

North Korea's Nuclear Behavior: Future of Global Non-Proliferation Regime

*Khalid Iqbal**

Abstract

The Relationship between the Democratic Peoples Republic of Korea (DPRK) and the international non-proliferation regimes presents an interesting case study. The DPRK had joined the Nuclear Non Proliferation Treaty (NPT) as a Non-Nuclear Weapon State (NNWS), in 1985. It also entered into a comprehensive safeguards agreement with International Atomic Energy Agency (IAEA), in 1992. Later, DPRK's comfort level with the parameters, set by in-vogue international non-proliferation regime, eroded incrementally as it began to perceive that the framework was incompatible with its national security concerns. Therefore, it decided to go ahead for developing its nuclear weapons program. However, before doing so, it opted to withdraw from its agreement from the IAEA in 1994 and later from the NPT in 2003¹. It was a well thought out option selection by DPRK, as compared to adhering to the NPT and developing nuclear weapons clandestinely. Walking away from the NPT was aimed at getting rid of perpetual pangs of political baggage which it would have had to endure had it chosen to continue playing hide and seek with the international non-proliferation regime while

*The writer is a retired Air Commodore and a Former Assistant Chief of Air Staff, Pakistan Air Force. He is member National Academic Council, Institute of Policy Studies, Islamabad.

¹"Chronology of U.S.-North Korean Nuclear and Missile Diplomacy", *Arms Control Association*, Last updated in March 2017.
<https://www.armscontrol.org/factsheets/northkoreaprofile>

developing its nuclear weapons. However, a number of other bilateral and multi-lateral agreements, protocols and understandings pertaining to DPRK's nuclear matters still remain in place, especially between the DPRK and the US, between North and South Korea and between North Korea and IAEA (which North Korea is often accused of violating). DPRK is also blamed for exiting the NPT lawfully, and hence this exit is perceived by some countries/entities as unlawful and void. On its part, DPRK maintains that it lawfully exited the NPT and is not in violation of any of its international obligations. Never ending battle of wits is in between the international non-proliferation regime and North Korea in the form of a vicious cycle of sanctions and nuclear and missile tests. There is no ongoing diplomatic engagement as the "Six-Party Talks" stand suspended since April 2009. The strategy of sanctions may have already hit a point of diminishing returns in the context of dissuading DPRK from its nuclear and missile programs, but its continuation is certain to precipitate a humanitarian crisis. At the same time, while pursuing its nuclear, missile and space programs, DPRK may be unwittingly advancing American strategic interests like positioning of Anti-Ballistic Missile (ABM) System and redeployment of American nukes in The Republic of Korea (RoK), which it withdrew in 1992². In all likelihood, the solution lies in engaging DPRK in meaningful talks aimed at addressing its security concerns. This paper examines DPRK's nuclear behavior and its likely impact on the international non-proliferation regime.

Keywords: North Korea, Anti-Ballistic Missile, Nuclear Non Proliferation Treaty, South Korea, HEU, Conference of Disarmament, CTBT, IAEA safeguards.

²"US Tactical Nukes May Return To S. Korea", *The Right Perspective*, November 23, 2010, <http://www.therightperspective.org/2010/11/23/us-tactical-nukes-may-return-to-s-korea/>

Introduction

The DPRK acknowledges having a full spectrum functional nuclear program including a potent nuclear weapons' component. DPRK unilaterally withdrew from the NPT in January 2003; also, it is not a member of Comprehensive Nuclear-Test-Ban Treaty (CTBT) and Missile Technology Control Regime (MTCR).³ It has performed 05 nuclear tests—twice in 2016 and once each in 2006, 2009, 2013. North Korea has attained mastery over complete range of nuclear fuel cycle capabilities. Reportedly, it is building small light water reactors (LWR), to be fuelled by locally enriched uranium. The Six-Party Talks (amongst the two Koreas, the US, Japan, Russia, and China) started in 2003 with a focus on making the Korean Peninsula free of nuclear weapons, but these talks stand stalled since April 2009. The United Nations Security Council (UNSC) has imposed a number of sanctions on DPRK under Chapter VII of the UN Charter.⁴

Since its withdrawal from NPT, DPRK has been able to make the nuclear weapons and put in place compatible delivery systems as well. North Korea is in the process of perfecting the capability of launching a missile from a submarine. Once done, this would complete its nuclear triad and make it immune to first strike—at least theoretically. However, despite five nuclear and numerous missile tests, its overall nuclear weapon capability is, by any standards, modest. The US-led reaction by the international community has persistently been stern and disproportionate to DPRK's capability.

Though America-led demonization campaign through diplomacy and sanctions has resulted in DPRK's isolation and economic weakening, a series of Chapter 7 UNSC resolutions leading to biting sanctions have not been able to force a course change on DPRK. Since the DPRK regime is

³Ibid

⁴Nuclear Threat Initiative (NTI), North Korea: Overview, Last updated, February 2017, <http://www.nti.org/learn/countries/north-korea/nuclear/>

extremely repressive, any attempt at regime change is not likely to succeed. *Prima facie*, DPRK has learnt to live with sanctions and the international community has learnt to live with a nuclear armed DPRK.

Ironically, when on March 27, 2017, over 100 countries initiated the first-ever UN talks to legally ban the nukes, America spearheaded a boycott of the process terming it “unrealistic”. American ambassador to the UN, Nikki Haley, rejected the process in the context of “current global security threats”. “As a mom and a daughter there is nothing I want more for my family than a world with no nuclear weapons,” Haley stated on side-lines of the event⁵. “But we have to be realistic,” she added. “Is there anyone that believes that North Korea would agree to a ban on nuclear weapons...You have to ask yourselves: Do they really understand the threats that we have?”⁶ Around 40 countries, including all nine nuclear weapon states, were not participating. This initiative was announced in October, 2016 by 123 UN members; those at the forefront included Austria, Ireland, Mexico, Brazil, South Africa and Sweden, supported by hundreds of non-profit organizations. The UK, Israel, France, USA and Russia had voted no, while China, India and Pakistan abstained. Even Japan voted negatively saying: “Efforts to make such a treaty without the involvement of nuclear weapon states will only deepen the schism and division”⁷ within the international system.

Fast Forward: Donald Trump Administration

There are only a few aspects of America’s foreign policy where President Donald J Trump did not differ with his predecessor, even during his fanciful campaign days’ rhetoric. Of these, one is America’s relationship

⁵“Pakistan joins US-led boycott against UN meet to ban nuclear weapons”, *Express Tribune*, March 28, 2017. <https://tribune.com.pk/story/1367481/us-leads-boycott-nuclear-weapons-ban-talks/>

⁶Ibid.

⁷“US Leads Boycott of Nuclear Weapons Ban Talks”, *Newsweek Pakistan, Observer*, March 28, 2017. <http://newsweekpakistan.com/u-s-leads-boycott-of-nuclear-weapons-ban-talks/>

with North Korea, more specifically the methodology to deal with its nuclear and missile program. During his maiden visit to East Asia, commencing from Japan, on March 06, 2017, the US Secretary of State, Rex Tillerson restated all ingredients of Obama administration's policy and projected it as new policy by Trump administration. The Washington Post, cynically though accurately, commented⁸:

"Poor Tillerson. Someone forgot to tell him that a new administration promising a new approach it can't quite articulate is, in fact, the old approach. Previous administrations even used the same words, calling North Korea's actions 'unacceptable' and pointing to a different 'path'. And yet, even though President Barack Obama pledged to 'break that pattern' of North Korea getting away with belligerent behavior, and President George W. Bush compared the country's dictatorship to a toddler who throws food on the floor, the sad truth is that promising to break the pattern is part of the pattern, and we always pick up the food. We, too, could choose a different path. But we don't".

