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North Korea's Nuclear Problem: Political Implications and Inspection Formats

Seongwhun Cheon

Please send comments to Author at:

swc339@ku.kinu.or.kr

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Nautilus Institute for Security and Sustainability

www.nautilus.org

ph 510 2956125

contact: npark@nautilus.org

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www.ceip.org

ph 202-939-2294

Contact: mraj कुमार@ceip.org

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Nautilus Institute for Security and Sustainability

125 University Ave.

Berkeley, CA

94710-1616 USA

tel: 1 510 295-6100

fax: 1 510 295-6130

Workshop contact: Nancy Park, npark@nautilus.org tel: 1 510 295-6125

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Carnegie Endowment for International Peace

1779 Massachusetts Avenue, NW, Washington, DC 20036

tel: 202-939-2294

fax: 202 483-1840

Workshop contact: Miriam Rajkumar email: mrjkumar@ceip.org

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North Korea's Nuclear Problem: Political Implications and Inspection Formats

Seongwhun Cheon

Senior Research Fellow, Korea Institute for National Unification, South Korea

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Beginning in October 2002, Pyongyang's brazen admission of a secret uranium enrichment program to its recent announcement of its withdrawal from the Non-Proliferation Treaty (NPT), North Korea's accelerated nuclear ambition continues to astonish and befuddle the international community. During this period, North Korea has also obstructed monitoring activities of the International Atomic Energy Agency (IAEA) and evicted on-site inspectors from the country. As a result, North Korea could potentially restart once frozen key facilities in a month or two, thereby triggering another crisis on the Korean peninsula.

While seemingly plunging ahead with their nuclear program and nullifying international obligations, the DPRK is also demanding direct negotiations with the United States. North Korea justifies this behavior by blaming the Bush administration for its hostile North Korea policy of labeling it as part of "axis of evil" and targeting it for a nuclear and/or preemptive strike.

In return for an enrichment and plutonium program freeze, the DPRK has asked the United States to meet several conditions: 1. recognizing its sovereignty; 2. confirming non-aggression and security assurance; and 3. not obstructing its economic development.¹ North Korea declared that they have no intention to go nuclear at this stage, the truth of which can be verified between the United States and the DPRK.²

I have been asked to give my thoughts on possible interim and final solutions to the nuclear inspection issue regarding both North Korea's uranium and plutonium programs. However, before doing that, I would like to present my views on the political implications brought forth by North Korea's nuclear gambling. There are several reasons: the nuclear inspection inevitably will become a part of a broader political compromise or resolution; it is important to gather firm consensus among the concerned states regarding the importance of the issue and how to approach it, especially in view of looming perception gaps between Seoul and Washington; geopolitical and nonproliferation considerations will become a determinant of the shape of any inspection format.

¹ A Statement by the DPRK's Foreign Ministry Spokesman, 25 October 2002.

² The DPRK Government Statement on the NPT withdrawal, 10 January 2003.

POLITICAL IMPLICATIONS

1. Worsening the North Korean Regime's Bad Images

The DPRK is the only country in the world that has violated the NPT twice and finally broke away from the treaty. Such an inscrutable behavior hardens bad images of North Korea as an unreliable and unpredictable "rogue state" trying to do all sorts of messy things. It further fixated the North Korean leadership as a dictatorial regime obsessed to cling to power at all costs while taking its people as hostage. It also gives added credits to the Bush administration's rigid perceptions and approaches toward the Kim Jong Il regime.

2. Increasing Awareness and Cooperation of the International Society

To confess a second secret attempt to develop nukes and finally withdraw from the NPT is indeed a historic event. By doing so, the North Korean regime drew sharper attentions from the international community and led to consolidate international will to bring a final and complete resolution of the problem. The simple reason is that nobody wants to be fooled repeatedly by a rogue regime. Such a rigid mood is articulated in this phrase: "Fool me once, shame on you; fool me twice, shame on me".³ This may be a current atmosphere in the United States. But I think it is and should be shared by other members of the international community.

The tragedy of September 11, is a turning point, based upon which, we would expect much stronger international cooperation to counter WMD proliferation. Since September 11, 2001, it has been regarded as a part of a war against terrorism to keep rogue regimes and terrorist groups from developing WMD.

