to the Leap Day agreement to the current administration’s summitry with North Korea – it is difficult not to conclude that North Korea has learned mostly unhelpful lessons:

- The United States cannot be counted on to follow through on a nuclear deal (at least not from one administration to the next).
- The only true security for the regime is through retention of a nuclear deterrent.
- The North Korean nuclear-weapon program can move forward while negotiations with the United States drag along, notwithstanding periodic agreement to vague denuclearization objectives (which never seem to be implemented).

While the Trump administration’s rejection of the JCPOA may incrementally reinforce the lesson for North Korea that it cannot count on the United States to implement a nuclear deal, that lesson was already fully absorbed through the demise of the Agreed Framework.

This administration’s embrace of the North Korean leadership, while unnecessarily effusive, might conceivably soften the distrust between the two sides. However, if it is to translate into a meaningful nuclear deal, the US negotiators will have to embrace the lessons from prior negotiations, including the four principles suggested above, to test whether North Korea is still stringing the United States along while continuing to develop its nuclear deterrent. The highly general language of the first summit’s joint statement (White House 2018) was not designed to meet those criteria; indeed, the statement confirmed that “follow-on negotiations” between the secretary of state and a North Korean counterpart would be needed to “implement the outcomes” of the summit. Unfortunately, the follow-on negotiations probably have not been enhanced by the president’s statement that North Korea is no longer “a nuclear threat” or by his description of the joint statement as “very, very comprehensive.”

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13. President Ronald Reagan said with regard to US-USSR arms control, “Trust, but verify.” Despite the feel-good sound of this aphorism, verification was essential because of the (well-founded) absence of trust between the United States and the Soviet Union. The same is true of US relations with North Korea and Iran.

Iran might also learn unhelpful lessons from the North Korea example. Iran might conclude that the only meaningful security and leverage comes from actual possession of nuclear weapons. However, since Iran does not currently possess nuclear weapons, and since the IAEA would detect a move toward nuclear weapons, Iran seems likely to be deterred by the certainty of a strong international backlash. The backlash might even include military action by a state or states determined to avoid a nuclear-armed Iran, which could threaten the survival of the current regime. To the extent that Iran's security depends on achieving regional objectives (for example, in Iraq, Syria, and Yemen), it has not needed nuclear weapons to pursue those objectives, relying instead on surrogate groups with minimal direct

***In terms of consistency of approach, it is difficult logically to reconcile this administration's embrace of North Korea with its trashing of the JCPOA despite Iran's verifiable compliance with its nuclear constraints.***

involvement by Iranian forces. In short, Iran's judgment regarding the utility of nuclear weapons is specific to its own situation and may not be influenced by the completely different example of North Korea.

Entering into the nuclear negotiations, Iran may have questioned whether the United States would follow through on its commitments, based on the history of the Agreed Framework. Iran would have been aware that North Korea's apparent admission of uranium enrichment provided the United States with grounds to stop carrying out its commitments under the Agreed Framework. Perhaps it had this history in mind when it continued to observe the nuclear constraints in the JCPOA even after the current administration took office vowing to kill the deal (and even for some time after the United States withdrew from the deal).

In terms of consistency of approach, it is difficult logically to reconcile this administration's embrace of North Korea with its trashing of the JCPOA despite Iran's verifiable compliance with its nuclear constraints. The US failure to follow through on the JCPOA, despite pleas from its closest allies, will unavoidably complicate any future negotiations with Iran and hang over implementation of any deal that might be concluded. Even worse, US credibility in entering into negotiated arrangements may suffer with countries besides North Korea and Iran and in areas other than nuclear nonproliferation.