He dubbed the DPRK "an imminent threat" that needed "immediate attention. On the same day North Korea conducted another test of its ballistic missile. Tillerson's trip put forth the message that urgency of the issue was well home to the US. However, he neither elaborated the strategy of dealing with the threat nor gave a fair idea how differently President Trump would handle the matter from his predecessor who had relied on strategic patience while incrementally tightening the noose of sanctions, and may be hoping that one day North Koreans would come begging for an Iran like deal⁹.

⁸Jeffrey Lewis, "Rex Tillerson's 'new approach' to North Korea sounds a lot like the old approach" Washington Post, March 24, 2017.

<https://www.washingtonpost.com/amphtml/posteverything/wp/2017/03/24/rex-tillersons-new-approach-to-north-korea-sounds-a-lot-like-the-old-approach/>

⁹Ibid.

There is a need to re-examine the challenge that North Korea could pose in view of its recent nuclear and missile pursuits and put forward policy choices out of which China, USA, Japan and RoK could choose.¹⁰ At the same time it is essential to ascertain whether the US really wants to put a stop to DPRK's nuclear advances or it wants to go easy, and step by step, keep using DPRK's nuclear actions to justify its own horizontal nuclear proliferation into Korean peninsula. It is important to determine whether the US would stop at first step after having deployed Terminal High Altitude Air Defence (THAAD) missiles¹¹ or would it let North Korea commit further nuclear "sins" until it completes redeployment of its own nuclear missiles in South Korea. It is also essential to assess whether DPRK would continue falling into such American trap or take some actions—may be only symbolic—to checkmate current double edged American strategy.

The Policy of the Obama administration is generally presumed to have, by and large, failed to coerce North Korea. American assessments have it that the DPRK has piled up sufficient fissile material for around 21 nuclear warheads¹² and that the Obama policy had presumably enabled DPRK to fast track missiles development with a reach up to RoK and Japan. However, majority of such American estimates are often exaggerated, for political reasons. A deliberate misinformation campaign keeps presenting speculative fantasies to create an impression that one day North Korean

¹⁰“North Korea: Policy Options to Confront an Imminent Threat”, Stimson Centre, <https://www.stimson.org/content/north-korea-policy-options-confront-imminent-threat>

¹¹Paula Hancocks and Joshua Berlinger, “Missile defense system that China opposes arrives in South Korea”, CNN, March 08, 2017.

<http://edition.cnn.com/2017/03/06/asia/thaad-arrival-south-korea/index.html>

¹²The Editorial Board, “Rex Tillerson Has Shown No Illusions About North Korea”, New York Times, editorial , March 22, 2017

<https://mobile.nytimes.com/2017/03/22/opinion/rex-tillerson-has-shown-no-illusions-about-north-korea.html>.

missiles could hit the United States as well¹³. China's foreign minister, Wang Yi, has even predicted a DPRK-US "head-on collision"¹⁴.

During his visit, the US Secretary of State gave an impression that the US was not inclined to talks with DPRK, and talked about pre-emptive military action if the threat level elevated beyond an unacceptable level. He indicated his intention to engage other countries, especially China, to help enforce UNSC sanctions to add pressure on the DPRK. Tillerson hinted at considering tougher sanctions like barring DPRK from the global financial institutions and even sanctioning Chinese banks which carry out business interactions with North Korea¹⁵. Such jingoistic posturing is not likely to cow down DPRK. Strategic landscape between the US and the DPRK is worsening. In a reaction to Tillerson's hard-line comments, DPRK brushed aside possibility of pre-emptive usage of military might and played down the impact of tougher sanctions.¹⁶ Though Trump's approach may appear harder, he did not undo the previous administration's humanitarian donation to UNICEF intended for DPRK. Like his predecessor, Trump also views China as having unique leverage to make the DPRK give up its nuclear program¹⁷. China may view any forward movement on this and other issues, like trade, as tacit American recognition of Chinese public standing with regard to Tibet, Xinjiang, Taiwan and the South China Sea. And this might be an acceptable quid pro quo to the US¹⁸.

¹³The Editorial Board, "Rex Tillerson Has Shown No Illusions About North Korea", New York Times, editorial , March 22, 2017

<https://mobile.nytimes.com/2017/03/22/opinion/rex-tillerson-has-shown-no-illusions-about-north-korea.html> .

¹⁴Ibid.

¹⁵Ibid.

¹⁶Ibid.

¹⁷Jeffrey Lewis, "Rex Tillerson's 'new approach' to North Korea sounds a lot like the old approach" Washington Post, March 24, 2017.

<https://www.washingtonpost.com/amphtml/posteverything/wp/2017/03/24/rex-tillersons-new-approach-to-north-korea-sounds-a-lot-like-the-old-approach/>

¹⁸The Editorial Board, "Rex Tillerson Has Shown No Illusions About North Korea", New York Times, editorial , March 22, 2017

<https://mobile.nytimes.com/2017/03/22/opinion/rex-tillerson-has-shown-no-illusions-about-north-korea.html> .

An Overview of International Non-Proliferation Regime: Myth and Reality

Contemporary international non-proliferation regime is in disorder, not due to North Korea's modest nuclear program, and also not because of Iran's nuclear pursuits prior to Joint Comprehensive Plan of Action (JCPOA)—also known as Iran-P 5+1 deal—but mainly due to the regime's own intrinsic fragility emanating out of its own innate structural contradictions, operational flaws and politically motivated interpretations of non-proliferation related statutes by the five NPT recognized Nuclear Weapon States (NWS).

President Donald J Trump's abhorrence for JCPOA dates back to his candidacy days and he has continued his predecessor's approach to keep Iran entangled in the web of sanctions on one pretext or the other (for now on missile issue)—even though IAEA had certified, on January 16, 2016 that “Iran has completed the necessary steps under the Iran deal that will ensure Iran's nuclear program is and remains exclusively peaceful”¹⁹. Such moves have reduced US credibility as an honest broker in nuclear deal making—especially in the context of honoring such deals, in letter and spirit once these are in place. This development has diminished chances of North Korea's inclination towards reversion back to six parties' talks or any other similar arrangement out of the fear that it will continue to face sanctions, on one account or the other, even if it agreed to scaling back its weapon related nuclear program through any JCPOA like deal.

Since coming into effect of NPT, four non-member countries, while remaining outside NPT have acquired the nuclear weapon capability. Following an ostrich like approach, NPT does not want to acknowledge this reality and insists that these countries join the treaty as NNWS. Five NWS think that nuclear weapons are only safe if held by them, and are dangerous if held by anyone else. They want to hold their weapons

¹⁹The White House, “Implementation Day”, <https://obamawhitehouse.archives.gov/issues/foreign-policy/iran-deal>.

forever²⁰, and vow to never allow other countries to possess them. An increasing number of countries view this as an approach of “nuclear apartheid”. The promises enshrined in the NPT for NNWS states have often been flouted by NWS. Having nuclear weapons is a symptom of which the underlying cause is the security concerns. Non-proliferation regimes want to eliminate the symptoms—that too selectively— without addressing the main drivers. Most of the time, international non-proliferation regime tries to impose a technical solution on political problems. NPT’s approach of exclusiveness reduces it to a relic. A false impression is created about NPT’s universal acceptance, while ignoring the fact that about half of its signatories are yet to ratify it.

Some of the cardinal provisions of the global non-proliferation regime are out rightly discriminatory in nature, selective in operational context and political in application. Its primary focus has been on freezing strategic status quo in favor of the countries declared NWS by the NPT. Since the institution of the “Manhattan Project” in 1942, various states have amassed over 1,875 tons of nuclear bomb making fissile materials. This stockpile is sufficient for churning out “tens of thousands” of colossally powerful bombs. As of now, around 25 state actors possess these materials, dispersed at “hundreds of sites”, including some storage sites having doubtful security cover²¹. Data compiled by series of Nuclear Security Summits (NSS), held during the Obama Administration, brought to light the fact how, during the NSS processes, focus was kept on micro level while ignoring the real macro level issues. “At the beginning of the NSS process in 2010, national commitments on nuclear material removal and

²⁰Ambassador Abdul Samad Minty, “Statement by Ambassador Abdul Samad Minty on behalf of South Africa, Subsidiary Body 1 (of NPT REVCON 2015), May 13, 2015. <http://safricaun.ch/>.