Whoever the target is, multilaterally coordinated efforts, often being coercive, will be justified with much support of the global community. North Korea will not be an exception in this context. China and Russia, having their own war against terrorism, will not be able to protect North Korea when more pressing steps are taken in case current mild approaches of soothing the North eventually fail.

3. Implications for Korean Unification and Non-Nuclear Korean Peninsula

North Korea's nuclear showdown with the world presents two important policy implications for Korean unification and a non-nuclear policy of South Korea.

First, since North Korea's bad images in the international community are worsened, South Korea will bear much more of a burden in the future process of unification. Unless North Korea grows mature enough to be a responsible member of the international society, unification of the two Koreas cannot attain international support and assistance, which is an essential component of unification. Therefore, South Korea, with the helping

³ Steve LaMontagne, "North Korea's nuclear program: an assessment of U.S. options," *Policy Forum Online*, The Nautilus Institute, October 30, 2002.

hand of the world, should put more effort toward bringing about real and constructive changes in North Korea and to keep the North Korean regime in a peaceful domain.

Second, Korean unification will not be feasible and welcome unless the international community firmly believes that unification does not disturb regional stability and peace. In this context, it is growing in importance to eliminate international suspicions over the two Koreas' nuclear ambitions. In terms of nuclear suspicions, Seoul is in a far better position than Pyongyang. But recent public attitudes in South Korea toward North Korea's nuclear problem, e.g., emotional understanding of Pyongyang's nuke program, pointing Washington as a source of the problem and putting "national cooperation" ahead of international coordination, could taint the integrity of South Korea's non-nuclear policy. South Korea should exert more efforts to enhance transparency of its non-nuclear policy and to educate the general public why sticking to the policy is important for Korean nation's interests.

In the end, it should be shared by the international community that South Korea is justified in taking the lead in unification. No one in the world would like to accept Korean unification under the terms of North Korea that proves to be adept at deception and fraud and obsessed with nuclear weapons.

POSSIBLE SOLUTIONS TO THE NUCLEAR INSPECTION ISSUE

Looking at the current confrontation between the DPRK and the United States, a prospect for prompt resolution of the problem is not bright. Pyongyang wants to have talks with Washington in parallel with keeping the nuclear programs while Washington is willing to have such talks only after Pyongyang forgoes them. Viewing the imminent danger of restarting plutonium facilities and the foreseeable risks of constructing uranium facilities, it is imperative to freeze North Korea's current activities as early as possible.

1. A Premise of Nuclear Inspections

I think the best conceivable compromise at this time is to arrange an *ad hoc* multilateral forum where North Korea and the United States can meet face to face in return for the North's freezing uranium and plutonium-related activities. This is a basic premise of beginning discussions on nuclear inspections.

North Korea should be convinced to accept the reality that the nuclear problem is no longer a bilateral issue with the United States. It is North Koreans who led to internationalize the issue by moving beyond the Agreed Framework. Withdrawal of the NPT did harm to the interests of the other 186 member states and is an issue that the United Nations should pay proper attention to. They also need to be persuaded, particularly by Russia and China, to freeze current nuclear activities—both uranium and plutonium ones—so as to foster auspicious circumstances to open a negotiation process. A multilateral forum with nuclear freeze would be a modest price North Korea is willing to pay for if it does not want to continue on a collision course.

On the other hand, the United States should be willing to come to a multilateral table if the above two conditions are met by North Korea. Freeze, short of complete renunciation of the nuclear programs, may not be a very satisfactory answer to Washington. But it could be swallowed since it can become an interim stepping-stone, upon which a final and complete resolution is sought for.

2. Possible Inspection Formats and Their Potential and Pitfalls

An *ad hoc* multilateral forum will discuss the whole range of issues related with North Korea's nuclear problem. With due considerations including the political implications mentioned above, the forum might be able to find a proper resolution package and recommend it to the concerned parties. Imaginably, the two Koreas and the United States will be asked to do a lot more than other parties of the forum.

An important part of this resolution package, I suspect, will be concerned with how the nuclear inspection will proceed and who will be responsible for the inspection.

(1) Procedures of the Inspection

A four-stage formula can be implemented. At the first stage, North Korea makes initial declarations both on uranium and plutonium activities and the inspection body promptly dispatches on-site inspectors to physically supervise the freeze status. What should be declared about uranium activities is well documented in Fred McGoldrick's paper. In the case of plutonium, the declaration will have to report what happened since the IAEA inspectors left the country. This stage should be accomplished within days of taking into account the urgency of the problem. The North's rejoining the NPT is deferred to the next stage.

