Policy Forum 10-056: DPRK Enriched Uranium Highlights Need for New US DPRK Policy


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DPRK Enriched Uranium Highlights Need for New US DPRK Policy

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Peter Hayes

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I. Introduction

Peter Hayes, Executive Director of the Nautilus Institute, writes that the United States must, "shift the frame of reference from one focused solely on the DPRK's nuclear threat to a regional strategy that creates a nuclear weapon free zone covering the two Koreas and Japan… This approach would recognize the DPRK as a legitimate state, but deny it nuclear weapons state-status, and calibrate its gains from joining the Zone to the pace of its nuclear disarmament, especially guarantees from nuclear weapons states to not target it… putting a plausible and credible zone in place that would stabilize the situation, devalue the DPRK's nuclear capacities, and put the six parties back onto the denuclearization track."

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II. Article by Peter Hayes

-"DPRK Enriched Uranium Highlights Need for New US DPRK Policy"

By Peter Hayes

The November 21 revelations [1] by Siegfried Hecker that the DPRK is already operating a pilot uranium enrichment plant was instantly characterized by American officials and think-tank pundits as further, decisive evidence of DPRK perfidy. They interpreted the news as an opportunity to redouble efforts to apply UN sanctions and to criticize China for backing the DPRK in the face of international pressure. One especially vacuous statement was issued by the ROK Defense Minister Kim Tae-young who stated publicly that the ROK would consider redeploying US tactical nuclear weapons—weapons that have already been withdrawn by the United States in 1992 and dismantled![2]

In contrast to these handwringing and chest-thumping responses, Hecker concluded his report by arguing that "The only hope appears to be engagement."[3]

"The United States and its partners," he wrote, "should respond to the latest nuclear developments so as to encourage Pyongyang to finally pursue nuclear electricity in lieu of the bomb."

Almost none of the mainstream media coverage [4] noted Hecker's conclusion but concentrated instead on the shock value and apparent surprise of officialdom that the DPRK had gone down this path.[5]

As South Korean Professor Moon Chung-in stated of the exclamations of surprise, "Washington and Seoul always fall into the pattern of looking at North Korea from their own negative perceptions. They are blinded by their own stereotypes, prejudices and inertia."[6]

DPRK Uranium Enrichment Aspirations

In reality, the DPRK has made no secret of its interest in uranium enrichment over the years. Indeed, on my first trip to the DPRK in September 1991, Kim Chol Ki, Director of Science and Technology Bureau, Ministry of Atomic Energy Industry, told me that they were researching uranium enrichment for a planned light water reactor, although at that stage, they intended to export the fuel to the former Soviet Union for enrichment for a reactor that the latter was to have supplied under a 1985 contract with the DPRK.

The Soviet reactor was never built. Instead, the United States and the Korean Peninsula Energy Development Organization began to construct a light water reactor on the site intended originally for the Soviet reactor, as a core element of the US-DPRK 1994 Agreed Framework. This agreement did not include any ban on DPRK uranium enrichment, but instead focused on plutonium-related fuel cycle activities that the US negotiator at the time, Robert Galluci, believed could be monitored and verified, in contrast to uranium enrichment.

This agreement began to unravel in 1998, and about that time, the DPRK accelerated its efforts to acquire uranium enrichment technology from other states. The Bush Administration objected to this activity in 2002, leading to the unraveling of the Agreed Framework wherein the DPRK's plutonium production capacity was frozen, to a new round of plutonium extraction, and then the 2006 and 2009

DPRK nuclear weapons tests.
In early 2009, the DPRK announced that having a strong nuclear weapons capacity was more important to it than using nuclear threat to compel the United States to change its hostile policies towards the DPRK. In April 2009, it announced that it would develop its own light water reactor policy and further, that it has begun and succeeded with experimental uranium enrichment.
This declaration demonstrated that far from forcing the DPRK to capitulate to US-led sanctions, even sanctions backed by the UN Security Council, the DPRK would proceed down the path of nuclear armament, and was willing and able to pay the price. Distracted by its role in the Afghanistan and Iraq wars and by multiple domestic political and economic crises, the White House was unable to lead any realistic attempt to reactivate the moribund Six Party Talks.
At the same time, the new conservative ROK government abandoned a long list of inter-Korean cooperation agreements and projects. The DPRK responded in March 2010 by in all probability sinking the Cheonan ROK warship, which in turn forced the Chinese to clarify their stance towards the DPRK and its strategy to become a multi-generational nuclear state. Concerned that the security situation in the Korean Peninsula was spinning out of control, China responded quickly, and accelerated its military, political, and economic support for the DPRK, making it clear that the US-led strategy of isolating the DPRK and shaming its leadership was not only not working, but actually counter-productive.

New DPRK Strategic Goal: Expose American Powerlessness

Having secured unambiguous Chinese backing, the DPRK is now able to patiently test American intention. It appears that its strategic goal is to systematically expose the United States' inability to bring it to heel now that the radical Republican leadership has taken control of the US House of Representatives, further reducing the White House's options to move beyond the ineffective strategy of nuclear threat and military containment, sanctions, and resolute backing of the ROK's anti-DPRK strategy, whatever the costs.
In this manner, the DPRK continues to exploit the coercive potential of its nuclear capacities, demonstrating what one North Korean told me sixteen years ago, that the nuclear breakout strategy was "the barrier that makes the water flow."[7] However, the current approach is a fundamental reversal of the goal of the nuclear coercive strategy over the previous nearly two decades, which was a slow motion proliferation strategy that aimed to change the United States' hostile policy towards the DPRK.
As Hecker noted carefully in his analysis of the significance of the DPRK enrichment capacity, dialogue and sanctions have not achieved American goals. Moreover, given the state of play on the Peninsula, it is not possible to use military force to curtail let alone reverse the DPRK's nuclear breakout. Hecker concluded that engaging the DPRK to choose nuclear power instead of nuclear weapons "will require addressing North Korea's underlying insecurity."

