



Non-proliferation and the Democratic People's Republic of Korea

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Introduction: choices between acceptance and war

Since the two nuclear weapons were dropped on Japan in 1945, the world's great powers have struggled to limit further nuclear proliferation while strengthening their own capabilities. Despite the ongoing proliferation debate, since the US and the USSR developed nuclear weapons in 1945 and 1949, respectively, various other states have followed in their footsteps including the United Kingdom (1952), France (1960), China (1964), India (1974), Israel (without a confirmed test), Pakistan (1998), and the Democratic Republic of Korea (DPRK or North Korea, in 2006).

Figure 1. DRPK (North Korea) and ROK (South Korea)



The threat of unrestrained nuclear proliferation led to the negotiation of the Nuclear Nonproliferation Treaty (NPT) in 1968, which came into force in 1970. The NPT is reinforced by the 1995 Nuclear Test Ban Treaty (CTBT), which has not come into force, largely because the United States refuses to ratify it. The NPT, CTBT and associated trade controls make up the Nonproliferation Regime, the system of treaties and, agreements and domestic law designed to slow the spread of nuclear weapons capability. Nuclear weapons have helped bring the world's

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total deployed nuclear stockpile down from about 70,000 in the early 1970s to less than 5,000 today. But it has not solved the problem of discouraging proliferation by specific states determined to acquire nuclear weapons capability, among them the Democratic People's Republic of Korea (DPRK, North Korea).

The Security Council is increasingly concerned about nuclear weapons proliferation, especially in light of recent nuclear threats and tests by the Kim government of DPRK. While many western states are focusing on arms limitations, North Korea's intentions appear to be geared towards achieving nuclear parity with that regime's greatest perceived threat: the United States of America. Therefore, many of the UNSC's efforts are aimed at crippling DPRK's nuclear development capabilities.

The Korean nuclear problem is full of ironies and difficulties. Having withdrawn from the 1968 NPT, DPRK is legally entitled to develop nuclear weapons. As a signatory, the Republic of Korea (ROK or South Korea) is legally forbidden to go nuclear, and relies on nuclear guarantees from the United States. The DPRK has ignored recurring international calls for dismantling its growing nuclear weapons program. Despite multi-party talks, the regime in DPRK remains steadfast in its desire to achieve nuclear parity with the West. Talks, however, are notoriously one-sided and quickly break down, much to the disparity of the West.