²¹Douglas Birch and R Jeffery Smith U.S. efforts to stem 'extreme threat to global security' far from complete”, The Centre for Public Integrity, March 11, 2016, <https://www.publicintegrity.org/2015/03/11/16845/us-efforts-stem-extreme-threat-global-security-far-complete>.

protection efforts have generated important global security achievements, including reducing the number of countries that possess weapons-usable nuclear materials from 32 in 2010 to 24 by the end of 2015”²². As a result of persuasion, HEU had been completely retrieved from 19 nations²³. The NSS had launched an international initiative to make-safe entire “vulnerable nuclear material around the globe within four years”. It actually meant relocating these materials either to the US or to the US managed storage facilities elsewhere.

It has indeed been a gross underestimation of the assignment. Even after six years, the small job was just half done²⁴. Double standards galore, during the same timeframe, President Barack Obama had “promised...to spend \$80 billion over 10 years to maintain and modernize the nation’s nuclear arsenal...” while the UK “announced contract awards of \$595 million to begin design of replacements for its four nuclear submarines that carry Trident sub-launched ballistic missiles.”²⁵ And at the same time “financial, technical and political problems” were identified which are responsible for impeding a long overdue US and Russian undertaking to extinguish 68 tons of excess weapon grade Plutonium²⁶. Moreover, there is

²²“The Nuclear Security Summit: Accomplishments of the Process”, An Arms Control Association and Partnership for Global Security Report, Arms Control Association: March 2016. <https://www.armscontrol.org/reports/2016/The-Nuclear-Security-Summits-Accomplishments-of-the-Process>

²³Sam Nunn, “Press conference on the release of the NTI Nuclear Materials Security Index”, Nuclear Threat Initiative, January 11, 2012.

<http://www.nti.org/analysis/transcripts/Transcript-of-the-press-conference-announcing-the-release-of-the-NTI-Nuclear-Materials-Security-Index/>

²⁴The NSS Process: Letter or spirit? March 28, 2016. <http://www.ipripak.org/the-nss-process-letter-or-spirit/#shash.hg5UNn7z.dpuf> (accessed on April 2016).

²⁵Stephen Gowans, “Why UN Sanctions Against North Korea Are Wrong”, March 7, 2016. <https://gowans.wordpress.com/2016/03/06/why-un-sanctions-against-north-korea-are-wrong/>.

²⁶Douglas Birch, “US efforts to stem ‘extreme threat to global security’ far from complete, The Centre for Public Integrity, <https://www.publicintegrity.org/2015/03/11/16845/us-efforts-stem-extreme-threat-global-security-far-complete>.

hullabaloo over Japan's setting up of one of biggest plutonium factories of the world, whose production has no immediate use, and which is not sufficiently safe-guarded,²⁷ especially against a terrorist assault. Reports of India building a secret nuclear city, in Challakere, in 2015²⁸ for producing nuclear weapons and such like revelations expose the inadequacy of preventive measures and systems.

The IAEA held an "International Conference on Nuclear Security" in July 2013; 125 states alongside 21 organizations participated. By comparison, outreach of the NSS process was only about 50 countries and 4 organizations²⁹. Global stockpiles of highly enriched uranium and plutonium are estimated to be 1,400 metric tons (MT) and 500 metric tons, respectively. Military stockpiles, which are outside the purview of the NSS process, account for over 80 percent of HEU and 50 percent of plutonium. Mostly these stocks are held by the US, Russia, and India. Only about 15 metric tons of HEU could be converted to LEU; positive point is that a number of reactors using HEU have been either shut down or converted to use alternative fuels³⁰.

Among the NSS summits' chief accomplishments are the recovery or elimination of more than 1,500 kilograms of HEU and separated

²⁷Ibid.

²⁸"India building secret city to produce nuclear weapons reports US-based Foreign Policy magazine", *The Indian Express* (New Delhi), December 15, 2015, <http://indianexpress.com/article/india/india-news-india/india-building-secret-city-to-produce-nuclear-weapons-reports-us-based-foreign-policy-magazine/>,

²⁹K Iqbal, "The NSS process: letter or spirit?" *Nation*, March 28, 2016.

<http://nation.com.pk/columns/28-Mar-2016/the-nss-process-letter-or-spirit>

³⁰Rakesh Sood "Charting the Course for Nuclear Security: An Indian Perspective", *Carnegie India*, article March 23, 2016. http://carnegieindia.org/2016/03/23/charting-course-for-nuclear-security-indian-perspective/ivt0?mkt_tok=3RkMMJWWfF9wsRonu6zLe%2B%2FhmjTEU5z16eUqX6631MI%2F0ER3fOvrPUfGjI4IRM瑞kI%2BSLDwEYGJlv6SgFSrnAMbBwzLgFWhI%3D.

plutonium³¹—comparison with the remaining stocks indicates that the entire process has been an eyewash. According to the US, since the last summit in 2014, ten nations have removed or disposed of about 450 kilograms of HEU.³² Obama, who made reduction of fissile materials around the world one of his top priorities as President, stated towards the fag end of his Presidency that anti-proliferation efforts have led to the elimination of enough HEU "to create 150 nuclear weapons." Compare it with 1500 operational warheads held each by the US and Russia alongside thousands of dormant warheads, which could be made operational on short notice. The United States also revealed for the first time, in more than a decade, its inventory of HEU. It declared ownership of 586 MT of HEU, in 2013, indicating a nominal decline from 741 MT back in 1996³³.

Despite decades' long uproar about the nuclear activities of North Korea and Iran, both were kept outside the NSS process. DPRK is a nuclear weapon country; it also has viable delivery systems in place. Both countries manage a number of nuclear facilities. By their non-invitation to any of these four summits, the NSS had put a serious question on its intent and purpose.

Moreover, in mid-October 2014, Moscow had conveyed to Washington that it would not participate in the NSS 2016. Russian foreign ministry had stated³⁴:

"We shared with our American colleagues our doubts regarding the added value of a forum that is planned to be

³¹No by Line, "The Nuclear Security Summit: Accomplishments of the Process", *Arms Control Association*, March, 2016. <http://www.armscontrol.org/reports/2016/The-Nuclear-Security-Summits-Accomplishments-of-the-Process>.

³²Ibid.

³³David Jackson and Jim Michaels, "Obama touts removal of highly enriched uranium", *The USA Today*, April 01, 2016. [http://www.usatoday.com/story/news/2016/04/01/barack-obama-nuclear-security-summit/82489898/\)](http://www.usatoday.com/story/news/2016/04/01/barack-obama-nuclear-security-summit/82489898/)

³⁴“Russia snubs US on nuclear summit”, *News 24*, November 06, 2014.

<http://www.news24.com/World/News/Russia-snubs-US-on-nuclear-summit-20141106>

held in the United States in 2016...We believe it is unacceptable to create a precedent of such outside interference into the work of international organizations³⁵ ... Washington is trying to assume the role of the main and privileged 'player' in this field", and that the attempts by the NSS to 'impose' the "opinions of a limited group of states" on international structures, which was "unacceptable". The statement had also added that: "Russia would instead focus on its cooperation with the International Atomic Energy Agency (IAEA)."

Without Russia, a major power with largest number of nuclear warheads and fissile material stockpiles, the final communiqué of NSS 2016 indeed lost much of its steam.

Obama's non-proliferation credentials have also been questioned on numerous counts. For example, initially he showed willingness to ratify CTBT, and settle the matter of Fissile Material Treaty at the Conference of Disarmament (CD), but nothing worthwhile was accomplished on either issue during his presidency. Obama's concept of "Global Zero" also did not move beyond political point scoring.

