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CASE 2009-2010

Negotiations in the UN Security Council on the continuing security provocations by North Korea ©

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Case developed by Dr. David Criekemans ¹



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Problem and setting

During the year 2009, a rapid and dangerous breakdown of relations between North Korea (aka, the Democratic People's Republic of Korea or DPRK) and the international community occurred. On 25 May 2009, North Korea conducted the second underground nuclear test in its history, followed by the launch of several missiles. After three weeks of negotiations held in strict confidentiality within the UN Security Council (UNSC), first among the P5 plus Japan and South Korea, and then among all Council members, the UNSC adopted on 12 June the resolution 1874 condemning the nuclear test, expanding the existing arms embargo, authorising inspection of cargoes to and from the DPRK, as well as vessels on the high seas, prohibiting financial services and transfers to the DPRK that could be linked to weapons related activities and authorising asset freezes in this regard, and calling upon states and international institutions not to provide new financial assistance or trade support to the DPRK, except for humanitarian or development assistance. The Council also decided that the 1718 Sanctions Committee would adjust its measures within thirty days, through the designation of additional entities goods, and individuals. Finally, it requested the Secretary-General to establish a panel of experts to monitor and verify implementation of the sanctions measures. The response of the DPRK was belligerent; it threatened with open war should its vessels be boarded, it raised the operational level of its troops alongside the *Demilitarized Zone* (DMZ), it conducted even more

missile tests, and it announced speeding up its uranium enrichment programme, thereby increasing the likelihood that it soon will have at its disposal multiple atomic bombs. Finally, Pyongyang recalled to the international community that it possesses the capability to destroy the capital of South Korea, Seoul, within half an hour – even by conventional means. North Korea is bringing the region and the world “to the brink” of war and disaster, and nothing seems to stop them. Furthermore, *dangerous ‘cat and mouse’ games* between the North Korean fleet and the naval fleets of the US, South Korea & Japan might even provoke incidents which would lead to war eventually. *The Security Council meets to stave off potential disaster.*

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A Reconstruction of Events since 1991 ²



In September 1991, President George H. W. Bush announced that the United States would withdraw its nuclear weapons from South Korea, and on 18 December 1991, President Roh Tae Woo declared that South Korea was free of nuclear weapons. North and South Korea then signed the "*Joint Declaration on the Denuclearization of the Korean Peninsula*," whereby both sides promised to "not test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons." The agreement also bound the two sides to forgo the possession of "nuclear

reprocessing and uranium enrichment facilities." The agreement also provided for a bilateral inspections regime, but the two sides failed to agree on its implementation.

North Korea signed the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1985 but did not submit to International Atomic Energy Agency (IAEA) inspections until May 1992. North Korea signed an IAEA safeguards agreement on **30 January 1992**. Under the terms of the agreement, North Korea provided an "initial declaration" of its nuclear facilities and materials, provided access for IAEA inspectors to verify the completeness and correctness of the initial declaration. Six rounds of inspections began in May 1992 and concluded in February 1993. Pyongyang's initial declaration included a small plutonium sample (less than 100 grams), which North Korean officials said was reprocessed from damaged spent fuel rods that were removed from the 5MW(e) reactor in Yongbyon-kun. However, IAEA analysis indicated that Korean technicians reprocessed plutonium on three occasions - 1989, 1990, and 1991. When the Agency requested access to two suspect nuclear waste sites, North Korea declared them to be military sites and therefore off-limits.

1994 Crisis and the Agreed Framework

After the IAEA was denied access to North Korea's suspect waste sites in early 1993, the Agency asked the United Nations Security Council (UNSC) to authorize special ad hoc inspections. In reaction, North Korea announced its intention to withdraw from the NPT on 12 March 1993. Under the terms of the treaty, withdrawal is not effective until 90 days after giving notice. Following intense bilateral negotiations with the United States, North Korea announced it was "suspending" its withdrawal from the NPT one day before the withdrawal was to become effective. Pyongyang agreed to "suspend" its withdrawal while talks continued with Washington, but claimed to have a special status in regard to its nuclear safeguards commitments. Under this "special status," North Korea agreed to allow the "continuity of safeguards" on its present activities, but refused to allow inspections that could verify past nuclear activities. As talks with the United States over North Korea's return to the NPT dragged on, North Korea continued to operate its 5MW(e) reactor in Yongbyon-kun. By the spring of 1994, the reactor core was burned up, and the spent fuel rods had to be discharged. On **14 May 1994**, Korean technicians began removing the spent fuel rods without the supervision of IAEA inspectors. This action worsened the emerging crisis because the random placement of the spent fuel rods in a temporary storage pond compromised the IAEA's capacity to reconstruct the operational history of the reactor, which could have been used in efforts to account for the discrepancies in Pyongyang's reported plutonium

² Almost entirely based upon data and texts from www.nti.org (Nuclear Threat Initiative).

reprocessing. The administration of U.S. President Bill Clinton announced that it would ask the UNSC to impose economic sanctions; Pyongyang declared that it would consider economic sanctions "an act of war." The crisis was defused in June 1994 when former U.S. President Jimmy Carter travelled to Pyongyang to meet with Kim Il Sung. Carter announced from Pyongyang that Kim had accepted the broad outline of a deal that was later finalized as the "*Agreed Framework*" in **October 1994 (see Annex 1 for the full text)**. Under the agreement, North Korea agreed to freeze its gas-graphite moderated reactors and related facilities, and allow the IAEA to monitor that freeze. Pyongyang was also required to "consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula," and remain a party to the NPT. In exchange, the United States agreed to lead an international consortium to construct two light water power reactors, and provide 500,000 tons of heavy fuel oil per year until the first reactor came online with a target date of 2003. Furthermore, the United States was to provide "formal assurances against the threat or use of nuclear weapons by the US."