II. History / Background

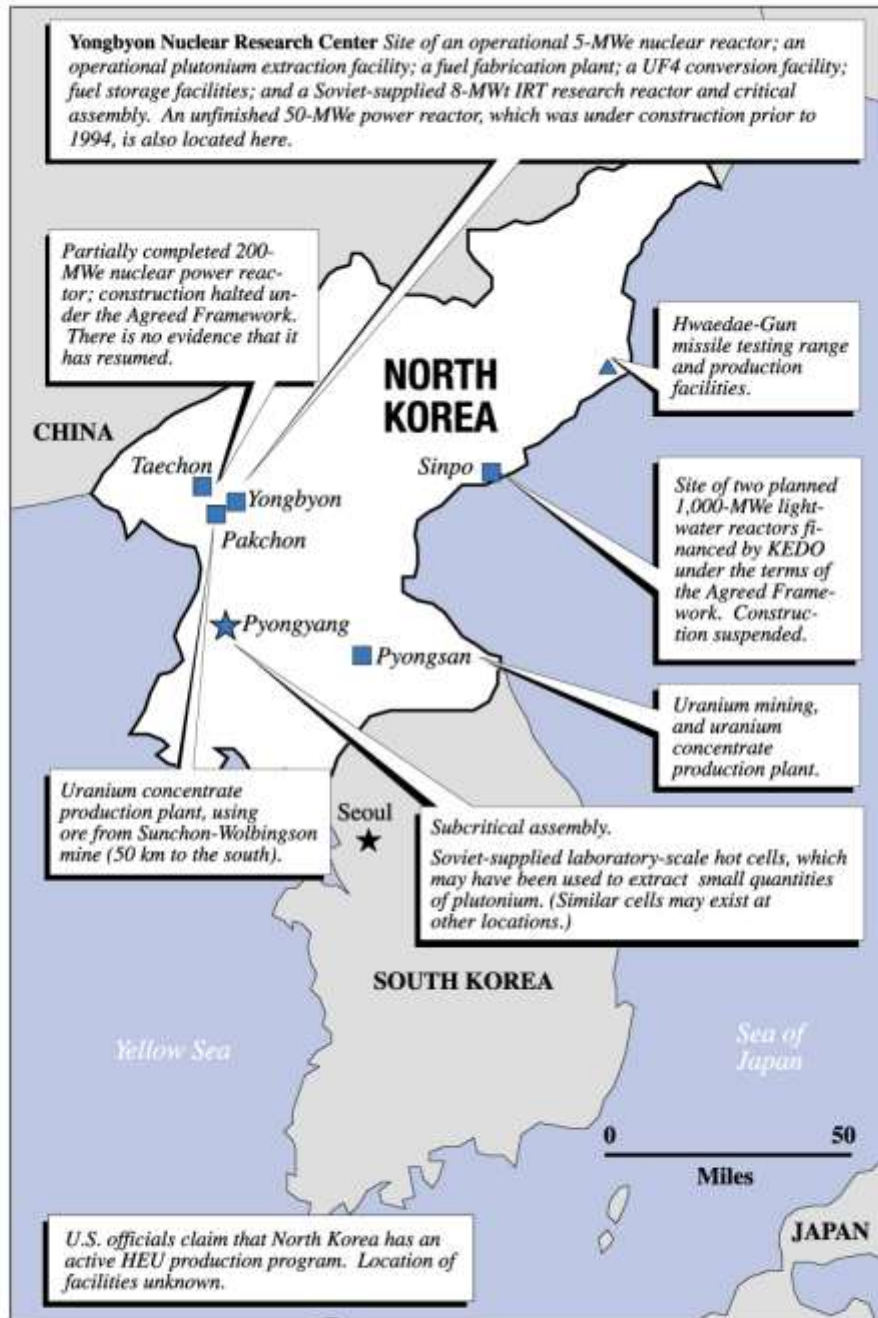
DPRK successfully tested a nuclear device for the first time in 2006. However, despite the nation's secretiveness, the country's regimes have never been shy to flaunt their decision to acquire and grow a nuclear weapons program. The DPRK successfully established its first nuclear reactor in the 1970's at Yongbyon while simultaneously beginning uranium mining operations. During this start-up period, the Kim regime requested help from several western nations in growing its nuclear research program, but was repeatedly denied.

In the 1980's, the program continued to grow. The country completed a second reactor, expanded the site at Yongbyon, and repeatedly refused to allow inspectors from the International Atomic Energy Agency (IAEA) to inspect reactor sites, despite being party to the Nuclear Nonproliferation Treaty (NPT). While it is unclear whether the country was producing weapons-grade plutonium in the 1980's, the regime continuously expanded factories at both reactor sites to produce fuel and refine yellowcake, the raw material used to create bomb-grade uranium and plutonium. While no IAEA inspectors were allowed in to the facilities until 1992, there was widespread speculation at the time that DPRK was using its reactor at Yongbyon to create weapons-grade *plutonium*. With no obvious civilian use, the plutonium program was widely assumed to be for nuclear weapons.

Tensions continued to amount with the west. In 1994, DPRK signed the *Agreed Framework* with the United States which mandated the DPRK halt production of plutonium, disclosing the amount of enriched plutonium it possessed, and dismantling its nuclear facilities in exchange for economic aid, oil imports, and the construction of two light water nuclear power plants, suitable only for electrical power generation. The *Agreed Framework* collapsed in 2001, when newly-elected U.S. President George W. Bush refused to supply promised civilian nuclear technology and other aid. In 2002, DPRK publically admitted to restarting its nuclear weapons program. That same year, the regime began rebuilding its previously dismantled processing plant with the explicit intent of producing weapons grade plutonium.

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Figure 2. Major DPRK Nuclear Facilities



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In the decade following the rebuilding of the Yongbyon reactor, DPRK announced its intent to withdraw from the NPT and also from a 1992 treaty which declared the Korean peninsula would remain nuclear weapons-free. Finally, in 2004, the Kim regime permitted an American scientist to tour the facility as Yongbyon, followed by an announcement that the country had converted the plutonium from 8000 spent fuel rods in to nuclear devices. The following year, North Korea announced its intention to begin construction on more nuclear facilities throughout the country.