Indo-US 123 Agreement is an example of how commercial and political motives override non-proliferation imperatives. Despite being a non NPT member, India has been allowed to keep eight of its nuclear power plants out of IAEA safeguards. America went overboard to lobby for NSG waiver for India, and now it is trying to convert the waiver to permanent membership. India's energy program is intricately linked with its weapon making program through an intermediary stage of Fast Breeder Reactors. India has neither accepted any restrictions on its FBR program nor on its indigenously fabricated power and research reactors. Its military-civil

³⁵ Staff Writers. "Russia snubs US on nuclear summit", *Space Daily* (Moscow) November 06, 2014.
http://www.spacedaily.com/reports/Russia_snubs_US_on_nuclear_summit_999.html.

separation plan is in terrible lag and, at times is out of sync with 123 Agreement obligations. On the basis of NSG waiver India has signed Uranium procurement agreement with over a dozen countries, which enable it to divert its entire domestic production of fissile material towards weapon making. IAEA has not yet regained its lost credibility when it acted as an American tool to prepare concocted reports about Iraq's WMDs. These fabricated reports led to invasion of Iraq by the US. Later, IAEA let pass a most relaxed Additional Protocol for India which enable India's smooth sailing for getting an NSG waiver. Due to these contradictions, the international non-proliferation regime has lost its credibility; it is perceived as an American tool facilitating the accomplishment of American strategic objectives under the garb of nuclear non-proliferation. It is also perceived as apartheid motivated drive to freeze the strategic status quo to the disadvantage of NNWS.

North Korea's Military Capabilities

Numerically, DPRK's armed forces are superior to South Korea by a wide margin.³⁶ As regards number of soldiers and weapons, North Korea enjoys almost a 2:1 advantage. But this abundance of men and material does not mean that its military capability is superior. "North Korea remains reliant on a predominantly obsolescent equipment inventory across all three services," is the finding of the "International Institute for Strategic Studies" (IISS) ³⁷. While, on paper, DPRK air force possesses 563 combat-capable aircrafts, in reality, "every one of these planes was grounded for a short period in 2014" because of problems with maintenance and serviceability³⁸.

³⁶David Blair, "North Korea v South Korea: How the countries' armed forces compare", The Telegraph, (London) September 15, 2015.

<http://www.telegraph.co.uk/news/worldnews/asia/northkorea/11603665/North-Korea-v-South-Korea-How-the-countries-armed-forces-compare.html>

³⁷Ibid.

³⁸Ibid.

South Korea has ‘lean and mean’ military, benefiting from state of the art America supplied arms, munitions and weapon systems. Its inventory includes: over 2,000 tanks and hundreds of top of the line warplanes like F-5, F-15 and F-16, compatible with fighter and bomber roles. More importantly, South Korea nestles under the US security umbrella³⁹, comprising, *inter alia* 28,500 US troopers permanently lodged in South Korea. Hence, North Korea finds itself pitched against combined military might of South Korea and the US. This imbalance is the underlying cause for North Korean regime’s anxiety to build a nuclear armory. North Korea harbors a compelling perception that it could only out-maneuver its rival by possessing a nuclear armory.⁴⁰.

DPRK’s eagerness for nuclear arms dates back to the beginning of Cold War era. Progressively, it has achieved “nuclear fuel cycle” capability. It has reasonably mature uranium and plutonium enrichment programs which could produce requisite fissile material for two parallel streams of nuclear weapons. In May 2008, DPRK had declared that it roughly had 38.5 kilograms (kg) of weapons category plutonium gotten from spent fuel rods⁴¹. However independent appraisals vary. DPRK brought to light a uranium enrichment program, in November 2010, apparently focused on producing LEU for power reactors; reportedly DPRK has the capability of producing weapon grade HEU as well⁴².

³⁹Mutual Defense Treaty Between the United States and the Republic of Korea; October 1, 1953. http://www.jstor.org/stable/2213963?seq=1#page_scan_tab_contents).

⁴⁰David Blair, “North Korea v South Korea: How the countries’ armed forces compare”, The Telegraph, (London) September 15, 2015.

<http://www.telegraph.co.uk/news/worldnews/asia/northkorea/11603665/North-Korea-v-South-Korea-How-the-countries-armed-forces-compare.html> .

⁴¹“North Korea”, Nuclear Threat Initiative, <http://www.nti.org/learn/countries/north-korea/>

⁴²No by line, “Overview: North Korea, Nuclear Threat Initiative,

(<http://www.nti.org/learn/countries/north-korea/> , Last updated: March, 2016.

Most analysts estimate that North Korea has 10-20 crude atom bombs⁴³, based on the Yongbyon nuclear reactor's plutonium production, and assuming that North Korea must have conservative bomb designs, using 5-8 kilograms of plutonium in each weapon⁴⁴. North Korea is also perceived to have a clandestine nuclear weapons program, probably mostly underground, using uranium centrifuges and perhaps other technologies. Some analysts estimate that if North Korea has more sophisticated bomb designs, using smaller amounts of plutonium for example, it could have over 100 nuclear weapons⁴⁵—an exaggerated estimate by any standards.

North Korea has overtly tested five nuclear devices, and more tests may be in the offing. "If the US and other hostile forces persistently pursue their reckless hostile policy towards DPRK, and behave mischievously, the DPRK is fully ready to cope with them with nuclear weapons at any time," Kim Jong Un stated before last year's nuclear tests⁴⁶. DPRK is now trying to master the ability to launch nuclear missiles from submarines; once done, its triad would be complete, and its nuclear weapons would also become immune from destruction by a pre-emptive attack.

North Korea abandoned the NPT in 2003 and carried out its first nuclear test on October 9, 2006; its estimated yield was less than a kiloton. On May 25, 2009, it carried out second test (2-7 kilotons). On February 11, 2013, North Korea reported its third successful nuclear test: device had lighter warhead and more force than the previous two tests had. South Korean experts estimated the output between 6–9 kilotons. However, the "German Federal Institute for Geosciences and Natural Resources" thought it was 40 kilotons. Fourth test came on January 6, 2016, involving a

⁴³Peter Vincent Pry, “Hyper-proliferation in North Korea”, *Washington Times*, March 3, 2016. <http://www.washingtontimes.com/news/2016/mar/3/peter-vincent-pry-hyper-proliferation-in-north-kor/>

⁴⁴Ibid.

⁴⁵Ibid.

⁴⁶Jethro Mullen, “North Korea warns U.S. it's ready to use nuclear weapons 'any time'”, CNN, September 16, 2015, <http://edition.cnn.com/2015/09/15/asia/north-korea-nuclear-program/index.html>

hydrogen device; claim is unsubstantiated as collected data points towards a 6-9 kiloton yield. Fifth nuclear test was conducted on September, 09 2016⁴⁷. The Guardian made interesting comments⁴⁸:

“This year North Korea has engaged in a rapid-fire series of tests. In addition to the two nuclear tests, Kim has successfully launched an intercontinental ballistic missile, a road-mobile intermediate-range missile, a submarine-launched ballistic missile, upgraded medium- and short-range missiles, re-entry vehicle technology, a new solid-fuel rocket engine, and an improved liquid-fuel ICBM engine...Pyongyang has every technological, political and strategic reason to continue testing, and continued launches will only help perfect its technology... Korea watchers endlessly debate the timing and motivation of North Korean actions... Such debate is the lifeblood of analysts but is ultimately worthless. Instead, the focus should be on the North Korean actions – which are provocations, violations of UN resolutions or laws, or deadly attacks – rather than the array of possible regime motivations”.