A New US Strategic Framework

Fortunately, there is a policy framework available to Obama's White House that in contrast to the current dead-end policy of "strategic patience," could achieve the policy goal identified by Hecker. This is to shift the frame of reference from one focused solely on the DPRK's nuclear threat to a regional strategy that creates a nuclear weapon free zone covering the two Koreas and Japan.[8]
The fundamental reason that the DPRK developed nuclear weapons is because over two decades of talks, the United States did not make a sovereign, reliable commitment to not use nuclear weapons against the DPRK if it denuclearized.
Until April this year, the United States told the DPRK that only if it became fully compliant with its NPT and IAEA-safeguards obligations would it guarantee to not use nuclear weapons against it—but always voided this guarantee because the DPRK was allied with a nuclear weapons state. In effect, the United States said that the only way for the DPRK to obtain a meaningful negative security assurance was if it abandoned its military alliance with China—even if it fully denuclearized.
Ironically, the United States removed this exclusion in the April 2010 US Nuclear Posture Review to induce the DPRK back to talks but by then, it was too late—about two decades too late in fact.

If the DPRK is to disarm its nuclear weapons, then it will require a sovereign American guarantee that it is not targeted by US nuclear weapons. Such a zone is based on a treaty between states, and to come into effect, requires nuclear weapons states to sign protocols that guarantee they will not fire nuclear weapons into (or out of) the zone. The only way that the DPRK can obtain such a guarantee from the United States is via a treaty commitment approved by the Senate as the law of the land—something the United States has never put on the table. No-one knows if the DPRK would accept this framework but there is no way to find out other than proposing it in a dialogue.

What is almost certain that the DPRK will never again accept a merely executive branch declaration of US policy, as occurred in October 2010, the last time the leaders of the United States and the DPRK attempted to transform their strategic relationship. At that time, President Clinton committed the United States to move toward "a new direction" in US-DPRK relations wherein "neither government would have hostile intent toward the other."[9] The DPRK discovered that such a declaration had little substantive meaning when President Bush Jr. entered the White House in 2001, and henceforth ignored it.

The United States should take the lead in proposing such a zone to the DPRK, its allies, and partners in the region. China, Russia, and the United States would encourage the DPRK to sign the Zone treaty at the outset, but agree that it would waive the nuclear-free requirements until it is secure enough to do so. (This is what Argentina and Brazil did in the Latin American NWFZ treaty. They took eighteen years to remove their waivers). This approach would recognize the DPRK as a legitimate state, but deny it nuclear weapons state-status, and calibrate its gains from joining the Zone to the pace of its nuclear disarmament, especially guarantees from nuclear weapons states to not target it.

The zone would require the DPRK to reaffirm its goal of denuclearization and achieving nuclear-free status; and to implement its own announced policy of favoring a nuclear weapon free zone in Korea and beyond—as described recently in by a leading DPRK analyst of nuclear policy.[10]

Such a zone would entail cooperation between the DPRK, the ROK, and Japan on nuclear fuel cycle activities, including collaboration on uranium enrichment and spent fuel storage and disposal, and establishing regional monitoring and verification standards and capacities. This kind of cooperation is precisely what Hecker suggests is an indispensable element of any strategy to resolve the DPRK nuclear issue rather than continue with ad hoc crisis management and risk-running of immense proportions based on nuclear threat.

Thus, a zone could provide a framework to stabilize the relations between the DPRK and the United States on the risks of nuclear war, establish a credible pathway whereby the DPRK could obtain meaningful guarantees that it will not be attacked by American nuclear weapons, and ensure that Kim Jong Il and his successor son remain a nuclear outlaw unable to obtain international support for economic reconstruction and development of nuclear power until such time as the DPRK complies with the nuclear free requirements of the zone.

Once a zone is established, bilateral and multilateral negotiations would continue with the DPRK over the pace of its nuclear disarmament. But as noted above, only the zone offers a clear way for the DPRK to disarm and get in return sovereign guarantees from nuclear weapons states that it will not be attacked by nuclear weapons—a necessary condition for the DPRK to disarm.

A nuclear weapon zone including the DPRK, even one armed at the outset with nuclear weapons, is a precondition of stabilizing the nuclear weapons and risk of war and nuclear war in the Korean Peninsula and beyond. It would be welcomed by China and Russia. The ROK would likely support such a zone upon close examination of the costs and benefits it offers relative to continuation of the current strategic drift. The strongest obstacle to such a zone would likely be Japan, but even that could be overcome by astute negotiations between the United States and China as to what ancillary benefits a zone would create for the two leading strategic antagonists in the region.

Finally, putting a plausible and credible zone in place that would stabilize the situation, devalue the DPRK's nuclear capacities, and put the six parties back onto the denuclearization track, would require that radicals, liberals, moderates and conservatives of any political hue in the congress

confront the full implications of rejecting negotiation with the DPRK. This policy divergence would become very clear in the period of negotiating and exploring the parameters of a zonal treaty which would take at least a year.
Due to the stakes, such a treaty would have a good chance of securing passage, however unlikely it looks today.

III. Citations

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IV. Nautilus invites your responses
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Nautilus Institute
608 San Miguel Ave., Berkeley, CA 94707-1535 | Phone: (510) 423-0372 | Email: nautilus@nautilus.org