

Treating the DPRK as a Global Nuclear Challenge

Testimony

By

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In thinking about the North Korea nuclear threat, there is a natural tendency to focus on the immediate effects Pyongyang’s possession of nuclear weapons might have on its closest neighbors. It is this instinct that has prompted our diplomats to work most with Russia, China, South Korea, and Japan to influence North Korea. This regional focus is also why so much attention has been focused on China, North Korea’s staunchest ally and strategic supplier of much of the food and fuel that Pyongyang needs to survive. As our diplomats have repeatedly

noted, China is the key to getting North Korea to behave. With China we gain leverage needed to make North Korea heal. Without China little or no progress with Pyongyang is likely.

There is only one problem with this insight: So far, it has not helped us much. China, for a variety of reasons, has not leaned much on North Korea. What's unclear is whether this is because China has been unwilling to leverage North Korea or because China is unable to do. My own view is that we don't clearly know what China is capable of doing vis-a vis North Korea if only because after nearly two years of 6-Party regional nuclear talks, we seem reconciled to the meager influence China so far seems to have had on Pyongyang.

If the security stakes of North Korea cheating on the Nuclear Nonproliferation Treaty (NPT) and withdrawing from it with impunity were low or if we already had made every reasonable attempt with our allies to leverage China against North Korea's continued nuclear misbehavior, such resignation might be acceptable. Neither point, however, is right. Certainly, the security impact of Pyongyang's actions when combined with that of Iran's latest nuclear maneuvers, threaten nothing less than a total breakdown of the nuclear rules and a world crowded with North Koreas and Irans. More important, several opportunities to leverage China on North Korea have recently arisen that have not yet been exploited.

Certainly, North Korea's bad nuclear behavior is no longer merely a regional problem. North Korea is the only nation the International Atomic Energy Agency (IAEA) has twice reported to the United Nations Security Council (UNSC) to be in noncompliance with its NPT safeguards obligations. The last IAEA noncompliance report was filed in early 2002 shortly after North Korea announced its withdrawal from the NPT. The UNSC has not yet take action on this report. A key reason why is that North Korea's neighbors, including China, Japan, South Korea, and Russia, wanted to first see what regional 6-Party talks might produce. North Korea has since announced that it has nuclear weapons and that it is making more bombs.

These developments have produced a worrisome precedent that now threatens international security at least as much as North Korea's actual nuclear capabilities might threaten its regional neighbors. In North Korea we now have a former NPT member that accumulated the means and materials to make nuclear weapons under the guise of developing peaceful nuclear energy. It then violated the treaty by not living up to its safeguards pledges, and finally withdrew; announcing it had weapons, and managed to get away with this with impunity.

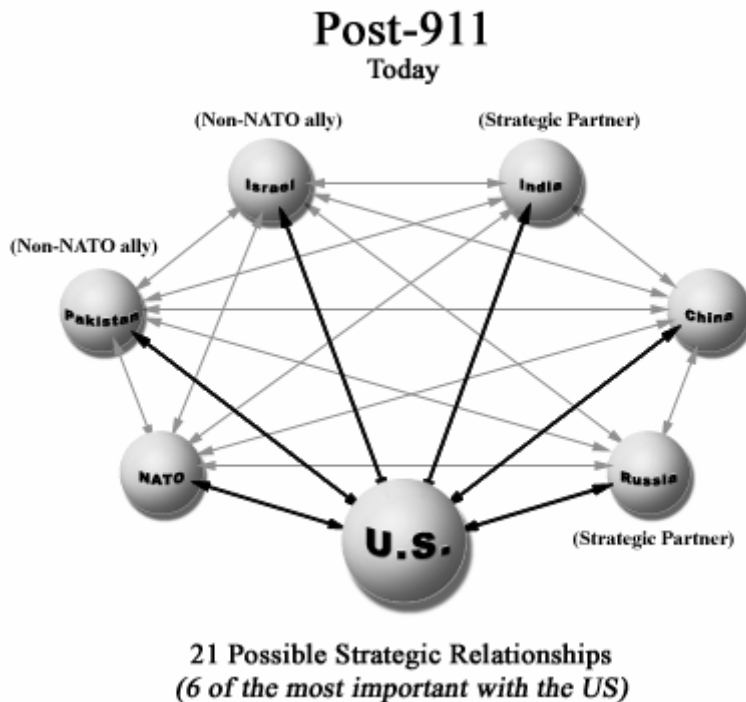
This, then, raises the question, who's next. The immediate answer probably is Iran, which has already threatened to withdraw from the NPT if it is not allowed to proceed with enriching uranium (a process that Iran could quickly manipulate to produce bomb grade uranium). Like North Korea, which insisted that it had a right to make weapons usable plutonium, Iran claims that its reading of the NPT is that the treaty guarantees Iran an "inalienable right" also to come within days of having a bomb so long as Iran claims that the nuclear activities it is pursuing are for peaceful purposes.