Diplomatic efforts focused mostly on the Six Party Talks, a Chinese brokered forum bringing together China, Japan, DPRK and ROK (North and South Korea), Russia and the United States. The Six Party Talks have not made significant breakthroughs. Their most important function often is to serve as a measure of the state of relations. North Korea often has refused to get involved. The United States often uses the Talks to press China to make demands on DPRK, which China refuses to do.

DPRK's first successful nuclear test occurred in 2006. The Kim Jong Il government announced on October 3, 2006 that it intended to test a nuclear device and three days later followed through with a subterranean detonation. State media officially confirmed the detonation on October 9th. However, USGS data estimates show the detonation to be between 1/24th and 1/50th the size of the Indian and Pakistani tests of the 1990's, suggesting to analysts that state media over-inflated the success of the device's detonation. In response to the detonation, the United Nations Security Council (UNSC) passed Resolution 1718, imposing largely symbolic sanctions on the Kim regime. The resolution was largely pushed by the Bush administration and was not fully supported by neither China nor Russia.

Since the 2006 test, North Korea's relationship with the other global nuclear powers has been a constant balancing act. In exchange for DPRK agreeing to dismantle its reactors, the west, usually in conjunction with South Korea, will provide aid which the impoverished North desperately needs to sustain its population. For example, in 2007, as per an agreement with South Korea, DPRK closed its reactor at Yongbyon in exchange for diesel fuel. As per that agreement, the South was set to deliver 50,000 total tons of diesel aid. The following year, the North destroyed the cooling tower at Yongbyon, disabling the reactor. In response, the United States promised to remove the state from the State Sponsors of Terrorism list. But the United States never removed DPRK from the list.

The nuclear program officially restarted in May 2009, re-building the Yongbyon reactor, as well as a parallel facility to enrich uranium to bomb purity. DPRK tested its second nuclear device in 2009, and third in 2012.

III. Current Situation

There are currently nine states globally who have confirmed nuclear stockpiles or are widely believed to possess such stockpiles. The United States possesses about 1950 operational strategic nuclear warheads; the Russian Federation about 1800; United Kingdom about 160; France about 290; India, Pakistan, DPRK, and Israel presumably have no operational strategic nuclear warheads; and China's numbers are unknown.

In 2012, DPRK began new construction on the previously dismantled Yongbyon reactor, which would provide the country with the ability to process spent nuclear fuel rods to extract

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plutonium to fuel the country's reactors. A few months later, DPRK successfully launched its first long-range missile in to orbit. While the regime publically claimed the launch was purely

scientific, many international analysts believe the launch was a guise for testing previously failed intercontinental ballistic missile (ICBM) technology. The UNSC condemned the launch, further escalating tensions.

Figure 3. DPRK Nuclear Tests

Third time

North Korea carried out its third, most powerful nuclear test despite UN warnings.

Previous tests

- **Oct. 2006** Detonates nuclear device for first time; yield is 0.5 to 1 kiloton
- **May 2009** Second detonation is partial success; larger yield of 2 to 6 kilotons
- **Feb. 2013** Early estimates put yield at 6 to 10 kilotons

NOTE: Experts consider 10 kilotons a successful blast

Source: ESRI, AP

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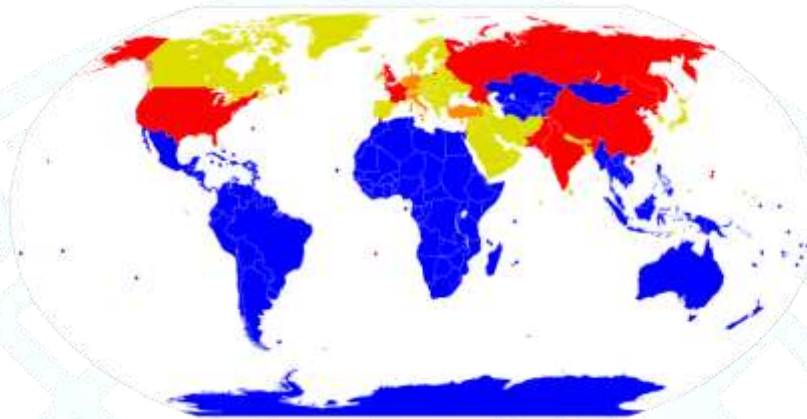