At the second stage, *ad hoc* inspections are carried out to scrutinize initial declarations and regular inspections are put on track to maintain the freeze status. At this stage, everything should be clear on uranium and plutonium activities except about the so-called "past nuclear activities." This had been done before the IAEA began inspections in May 1992 and important questions about these activities were not answered through the Agreed Framework. At stage two, North Korea will rejoin the NPT.

At the third stage, the "past nuclear activities" are declared by North Korea and relevant information is delivered to the inspection body. At this stage, a complete picture of North Korea's nuclear program is drawn. The timing of this stage will be closely linked with the LWR project if it keeps going on or with other alternatives to meet North Korea's energy demand as a part of the resolution package. An unresolved issue in the LWR project of when the inspection process should start probably will remain a bone of contention.

At the final stage, nuclear facilities are dismantled and a permanent monitoring system is instituted to verify the nuclear-weapon-free status of North Korea. If the LWR project is abolished, a major question to encounter at this stage will be whether North Korea is allowed to keep some nuclear programs for peaceful purposes. If it is decided to be so, a

Korean version of Cooperative Threat Reduction (KCTR) program can be implemented. A major focus of the KCTR will be to turn military elements of North Korea's nuclear infrastructure into peaceful uses. The KCTR can involve other elements of WMD in a bigger political framework and can be linked with a more comprehensive program for economic assistance to North Korea.

Viewing that North Koreans value pride and self-respect, recognizing and promoting positive elements of what they have done will be a wise and effective approach to deal with the problems created by them.

(2) Inspection Body

There are several possible formats for creating an inspection body. Each format has pros and cons of itself.

1. Joint Nuclear Control Commission (JNCC): North and South Korea formed the JNCC as an implementing mechanism of the Joint Denuclearization Declaration (JDD) in March 1992. But the JNCC failed to agree on the reciprocal inspection regime and has been stalled since 1993. This format has merits of revitalizing the JDD that has been moribund since the Agreed Framework was signed and of validating South Korean role in the nuclear issue. The JNCC format also meets South Korean President-Elect Roh's desire to play a leading role in resolving the nuclear problem. But it is highly unlikely that North Korea will accept this option because it is Pyongyang's persistent strategy to marginalize Seoul's role in the nuclear area. The JNCC format is premised on U.S.-ROK policy coordination and needs Washington's support of Seoul's leading role. As recently revealed, if North Korea already obtained sensitive information and data about weapon design and testing,⁴ the United States might hesitate to allow South Korean participation in the nuclear inspection.
2. North and South Korea Plus the IAEA: This tripartite format is similar to the ABACC case between Argentina and Brazil in that the IAEA inspection as well as reciprocal inspections is allowed simultaneously. This format is better than the JNCC in terms that it can hold the merits and lessen the problems of the JNCC format. The IAEA participation will be important to demonstrate that North Korea's nuclear problem is a global issue—not just restricted to a U.S.-DPRK bilateral domain. In addition to its technical expertise and inspection experiences, the IAEA will serve as a legal representative and political symbol of upholding the nonproliferation regime and reflecting the concerns of the other 186 NPT member states.
3. North Korea Plus the United States: If North Korea demands on inspecting U.S. military bases to check non-existence of nukes as a face-saving requirement to meet its security assurance, there is a strong possibility that the United States is involved in the inspection process as a party. This bilateral format may be the most favorable option to North Korea. At the same time, it is a very unlikely one to take place, having the Bush administration's rigid position toward the North Korean regime into account. This format is also an undesirable one for South

⁴ Seymour Hersh, "The cold test," *The New Yorker*, 27 January 2003.

Korea and the IAEA.

4. North and South Korea Plus the United States: This tripartite format is a feasible option with some chance to be adopted. It holds the merits of the JNCC and can reduce North Korea's reluctance by inviting the United States as a regular party. However, the lack of a role for the IAEA will be a major pitfall.
5. North and South Korea, the United States Plus the IAEA: This quadruple format is probably the most feasible option at this moment. Inviting the IAEA as an independent party into the Seoul-Pyongyang-Washington framework, it has further merits of highlighting the international aspect of the issue and sustaining the integrity of the nonproliferation regime.