The U.S. government and allies of the U.S., have challenged Iran's claim. Our argument is that if you violate the NPT, you forfeit your right to have free access to nuclear technology for "peaceful" purposes. Unfortunately, so far, the IAEA has not yet determined that Iran is in

noncompliance with the NPT. There also is another difficulty with our argument against Iran: It presumes that if other countries do not make the mistake Iran did of failing to declare all of their significant nuclear activities to the IAEA, they could then legally come within days of having nuclear weapons.

Several weeks ago I testified before the House International Relations Committee that the U.S. needed to read the NPT in a more hard-headed fashion. Certainly, if we do not do a better job in challenging Iran's and North Korea's liberal interpretation of the NPT and, further let them violate the treaty and then withdraw with impunity, we risk setting the stage for a veritable cascade of proliferation. This situation would amplify the North Korean and Iranian regional nuclear threats several fold.

Consider the relatively small number of independent nuclear forces we currently have – Britain, France, China, Russia, the U.S., Israel, Pakistan and India. U.S. diplomats have tried to make the best of this number by identifying all of them but China as being a strategic partner of the U.S., a member of NATO, or a non-NATO ally. Because the U.S. was and remains the only nation that can project massive conventional power unilaterally, this approach has made these independent nuclear actors appear as though they are spokes in a U.S. security hub.

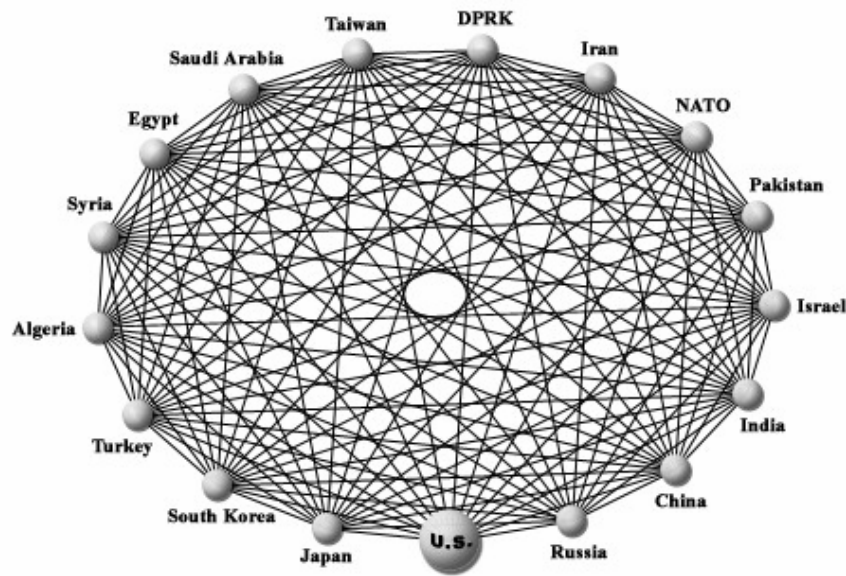


With North Korea's declaration that it has nuclear weapons and the legal claims it and Iran have made about what is legal under the NPT, this picture of relative nuclear stability is not likely to last. Algeria has a worrisome, large, militarily defended reactor in the Atlas region (one that was only discovered after our intelligence satellites found it by accident in the early 1990s). It has just come to the defense of Iran's nuclear program and recently expressed an interest in closer scientific ties with Tehran. Saudi Arabia, meanwhile, has let be known publicly that it is

reviewing its options to acquire nuclear weapons either from China or Pakistan (something it can do legally as an NPT member so long as China or Pakistan retain “control” of the weapons they base there). Egypt was just reported by the IAEA to have received some of the nuclear technology Libya received from A.Q. Khan and to have failed to report a variety of uranium-related experiments. Then there is South Korea, which revealed it had experimented recently with laboratory efforts to make nuclear weapons usable materials as well. Syria has been reported to be interested in enriching uranium. The list goes on.