IV. Role of the United Nations

- The United Nations has defined “Nuclear Weapons Free Zones” as a multilateral agreement which bans the use of, development of, and deployment of nuclear weapons in a given area which includes oversight mechanisms. There are currently nine nuclear-free zones: the Antarctic, outer space, Latin America/the Caribbean, the seabed, the South Pacific, the ASEAN nations, Mongolia, Central Asia, and Africa.

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<http://en.wikipedia.org/wiki/File:Nwfz.svg>

- In 1996, the UN GA passed the Comprehensive Nuclear Test Ban Treaty (CTBT). It was initially signed by 71 states. However, since its passage, 159 states have ratified the CTBT and 24 have signed but not ratified. Unfortunately, in order for the treaty to enter in to force, it needs 44 ratifying states including all of the Nuclear Weapons States outlined by the NPT. Eight of the required states have signed the treaty but have failed to ratify it including the US, China, Egypt, Iran, and Israel. India, North Korea, and Pakistan have not signed the treaty. The US remains wholly against ratification and the treaty repeatedly failed in the Senate. The Treaty requires party states to refrain from partaking in any nuclear test explosions nor permit these types on explosions on that country's sovereign territory. It also requires each party to refrain from causing, encouraging, or participating in the carrying out of any test explosion.

V. Relevant Resolutions

- *UNSC res. 825*: Passed in 1993 with the abstentions of Russia and China. This is one of the earliest relevant UNSC resolutions targeting DPRK. It asked the Kim regime to reconsider its withdrawal from the NPT and established the basic outlines of international policy followed to this day.
- *UNSC res. 1695*: Passed unanimously in 2006. Banned selling any materials to DPRK which would further that regime's ability to further its ballistic missile program. It also condemned July 4th missile tests but did not invoke Chapter VII of the UN Charter despite requests by some member states.
- *UNSC res. 1718*: Passed unanimously in October 2006. It did invoke Chapter VII, Article 41 of the charter. It imposed economic and commercial sanctions against DPRK in response to the first nuclear test. It demanded North Korea return to the failed six-party talks, not conduct future tests or launches of ballistic technology, and must abandon all pursuits of nuclear weapons. The SC resolution banned DPRK from importing military equipment, required UN members to freeze all of the Kim regime's overseas assets, and prohibited member states from exporting luxury goods to the DPRK.

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- *UNSC res. 1874*: Passed in 2009. It authorized member states to stop all DPRK cargo ships, consistent with international law, and destroy any and all goods suspected of being connected with the regime's ongoing nuclear research. It, again, required DPRK to return to six-party talks and renounce its withdrawal from the NPT. Member states were further prohibited from providing financial assistance to DPRK. The arms embargo was also extended: all weapons exports from DPRK were banned and most weapons imports in to the country were affected. The country was also required to alert the UNSC five days prior to arms deals in order to obtain permission to follow through on the deal. Finally, the resolution asked member states to update the UNSC with any and all steps taken towards enforcing sanctions against DPRK.
- *UNSC res. 2094*: Passed unanimously in 2013 following the regime's third nuclear test. This most recent UNSC resolution implemented even tougher sanctions which imposed financial restrictions upon DPRK affecting bulk cash transfers as well as all financial activity deemed illicit. The resolution increased member states' power in inspecting all suspicious cargo as well as the right to deny port and overflight accesses to shipments considered DPRK-affiliated. Previous sanctions were strengthened and new items were added to the UNSC list of sanctioned items.