North Korea’s long-range missile capabilities remain uncertain. For example, roughly within a month of testing its hydrogen bomb for the first time in 2016, DPRK claimed to have placed a satellite in geo-centric orbit for “peaceful purposes”. The pursuit has continued. Such launches have received stern criticism as these are perceived as a cover story for performing an ICBM test⁴⁹. DPRK has presumably made a new category ICBM—KN-14— that the US military says brings it closer to making missiles

⁴⁷“North Korea and weapons of mass destruction”, Revolv, <https://www.revolvy.com/main/index.php?s=North%20Korea%20and%20weapons%20of%20mass%20destruction>

⁴⁸“North Korea’s nuclear test: what should the world expect next?”, *Guardian*, September 09, 2016. <https://www.theguardian.com/world/2016/sep/09/north-koreas-nuclear-test-what-should-the-world-expect-next>

⁴⁹Wikipedia, the free encyclopaedia, “North Korea and weapons of mass destruction”. https://en.wikipedia.org/wiki/North_Korea_and_weapons_of_mass_destruction.

that could strike American heartland even with nuclear warheads⁵⁰. KN-14 is an improvement over road launch-able version of KN-8 that made its debut in 2012. Experts say that KN-14 may have a reach between 5,000 to 6,200 miles; enough to strike Chicago and Toronto. Speedy making of KN-14 out of KN-08 indicates that DPRK could make even longer range missiles capable of reaching Washington. Moreover, launcher of Taepodong-2 missiles also functions as launchers for space satellites⁵¹. North Korea also boasts of having a tested version of a “warhead re-entry shield” that enables warheads to re-enter atmosphere while not burning out. Perfection of such missiles need numerous tests; hence DPRK has a reason to continue testing.

Soon after the KN-14 paraded for the first time on October 10, 2015, the commander of the US Northern Command, Admiral William Gortneyg, had told Congress: “I agree with the intel (intelligence) community that we assess that they have the ability, they have the weapons, and they have the ability to miniaturize those weapons, and they have the ability to put them on a rocket that can range the homelands”⁵² . News of DPRK’s new long-range missile came amid mounting tensions.

Each spring, massive joint US-South Korea military exercises are conducted. This event radiates tremendous emotional heat. In 2016, war games were the largest ever. Troops amassed south of the “Demilitarized Zone” had worked out a new simulated scenario into their training: a “beheading mission” involving Kim Jong Un⁵³. Kim also reciprocated

⁵⁰ Bill Gertz, “Pentagon Confirms New North Korean ICBM”, *National Security*, March 31, 2016. http://freebeacon.com/national-security/pentagon-confirms-new-north-korean-icbm/?mkt_tok=3RkMMJWWfF9wsRonu63LdO%2FhmjTEU5z16eUqX663lMI%2F0ER3fOvPUfGjl4IRctlI%2BSLDwEYGJlv6SgFSrnAMbBwzLgFWhI%3D.

⁵¹Ibid.

⁵²Ibid.

⁵³Carnegie Endowment for International Peace, “Talk of Kim Jong Un "Beheading Mission" Fans Korea, Tension”, CBS News, March 10, 2016.

<http://carnegieendowment.org/2016/03/10/talk-of-kim-jong-un-beheading-mission-fans-korea-tension/iv1q>

through an articulation to use nukes against the US and RoK. DPRK also posted a YouTube video on March 25, 2016, entitled “Last Chance”, which animated a nuclear projectile hitting the American capital. Video closed with a rhetoric depicting “unhesitatingly strike ... with nuclear [weapons] ... US imperialists ... if they move even a little bit.” DPRK has also released a movie depicting a mock attack on President’s palace in Seoul.

DPRK’s case for Nuclearization

Presumably North Korea had joined the (NPT) on some assumption. The treaty commits treaty members “to pursue negotiations in good faith on measures relating to...nuclear disarmament [Article VI].” Such disarmament negotiations are not in sight.⁵⁴ In 2003, it instantly withdrew from the NPT invoking Article X of the treaty (it did not, however, serve a mandatory three months prior notice), and then pursued its nuclear weapon program. Therefore, North Korea presumes that it is not under any international compulsion for not using nuclear know-how for weapon making purposes. It is also of the view that the country is not in violation of any law barring the usage of rockets to place satellites into orbit. In its assessment, “no such law exists”. Moreover, DPRK maintains the type of rocket it employed for satellite launching in March 2016 “was not a ballistic missile, (and) there are no laws which prohibit ballistic missile development, possession, or testing”⁵⁵.

According to North Korea, “its nuclear weapons are purely defensive”. This may be a sound assessment. Its nuclear armory is too small, and delivering platforms rudimentary leading to uncertain end results, such a

⁵⁴ Stephen Gowans, “Why UN Sanctions Against North Korea Are Wrong”, March 7, 2016. <https://gowans.wordpress.com/2016/03/06/why-un-sanctions-against-north-korea-are-wrong/>

⁵⁵Ibid.

capability does not permit it to fire first nuclear shots and hope to survive the response. According to the Stimson Centre, “the United States threatened North Korea with nuclear destruction on six separate occasions. On one occasion the United States’ top soldier, Colin Powell, warned North Korea that the United States could turn it into a ‘charcoal briquette’.”⁵⁶ Additionally, the US “issued a virtual declaration of war against North Korea in 2002, when the Bush administration declared the country part of an ‘Axis of Evil,’ along with Iran and Iraq”⁵⁷. Soon after, Iraq was occupied by America and its allies on the basis of a fabricated report by IAEA about possession of WMDs by Iraq. And, following the Iraqi invasion, the US Undersecretary of State for Arms Control, John Bolton, had cautioned DPRK to “draw the appropriate lesson”.⁵⁸

NPT enshrines the principle that NWS won’t use nukes for threatening or endangering NNWS. This motivated DPRK to join the treaty—to get rid of American nuclear threats. Yet, the US never stepped back from its self-acclaimed *“right of pre-emptive nuclear strike”*. The US maintains that as and when US “interests” are in jeopardy, “it always has the right to use its nuclear weapons for pre-emptive purposes”. Based on these concerns, a North Korean diplomat had defended his country’s “decision to exit the NPT and embark on the development of nuclear weapons”.

Rudiger Frank, a professor of “East Asian Economy and Society”, at the University of Vienna, argued that “three signal events in the last two decades had underscored for Pyongyang that the decision it took to develop nuclear weapons was the right one”⁵⁹. Firstly “Gorbachev’s foolish

⁵⁶Ibid.

⁵⁷Ibid.

⁵⁸Ibid.

⁵⁹Rudiger Frank. “Socio-Economic Change in the DPRK and Korean Security Dilemmas: The Implications for International Policy”, International Institute of Korean Studies, University of Vienna, October, 15-17, 2014.

https://www.academia.edu/28473601/SocioEconomic_Change_in_the_DPRK_and_Korean_Security_Dilemmas

belief that his policies to end the arms race and confrontation with the West would be rewarded by respect for the Soviet Union”⁶⁰; instead, his empire was destroyed piece by piece. The second instance was Iraq’s Saddam Hussein⁶¹. Third was Libya’s Qaddafi⁶². “None of this was lost on the North Koreans”⁶³. The North Koreans do make a case, “not unconvincingly”, that instead of enhancing chances of war, its “development of nuclear weapons has done the opposite; it has deterred the US drive to use military force to topple a government which rejects the US hegemony”⁶⁴. Furthermore, DPRK also argues that “More than 100 space vehicles are put into the orbit around the earth by carrier rockets in a year on an average worldwide, but only North Korea’s satellite launch has been singled out for condemnation by the Security Council. Even India’s 2012 test of a long-range ballistic missile had a military not a peaceful intent. Indian officials boasted that it had given them the capability of sending a nuclear warhead as far as China’s capital, Beijing”⁶⁵. India was not condemned. On the contrary, “Washington praised India’s so-called solid’ non-proliferation record”, an altogether “incomprehensible tribute to a country that has never been party to the NPT”. India is “estimated to have 90-110 warheads, and now has the ability to deliver them over long ranges”⁶⁶. In order for its nuclear weapons to act as a deterrent against aggression, North Korea needs means to deliver a warhead. Since it has no long-range bombers, an obvious choice is an “intercontinental ballistic missile, of the kind India tested”. ⁶⁷

⁶⁰Stephen Gowans , “Why UN Sanctions Against North Korea Are Wrong”, March 7, 2016, <https://gowans.wordpress.com/2016/03/06/why-un-sanctions-against-north-korea-are-wrong/>

⁶¹Ibid.