Assuming these and other neighboring states conclude that it would be useful and legal to hedge their nuclear bets with “peaceful” nuclear programs of the sort Iran and North Korea have,, the world will soon be filled with nuclear-ready states. The U.S. would still have friends but it would be far more difficult to determine if they would be with us if we needed them or would instead go their own way as did France over the war against Iraq. We also, of course, would have enemies except now we would be even more perplexed as to how well armed they might be if we went to war. Finally, this would be a world in which the least provocation – perhaps as little as an assassin’s bullet – might be sufficient to ignite a war that could go nuclear and spread quickly.

Possible Proliferated Future



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How do we avoid this nuclear 1914 scenario? Clearly, we need to do all we can to prevent North Korea from having its way with the NPT and thereby enabling Iran and others to do as they please. How might we do this? First, we need to recognize that the North Korea presents a global nuclear challenge that will require more than a regional solution. The worry now, in short, is not limited to the immediate concern of North Korea having or keeping nuclear weapons. In addition, it has expanded to the worry that North Korea’s nuclear actions will serve

as a legal model for many other would-be bomb makers. Certainly, it would be helpful if we could get agreement that the NPT provides no per se rule for any member to acquire the entire fuel cycle. Also, members of the NPT need to understand that they will be held accountable should they violate the treaty and, then, try to escape by withdrawing.

Until recently, these sound ideas had no serious political backing. That changed last year with the French government's publication of a white paper proposal it submitted before the NPT Preparatory Review Conference in New York and the European Union. Now both the IAEA director general and the U.S. government back the French position that "a state that withdraws from the NPT remains responsible for violations committed while still a party to the Treaty" and should return, free, or dismantle all nuclear materials facilities, equipment and technology it acquired from other states before withdrawal." The French also contend that members of the NPT have no per se right to import the means to enrich uranium, separate plutonium, to produce heavy water or related technologies. Instead, they argue that right depends at least on whether or not there is a clear economic case and sufficient nuclear infrastructure to justify such projects. In Iran's case, the U.S. and the European Three (Britain, Germany, and France) have already clearly agreed on this point.

If the Permanent Three members of the UNSC -- France, Britain, and the US -- agreed, all that would be required to make this view of the NPT binding would be the support of either China or Russia. The assumption here is that if you had Moscow's backing, Beijing would go along to avoid being the odd man out and that Moscow would do likewise if China joined the U.S. France, and Great Britain. The question is, is it possible to secure China's support? If we go directly and ask Beijing, the answer is likely to be no. Given the global threat the North Korean program along with Iran is beginning to pose, though, we can and ought to seek others' help first.

France, who authored the proposal and who has considerable influence in Europe, would be a good place to start. This is particularly true regarding nuclear issues. China recently opened bidding on several urgently needed new nuclear reactors. The only two serious bids came from the French government-run firm Areva and the U.S.-government subsidized reactor effort of Westinghouse. The Westinghouse bid just received an Export-Import Bank guaranteed loan of \$5 and Westinghouse's advanced light water reactor design was supported with over a quarter of billion dollars of U.S. taxpayer dollars.

If we and the French joined forces and told the Chinese that we decided to hold off making the sales for the moment because of our concerns about nuclear proliferation, we could probably get Chinese officials' attention. We could then talk to them about the value of backing the country-neutral French resolution at the UN. Of course, some French nuclear officials, anxious to secure China's favor, might not want to work so closely with the U.S. They, however, are likely to be overruled: The U.S. government, after all, is cooperating very intensely with the French nuclear industry and paying out several billion U.S. taxpayer dollars to France to complete a controversial, large U.S. Department of Energy-run nuclear fuel fabrication plant in Savannah River, South Carolina.

All of this suggests that the U.S. government could do more with the French to get China to do the right thing not just to isolate North Korean nuclear misbehavior, but to make sure no one,

including Iran, concludes that Pyongyang's nuclear moves constitute a model worthy of emulation. Right now the U.S. taxpayer is being asked to spend billions to subsidize nuclear sales to China and nearly as much to France for nuclear construction in the U.S. Neither of these projects, however, is likely to do much good promoting peaceful nuclear energy unless we first neutralize the global nuclear threat that North Korea together with Iran is clearly posing. This will, ultimately, will require first reaching outside of the region in order to secure critical Chinese support.