VI. Relevant International Treaties and Policies

- *Nuclear Non-proliferation Treaty*: This treaty was opened for signature on 1 July 1968 and entered in to force in March 1970. It recognizes five "nuclear-weapons states": The United States, The Russian Federation, United Kingdom, France, and China. The NPT is the most widely ratified arms limitation agreement in history. However, there are five countries who are non-party to the treaty who are either believed to possess nuclear weapons or have publically professed their possession of such technology: Israel, DPRK, India, and Pakistan. There are ten tenants of the NPT. However, there are five articles most pertinent to today's issues with DPRK:
 - Article I: Nuclear Weapons States agree not to disperse nuclear weapons to non-Nuclear Weapons States.
 - Article II: All non-Nuclear Weapons States agree not to receive or manufacture nuclear devices.
 - Article III: All non-Nuclear Weapons states must work in conjunction with the IAEA to implement safeguards against the acquisition of nuclear weapons.
 - Article IV: Signatories have a right to civilian nuclear technology. All exchanges of nuclear technology for peaceful means may continue.
 - Article X: Signatories must give three months' notice prior to withdrawing from the treaty.
- *Comprehensive Nuclear Test Ban Treaty (CTBT)* was completed in 1995. Among nuclear weapons states, most have signed, including Britain, China, France and Russia. The United States signed by the U.S. Senate refused to ratify it in 1999. DPRK has not signed.

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- *No First Use*: No first use is the policy of only using nuclear weapons in a defensive manner. It is the professed policy of India and Pakistan. Only China and India have made clear no-first use pledges. The Russian Federation accepted NFU until 2000, when policy was made conditional. The United Kingdom has not explicitly backed NFU, but pledged to only use nuclear weapons in retaliation. The United States refuses to make a non-first use pledge.
- *New START Treaty*: This was signed in 2010 between the United States and the Russian Federation. It is an arms reduction treaty which entered in to effectiveness in 2011 and extends until 2021 unless extended. The treaty requires each party to reduce its deployed strategic nuclear weapons to no more than 1,550 each. It also instituted a new inspection and verification system to replace the former oversight mechanism. While relatively

comprehensive, the treaty does not limit operationally inactive stockpiles of nuclear warheads or tactical nuclear weapons.

VII. Proposals

The most fundamental dispute regards the goal of nuclear nonproliferation on the Korean peninsula. Different goals require different action:

Is the goal to stop DPRK from exporting its nuclear and missile capabilities to interested buyers like Iran and Pakistan? If so, international sanctions and coordination will help. Ultimately, though the international community will need to offer DPRK other forms of trade and aid to compensate its loss of income.

Is the goal to bring peace to Korea and reunify the two countries? That would require measures to negotiate the long delayed (delayed for sixty years) peace settlement between the two sides. It would require mutual recognition and acceptance.

Is it to prevent war? That would emphasize measure to accommodate all sides, strengthen deterrence and reduce tension. It would not single any particular country—including DPRK—for sanctions. It might involve withdrawal of foreign forces, especially those of the United States

Is the goal to reverse DPRK's nuclear weaponization? That goals might require more aggressive action, including strengthening American military forces in the region and greater risk of all-out warfare.

VIII. Country Positions

China is routinely considered the key player in North Korean nuclearization diplomacy. It has the best bi-lateral relationship of any country. Although it still faces serious problems from North Korean refugees and demands for assistance. China is wary of Korean unification or military

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action, especially action that might increase the American role on the Korean peninsula. China does not supply military equipment. It consistently prefers dialogue and solutions that might lead to lasting peace without endangering the current government.

The European Union is major actor in Korea, where it promotes negotiated solutions and as well as sanctions that would stop North Korean nuclear exports.

Japan is a major actor in all Korean affairs, due to geography, Korean settlement in Japan and history. It also is regarded with suspicion by many Koreans and must tread carefully. It stresses caution, but supports American and South Korea initiatives.

The Non-Aligned Movement is not a unified force on Korean issues. It strongly supports action through the United Nations, including sanctions against nuclear exports. Individual member states—such as India and most Arab countries—are often much more outspoken in criticism of

North Korea, especially those facing countries armed by North Korea, including countries neighboring North Korean-armed Iran and Pakistan.

Russia is part of the Korean problem due to its adjacent Pacific coast and the city of Vladivostok. Russia supplied DPRK with conventional capabilities and discourages nuclearization. Like China, it is wary of Korean unification, especially if it comes with South Korean leadership and dominance.

The United States is a leading force in favor of strong sanctions and deterrence and defense against North Korean military capabilities. It is more aggressive about intercepting North Korean shipping abroad. It is limited, though, by the need to maintain good relations with the ROK and Japan, where it has crucial bases and interests.

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