⁶²Ibid.

⁶³Rudiger Frank. “Socio-Economic Change in the DPRK and Korean Security Dilemmas: The Implications for International Policy”

⁶⁴Ibid.

⁶⁵Ibid.

⁶⁶Ibid.

⁶⁷Ibid.

DPRK's Defiance

DPRK has a track record of side stepping UN admonitions. Over half a dozen UNSC resolutions have been adopted since 2006, focused on sanctioning it over nuclear weapons program.” DPRK, however, has since been continuously circumventing these⁶⁸. Adoption by the UNSC “Resolution 2270 (2016)”⁶⁹, through consensus, demonstrated unwavering resolve of the comity of nations to preserve the “global non-proliferation regime” and to target “DPRK’s ability to finance its nuclear and ballistic missile programs”⁷⁰.

Resolution 1718(2006)⁷¹, called upon DPRK to give up its future nuclear tests or launches and to re-join the talks on the subject⁷². For three subsequent years, DPRK ignored this resolution, thus prompting adoption of Resolution 1874, in 2009⁷³, that enhanced the scope of the ban on arms transfers to North Korea. It made it obligatory on UN members to “destroy any cargo going through their territories to North Korea that could help it expand its nuclear” (and missile) program (s). Remaining oblivious to it, for another four years, it launched a satellite in 2013, thus triggering Resolution 2087(2013)⁷⁴, blaming DPRK for flouting earlier resolutions, and

⁶⁸“Breaking Down North Korea’s History Of Breaking UN Resolutions”, Future Female Leaders, <http://futurefemaleleader.com/breaking-north-koreas-history-breaking-un-resolutions/>.

⁶⁹Security Council, “Security Council Imposes Fresh Sanctions on Democratic People’s Republic of Korea, Unanimously Adopting Resolution 2270 (2016)”, Meeting Coverage7638th Meeting, March 02, 2016.
<http://www.un.org/press/en/2016/sc12267.doc.htm>.

⁷⁰Burhan Ozbilici, “UNSC Resolution on N.Korea Upholds Non-Proliferation Regime – Mogherini”, Assocoated Press, March 02, 2016.
<http://sputniknews.com/asia/20160302/1035686209/mogherini-unsc-resolution-north-korea.html>.

⁷¹United Nations Security Council Resolution 1718(2006).
<http://www.un.org/press/en/2017/sc12850.doc.htm>

⁷²Victoria Badge, “Breaking Down North Korea’s History Of Breaking UN Resolutions”, Future Female Leaders, <http://futurefemaleleader.com/breaking-north-koreas-history-breaking-un-resolutions/>.

⁷³United Nations Security council Resolution 1874 (2009).

⁷⁴UNSC Resolution 2087(2013).

[http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2087\(2013\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2087(2013))

stressed upon UN members to keep watching it. This Satellite launch indicated that DPRK had employed its ballistic missile wherewithal. The resolution stated that any recurrence would add to sanctions. UNSC Resolution 2094 (2013)⁷⁵ came in as DPRK tested another nuclear device which it blamed on UNSC Resolution 2087. Resolution 2094 reinforced sanctions, and called on members for “implementing and monitoring materials that go to North Korea from and through [their respective] territories”⁷⁶.

On January 06 2016, DPRK launched its second satellite alongside fourth nuclear explosion, using a “hydrogen bomb”. This triggered UNSC Resolution 2270⁷⁷, enforcing compulsory inspections of cargo emanating from or destined to DPRK.⁷⁸ The US intelligence community’s assessment has it that DPRK is not “willing to negotiate over eliminating its nuclear and ballistic missile programs, and is actively seeking international recognition as a nuclear power”⁷⁹. It is an argument that apparently remains valid—though partially.⁸⁰ On September 09, 2016, DPRK tested its fifth nuclear device.⁸¹ This time DPRK’s “Nuclear Weapons Institute” declared:

“The standardization of the nuclear warhead will enable the DPRK to produce at will and as many as it wants a variety of smaller, lighter and diversified nuclear warheads of higher strike power with a firm hold on the technology for producing and using various fissile

⁷⁵UNSC Resolution 2094 (2013), <http://unscr.com/en/resolutions/2094>

⁷⁶Ibid.

⁷⁷UNSC R 2270(2016). <http://www.un.org/press/en/2016/sc12267.doc.htm>

⁷⁸Victoria Badge, “Breaking Down North Korea’s History Of Breaking UN Resolutions”, Future Female Leaders, <http://futurefemaleleader.com/breaking-north-koreas-history-breaking-un-resolutions/> .

⁷⁹Ibid.

⁸⁰Jeff Becker , “Winning a Game of Nuclear Chicken in Asia”, Redux, March 03, 2016, http://www.realcleardefense.com/articles/2016/03/03/winning_a_game_of_nuclear_chicken_in_asia_redux_109098.html_.

⁸¹Siegfried S. Hecker, “What to Make of North Korea’s Latest Nuclear Test?” *38 North*, September 12, 2016. <http://38north.org/2016/09/shecker091216/> .

materials. This has definitely put on a higher level the DPRK's technology of mounting nuclear warheads on ballistic rockets".⁸²

UNSC Resolution 2321(2016) was the response of international community. It expanded cargo inspections, restricted transportation option and expanded sectoral sanction and added new items to luxury goods ban. UNSC Resolution 2345 of March 23, 2017 further tightened the restrictions⁸³.

However, a deeper analysis provides an alternative insight. "The rationale of nuclear weapon states for maintaining a stock of nuclear weapons applies with even greater force to weaker states that may come under threat from stronger". neighbors' unmatchable conventional military might. "The smaller and weaker the state, the greater the need for nuclear weapons to make potential aggressors think twice before threatening or invading".⁸⁴

Options for Regional Rivals: Restraint or Proliferation?

While South Korea and Japan would be more than happy to let the process of positive assurances by the US complete, Russia and China could come with some innovations to ward off American nuclear presence in their neighborhood.

Public opinion in South Korea is divided with regard to the presence of Terminal High Altitude Air Defence System (THAAD)⁸⁵. While the military supports it, civilian population clusters poised to live nearby this system have concerns and they oppose it⁸⁶. Opposition parties think that the matter should be debated and voted inside parliament when new political

⁸²Ibid.

⁸³UNSC Resolution 2345 (2017). <http://unscr.com/en/resolutions/2345>

⁸⁴Stephen Gowans, "Why UN Sanctions Against North Korea Are Wrong?".