Concerns about diminished US credibility are often overblown. For many decades, the United States has been the indispensable party in international affairs. Despite its periodic wobbles, the United States carries too much weight militarily and economically to be sidelined. Indeed, in nuclear negotiations, both North Korea and Iran treated the United States as indispensable. Nei-

ther was prepared to make significant progress in negotiations except through direct bilateral talks with the United States: North Korea talked to no one but the United States until after the Agreed Framework was adopted, and the breakthrough with Iran occurred only after bilateral talks began in the secret Omani channel in February 2013. But if the United States cannot sustain a consistent general approach to nuclear negotiations and nuclear deals, and if US policy continues to vacillate with the vagaries of domestic politics, the day may come when the United States is no longer treated as the indispensable party. The possibility of such a result may be as significant a threat to US national security interests as are the nuclear programs of North Korea and Iran. ■

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# Biographies

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Sharon Squassoni is the principal investigator for the Nuclear Boundaries Initiative and research professor of the practice of international affairs at the Elliott School of International Affairs, George Washington University. She researches measures to reduce risks from nuclear weapons and nuclear energy, particularly those related to nuclear material and fuel cycle facilities. Before joining the Elliott School, she directed the Proliferation Prevention Program at the Center for Strategic and International Studies from 2010 to 2017 and was a senior scholar at the Carnegie Endowment for International Peace from 2007 to 2010. From 2002 to 2007, Ms. Squassoni advised Congress as a senior specialist in weapons of mass destruction at the Congressional Research Service. She also served for eight years in the Department of State and in the Arms Control and Disarmament Agency. Ms. Squassoni earned a BA in political science from the State University of New York at Albany, a master's in public management from the University of Maryland, and a master's in national security strategy from the National War College. She is a member of the International Institute for Strategic Studies, the Science & Security Board of the *Bulletin of Atomic Scientists*, the board of the Center for Arms Control and Nonproliferation, and the advisory board of the PIR Center in Moscow. Her most recent publication, with Malte Goettsche, "An Interim Path for Verifying Fissile Material Production and Inventories," will be published in 2021 in a volume entitled *Verifiability and irreversibility of nuclear disarmament: Technical background for an informed debate about scope*.

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Alexander Mariyasov is a retired ambassador with decades of experience in Russian diplomacy. He is an expert in Iran and Afghanistan and speaks fluent Farsi. After graduating from the Moscow State Institute of Foreign Affairs in 1969, he was posted in Iran, Afghanistan and Thailand. Upon his completion of studies at the Diplomatic Academy, he held senior posts, including counselor in the Soviet embassy in Afghanistan from 1986 to 1990; consul general in Esfahan from 1994 to 1997 and ambassador to the Islamic Republic of Iran from 2001 to 2005. From 2005 to 2010, he directed the Second Asian Department in the Ministry of Foreign Affairs and became ambassador to the Kingdom of Thailand and Permanent Representative to UN Economic and Social Commission for Asia and the Pacific in Bangkok from 2010 to 2014. He holds a PhD in history from Moscow State University of Foreign Affairs and is the author of many articles on the foreign and internal policy of Iran and Afghanistan. He retired from public service in 2014, and has been active as an expert at the Valdai International Discussion Club in Moscow.

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Peter Almquist retired from the Department of State in 2018 after 25 years of government service. He received his PhD in political science from the Massachusetts Institute of Technology, where he focused on Soviet defense industry. He joined the U.S. Arms Control and Disarmament Agency (ACDA) in 1993, working on cooperative US-Russian efforts to prevent the "brain drain" of nuclear scientists following the collapse of the Soviet Union and on defense conversion issues with China.

After ACDA's merger into the State Department in 1999, Almquist worked on nuclear and strategic arms control and security issues related to Asia. From 2006 until 2018, he specialized in nuclear nonproliferation issues, mainly in Northeast Asia. His research interests include the role of the individual decision-maker or advocate in proliferation-related decisions.

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Newell Highsmith served for 30 years as an attorney at the U.S. Department of State with primary

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In addition, he was directly involved in analyzing the legal issues raised by Syria's use of chemical weapons and its construction of a clandestine nuclear reactor; evaluating Russia's violations of its arms control obligations; responding to Indian and Pakistani nuclear testing; facilitating Libya's renunciation of weapons of mass destruction; establishing dual-use export controls in the Nuclear Suppliers Group; negotiating elements of the New START

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Highsmith received a B.A. in English from the University of North Carolina at Chapel Hill, a J.D. from Harvard Law School, and an LL.M. in International Law from George Washington University Law School. Prior to joining the State Department, he worked in private practice for three years and was a teaching fellow at George Washington University Law School for two years. He has been an adjunct professor of law at Georgetown University Law Center (teaching "Nuclear Nonproliferation Law") and has regularly written, spoken, and consulted on nuclear issues since retiring from the State Department in April 2017. ■



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