⁸⁵Choe Sang-Hun, "South Korean Villagers Protest Plans for U.S. Missile Defense System", *New York Times*, July 13, 2016.

https://www.nytimes.com/2016/07/14/world/asia/south-korea-thaad-us.html?_r=0

⁸⁶Ibid.

leadership takes charge after the current uncertainty emanating out of President Park Geun-hye's trial is over⁸⁷. "Under the circumstances, such a critical decision should be handled by the incoming government which will have full legitimacy and authorization", said Song Young-gil representing "Democratic Party of Korea"⁸⁸. "It's not urgent," he said. "The more urgent (and) critical thing is how we can prevent (North Korean) nuclear testing, the sixth test", he added.⁸⁹

RoK is a party to a number of non-proliferation treaties. It has evolved a policy for having a "nuclear-free Korean peninsula." It is also a member of MTCR, which limits its members not to have missiles of more than 500 km range and not more than 500 kg of payload. On account of increasing missile threat from DPRK, South Korea and the US agreed, in October 2012, "to extend the range of South Korea's missiles up to 800 km with 500 kg"; then the US helped South Korea get a waiver from MTCR for extending the range of its 500 kg payload missiles up to 800 km range.⁹⁰

During the 1970s, Seoul gave up its nuclear weapons program. However, it possesses requisite knowhow to produce nuclear weapons.⁹¹ For it North Korea's "advances in nuclear weapons technology" are "increasingly frustrating"⁹², which is encouraging the voices in South Korea like: "Why not us too?" This slogan has powerful supporters. This thought

⁸⁷ Kim Tong-Hyung, "Anger grows in South Korea over U.S. anti-missile system", The Associated Press, May 3, 2017. <http://www.ctvnews.ca/world/anger-grows-in-south-korea-over-u-s-anti-missile-system-1.3395688>

⁸⁸ James Griffiths, Alexandra Field and Pamela Boykoff, "Tillerson wades into a political minefield in South Korea", CNN, March 17, 2017.

<http://edition.cnn.com/2017/03/16/politics/tillerson-south-korea-thaad/index.html>

⁸⁹Ibid.

⁹⁰No By line, "Learn Countries South Korea" *Nuclear Threat Initiative*, <http://www.nti.org/learn/countries/south-korea>

⁹¹Ibid..

⁹²"Pyongyang Forecast: More Missiles Through May", *Defence One*, March 16, 2016.

http://www.defenseone.com/technology/2016/03/north-korean-forecast-more-missiles-through-may/126839/?mkt_tok=3RkMMJWWfF9wsRonu6zLcu%2FhmjTEU5z16eUqX663lMI%2F0ER3fOvrPUfGjI4IRMdnI%2BSLDwEYGJlV6SgFSrnAMbBwzLgFWhI%3D.

process could lead to either asking the US to bring back its nuclear weapons which it pulled out of South Korea in 1992, or it could trigger RoK to develop its own nukes. A conservative daily “Chosun Ilbo” penned an editorial in January 2016⁹³, titled: “South Koreans Must Discuss Acquiring Nuclear Arms”⁹⁴. Likewise, a “Korea Research poll”, published a month earlier to this article, reported that 53 percent of interviewed South Koreans favored developing own nukes while 41 percent supported a “nuclear-free Korean Peninsula”⁹⁵. However, options of having nuclear weapons have not found many sympathizers within the government and senior politicians, and the then President Park had “unequivocally dismissed it, saying that the whole peninsula should be free of nuclear weapons”.⁹⁶

South Korea has the American “nuclear umbrella”. RoK has committed through a 1991 arrangement that “it would not manufacture, possess, store, deploy or use nuclear weapons”⁹⁷. Yet some politicians are thinking loud as to why “South Korea shouldn’t have its own weapons” program. “We can’t borrow an umbrella from a neighbor every time it rains”, stated national Assembly floor leader Mr. Won Yoo-cheol, a Saenuri party lawmaker. He added: “It’s time for us to seriously consider an effective and realistic countermeasure for dealing with North Korea’s nuclear capability”.⁹⁸ It could take only one and a half year to enrich plutonium from RoK’s nuclear power facilities into a functional weapon. “It would take time to construct a large-scale reprocessing facility, but it can be done [at a smaller scale] even now in laboratories,” said Kim Seung-pyong, a

⁹³Ibid.

⁹⁴ Anna Fifield, As North Korea Flexes its muscles the other Korea looks at nukes too, Washington Post (Washington DC), March 20, 2016

https://www.washingtonpost.com/world/asia_pacific/as-north-korea-flexes-its-muscles-the-other-korea-looks-at-nukes-too/2016/03/20/e2b1bb22-eb88-11e5-a9ce-..

⁹⁵Ibid.

⁹⁶Ibid.

⁹⁷“ Joint Declaration of South and North Korea on the Denuclearization of the Korean Peninsula”, Signed February 19, 1992. *Nuclear Threat Initiative*, last updated on October 26, 2011. <http://www.nti.org/learn/treaties-and-regimes/joint-declaration-south-and-north-korea-denuclearization-korean-peninsula/>

⁹⁸Ibid.

professor of nuclear engineering.⁹⁹ Pointing towards DPRK's more frequent testing of missile and nuclear tests during the last one year, South Korea and the US had been publicly stressing the necessity of speedy deployment of the an anti-ballistic missile (ABM) system which could shoot incoming missiles from North Korea. Decision to this effect was taken by the Obama administration in July 2016; Trump has faithfully followed it through.¹⁰⁰ These deployments would weaken the deterrence and, in turn, compel North Korea to increase its warheads.

Japan possesses a facility for reprocessing plutonium. It could improvise it to make sufficient nuclear fuel for nuclear weapons within 12 weeks¹⁰¹. Japanese constitution does not prohibit it from possessing nuclear weapons, "contrary to popular belief", an official under Prime Minister Shinzo Abe stated on April 01, 2016¹⁰². This came as a Japanese Cabinet's reply to a parliamentarians inquiry, clarifying that the "nation could own and use nukes"¹⁰³, the daily Asahi Shimbun of Tokyo reported. But it also observed that "the government firmly maintains a policy principle that it does not possess nuclear weapons of any type under the three non-nuclear principles"¹⁰⁴. Abe's government also referenced a 1978 address by then-Prime Minister Takeo Fukuda suggesting that nuclear weapons were constitutionally acceptable. "Even if it involves nuclear weapons, the constitution does not necessarily ban the possession of them

⁹⁹Ibid.

¹⁰⁰Patrick Trucker, "North Korean forecast more missiles through May", Defence One, http://www.defenseone.com/technology/2016/03/north-korean-forecast-more-missiles-through-may/126839/?mkt_tok=3RkMMJWWfF9wsRonu6zLcu%2FhmjTEU5z16eUqX663IMI%2F0ER3fOvrPUfGjI4IRMdnI%2BSLDwEYGJlv6SgFSrnAMbBwzLgFWhI%3D (accessed on April 03, 2016)

¹⁰¹Anna Field, As North Korea Flexes its muscles the other Korea looks at nukes too, Washington Post, March 20, 2016 .

¹⁰²Ibid.

¹⁰³Ibid,

¹⁰⁴Ibid,

as long as they are restricted to such a minimum necessary level”¹⁰⁵, it read

China had urged the US and RoK to desist from THAAD deployment. According to Mark Tokola of Korean Economic Institute of America “China feels that THAAD's sensors could spy on China's military activities, instead of tracking North Korean missiles and jeopardize its capacity to respond to an attack on its own soil”.¹⁰⁶ According to the US Forces in Korea, THAAD is “aimed solely at defending South Korea against missiles from North Korea”.¹⁰⁷ Leading opinion in China has it that America is using DPRK as a scapegoat for justifying the deployment of THAAD system, which has the capability to degrade China's nuclear deterrence.¹⁰⁸ Russia has also been unhappy with the US since it deployed its missile shield in states like Poland and Czech Republic¹⁰⁹. New such addition in the region is not likely to please Russia. Back in 2015, Russia had joined China in voicing concerns against THAAD deployment¹¹⁰. Russia perceives such American actions as a well thought-out American strategy to encircle Russian deterrence¹¹¹. On April 02, 2015, the then Russian ambassador to RoK had declared (then) proposed THAAD deployment on Korean peninsula “a security concern for the region”. In an interview Mr Alexander Timonin, a former ambassador

¹⁰⁵ Julia Glum, “Japan's Constitution allows nuclear weapons says Abe's government after Donald Trump's comment”, *International Business Times* (Tokyo), April 04, 2016. <http://www.ibtimes.com/japans-constitution-allows-nuclear-weapons-say> (link no-longer active).

¹⁰⁶ Paula Hancocks and Joshua Berlinger, “Missile defense system that China opposes arrives in South Korea”, CNN, March 08, 2017.

<http://edition.cnn.com/2017/03/06/asia/thaad-arrival-south-korea/index.html>.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Karoun Demirjian, “Russia says it would match any U.S. military buildup in Eastern Europe”, *Washington Post*, June 15, 2015.

https://www.washingtonpost.com/world/europe/russia-says-it-would-match-any-us-military-buildup-in-eastern-europe/2015/06/15/7db91350-1361-11e5-8457-4b431bf7ed4c_story.html?utm_term=.3abfa082a897

¹¹⁰ “China, Russia Angry About US THAAD In S Korea:”, Sputnik News, July 28, 2016. <http://www.amtvmedia.com/china-russia-angry-about-us-thaad-in-s-korea/>

¹¹¹ John Power, “Russia: Korean THAAD Deployment Is a Security Threat”, Diplomat, April 02, 2015. <http://thediplomat.com/2015/04/russia-korean-thaad-deployment-is-a-security-threat/>

to North Korea had stated: "What concerns us is that a US missile defence system could be placed in areas not far from Russia, adding to worries over THAAD's radar system or technology".¹¹²

In July 2016, Russian foreign ministry made another comment¹¹³:

"We have been consistently warning that this decision would prove hazardous," but its warning was disregarded. THAAD deployment "undermines the strategic balance established both in and beyond the Asian-Pacific Region" and is capable of "whipping up tension in the region, which will make resolution of the complicated situation on the Korean Peninsula, including its denuclearization, ever more challenging."

And on actual deployment of THAAD, Russian Foreign Minister Sergey Lavrov said that it was disparate to the threat posed by North Korea. "The US global ballistic missile defence poses a deep risk to the security of the Asia-Pacific region", he added. Russian foreign ministry reacted:

"Such a development is fraught with the most serious negative consequences for international and regional strategic stability... In the Asia-Pacific region, where an uneasy security situation already exists, a new, destructive factor has emerged that can further complicate the nuclear question and other problems on the Korean Peninsula and provoke a regional arms race involving missiles".¹¹⁴"

The Way Forward

The UN Security Council has passed several resolutions aimed at

¹¹²Ibid.

¹¹³Konstantin Asmolov, "Deployment of THAAD in South Korea: Reaction and potential consequences", New Eastern Outlook, July 17, 2016. <https://www.sott.net/article/322388-Deployment-of-THAAD-in-South-Korea-Reaction-and-potential-consequences>

¹¹⁴"US missile deployment in South Korea threatens regional stability: Russia", PressTV, Iran. March 10 2017. <http://www.presstv.ir/Detail/2017/03/10/513762/Russia-Foreign-Ministry-US-THAAD-deployment-regional-stability>

enforcing incrementally tougher sanctions on DPRK.¹¹⁵ However, their efficacy remains to be ascertained. Despite enhancement of sanctions after every major event like nuclear or missile test and satellite launch, there are no signs of DPRK caving in. The Wall Street Journal has reported that “the United States had secretly agreed to hold talks with North Korea, just days before the North’s nuclear test, although Washington rejected further negotiations following the test.”¹¹⁶ This suggests that the United States might be willing to hold peace treaty talks with Pyongyang on the condition that the discussions include denuclearization. As a starting point, one could suggest a declaration of non-aggression, and the US may announce suspension of its joint military exercises on Koran peninsula.

This would create a sense of security for DPRK, and it may go for halting nuclear and missile tests, which could lead to resumption of multilateral talks, under six partite or a modified format, for working out further details¹¹⁷. On 17 February, 2016 the Chinese foreign ministry has floated a very meaningful proposal “the issues of a peace treaty and denuclearization could be discussed at the same time under the framework of the Six Party Talks. In so doing, it is necessary for all sides to reaffirm that the end goals remain the full denuclearization of the Korean peninsula and the signing of a peace treaty”¹¹⁸.

DPRK’s nuclear program is mainly driven by its (in) security dilemmas. Hence all efforts must focus at alleviating DPRK’s security concerns, rather than following an economic approach. New situation has emerged as DPRK has acquired new ones and upgraded its previous nuclear capabilities

¹¹⁵Sangsoo Lee and Alec Forss, “Time to rethink North Korea strategy”, March, 17 2016 .

¹¹⁶Ibid.

¹¹⁷“North Korea open to talks but not with US ‘brandishing a nuclear stick’”, *The Guardian*, April 17, 2013. <https://www.theguardian.com/world/2013/apr/17/north-korea-talks-us-nuclear-stick>

¹¹⁸Sangsoo Lee and Alec Forss, “Time to rethink North Korea strategy”, *East Asia Forum*, March, 17 2016 . <http://www.eastasiaforum.org/2016/03/17/time-to-rethink-north-korea-strategy/>

"since previous agreements were inked". Thus all previous agreements may be revisited and reviewed on the basis of relevance.¹¹⁹

Understandably the current focus is on DPRK's nukes and missile tests. Each set of sanctions generates added pressure on the regime. But, if sanctions are not coupled with credible efforts for engaging DPRK, it may opt for digging its heels further. This requires political will and resolute diplomacy. Until then, each nuclear or missile test ups North Korea's stature. With the passage of time, it will be more difficult to coerce or entice it to denuclearize. Both the US and DPRK need a realistic policy review towards each other and engage into dialogue constructively.

Conclusion

A wide range of prudent strategists are urging "to bring North Korea back to the table" to find a viable solution to its nuclear issue.¹²⁰ It is also argued that arm-twisting DPRK to "foreign demands to denuclearize, could well mean more than humiliation and disgrace for the North Korean leadership"—hence such an approach is a non-starter.¹²¹ Chinese President Xi Jinping has aptly pointed out that: "the solution of the crisis lies only and only in dialogue and consultation process". It's time for Washington to make a bold course correction with regard to its North Korea policy¹²² like it did in the cases of Iran and Cuba. China enjoys influence on DPRK leadership—though this is diminishing. Washington could still seek the assistance of Beijing to bring the North on the table of negotiations. To

¹¹⁹ Sangsoo Lee and Alec Forss, "Time to rethink North Korea strategy", March, 17 2016 .

¹²⁰ Nicholas Eberstadt, "Wishful Thinking Has Prevented Effective Threat Reduction in North Korea", Conservative News 24/7, March 07, 2016.

https://conservativenews247.com/news/243310_wishful_thinking_has_prevented_effective_threat_reduction_in_north_korea .

¹²¹ Nicholas Eberstadt, "North Korea nuclear threat reduction strategies need updating", March 7, 2016 <http://www.nationalreview.com/article/432378/north-korea-nuclear-threat-reduction-strategies-need-updating> .

¹²² Christine Ahn, "To End North Korea's Nuclear Program, End the Korean War", *The Nation*, January 7, 2016 <https://www.thenation.com/article/to-end-north-koreas-nuclear-program-end-the-korean-war/>

create a helpful environment, the US will also have to come up with a package of worthwhile confidence-building measures showing a pathway towards lifting of sanctions and the evolution of a peace treaty for peaceful reunification of the two Koreas. Pre-conditioning talks with stopping nuclear and missile tests by DPRK would not lead anywhere. Strategy of sanctions has already hit the point of diminishing returns; pursuing it may not halt DPRK's nuclear and missile pursuits. It will surely unleash a humanitarian crisis and that too earlier than expected. It is a moment of reckoning for the DPRK leadership, a self-appraisal is in order to assess whether it is unwittingly doing American bidding, America may be interested to earn a request from South Korea to reposition the nukes which it withdrew in 1992. Under the current geostrategic environment in Asia-Pacific, which is focused on containing China, America is poised to add more and more military might to Asia-Pacific theatre. And, if that be so, then nuke rattling and missile firing DPRK suits America.