Collapse of the Agreed Framework

While the Agreed Framework froze North Korea's plutonium program for almost a decade, neither party was completely satisfied with either the compromise reached or its implementation. The United States was dissatisfied with the postponement of safeguards inspections to verify Pyongyang's past activities, and North Korea was dissatisfied with the delayed construction of the light water power reactors. After coming to office in 2001, the new Bush administration initiated a North Korea policy review that was completed in early June. The review concluded that the United States should seek "improved implementation of the Agreed Framework, verifiable constraints on North Korea's missile program, a ban on missile exports, and a less threatening North Korean conventional military posture." From Washington's perspective, "improved implementation of the Agreed Framework" meant an acceleration of safeguards inspections, even though the agreement did not require Pyongyang to submit to full safeguards inspections to verify its past activities until a significant portion of the reactor construction was completed but before the delivery of critical reactor components.

There were also concerns about North Korea's suspected highly enriched uranium (HEU) program, which is a different path to produce fissile material for nuclear weapons. In the **summer of 2002**, U.S. intelligence reportedly discovered evidence about transfers of HEU technology and/or materials from Pakistan in exchange for ballistic missiles. Later, in early 2004, it was revealed that Pakistani nuclear scientist Dr. A. Q. Khan had sold gas-centrifuge technology to North Korea, Libya and Iran. Compared to plutonium-production facilities, the type of HEU production facilities that North Korea was suspected of developing would be difficult to detect. In October 2002, bilateral talks between the United States and North Korea finally resumed when U.S. Assistant Secretary of State for East Asia and Pacific Affairs James Kelly visited Pyongyang. During the visit, Kelly informed First Vice Foreign Minister Kang Sok Chu and Vice Foreign Minister Kim Kye Kwan that Washington was aware of a secret North Korean program to produce highly-enriched uranium (HEU). The U.S. State Department claimed that North Korean officials admitted to having such a program during a second day of meetings with Kelly, but North Korea later argued that it only admitted to having a "plan to produce nuclear weapons," which Pyongyang claimed was part of its right to self-defense. The United States responded in December 2002 by suspending heavy oil shipments, and North Korea then retaliated by lifting the freeze on its nuclear facilities, expelling IAEA inspectors monitoring that freeze, and announcing its withdrawal from the NPT on 10 January 2003. Initially, North Korea claimed it had no intention of producing nuclear weapons, and that the lifting of the nuclear freeze was necessary to generate needed electricity.

New Crisis and the Six-Party Process

In the spring of 2003, U.S. intelligence detected activities around the Radiochemistry Laboratory, a reprocessing facility in Yongbyon-kun, that indicate North Korea was probably reprocessing the 8,000 spent fuel rods that had been in a temporary storage pond. In September 2003, a North Korean Foreign Ministry spokesman said that North Korea had completed the reprocessing of this spent fuel, which would give North Korea enough plutonium for about four to six nuclear bombs. In January 2004, a delegation of invited U.S. experts confirmed that the canisters in the temporary storage pond were empty.

In **April 2003**, a multilateral dialogue began in Beijing with the aim of ending North Korea's nuclear weapons program. Initially trilateral in format (China, North Korea and the United States), the process expanded to a six-party format with the inclusion of Japan, Russia and South Korea. The first round of the six-party talks began in August 2003. According to reports, North Korean diplomats stated at the talks that Pyongyang had "*no choice but to declare its possession of nuclear weapons*" and "*conduct a nuclear weapons test.*" The North Korean delegation, however, reiterated that Pyongyang would be willing to dismantle its nuclear programs if the United States "*changed its hostile policies, stopped obstructing North Korea's economic growth, and aided the energy needs of North Korea.*" Six months later, in February 2004, the second round of talks were held and a third round were held June 2004. However, tensions between the parties - particularly the United States and North Korea - meant the talks stalled for over a year, only restarting in July 2005.



While the six-party process stagnated, North Korea shut down its 5MW(e) reactor in April 2005 and removed the spent fuel. The reactor had been operating since February 2003, so it could have produced enough plutonium for 1 to 3 bombs. However, it would take a few months for North Korean engineers to extract the plutonium from the spent fuel rods. In September 2005, satellite imagery indicated that the reactor had begun operations once again.

"Statement of Principles" and Breakdown in Talks

On **19 September 2005**, the fourth round of six-party talks concluded and the six parties signed a "*Statement of Principles*" (see **Annex 2 for the full text**) whereby North Korea would abandon its nuclear programs and return to the NPT and IAEA safeguards at "an early date." The United States agreed that it has no intention of attacking North Korea with nuclear or conventional weapons, and Washington affirmed that it has no nuclear weapons deployed in South Korea. The parties also agreed that the 1992 Joint Declaration on the Denuclearization

of the Korean Peninsula, which prohibits uranium enrichment or plutonium reprocessing, should be observed and implemented. Although hailed as a breakthrough by some participants, the viability of the "Statement of Principles" were immediately brought into questions by North Korean and U.S. actions. One particularly sticking point was the extent to which different parties interpreted the agreement's provision of light water reactors to North Korea. While Pyongyang argued that the six-party statement had allowed for LWRs, Washington countered that this was not guaranteed under the statement and would only come after North Korea had dismantled its current nuclear program. Shortly after the agreement was signed in Beijing, the U.S. government announced that it was sanctioning Banco Delta Asia (BDA), a Macao based bank, for assisting North Korea with illegal activities including counterfeiting U.S. currency. North Korea demanded that the sanctions be lifted or Pyongyang would not carry-out its part of the September 2005 agreement. Due to these, and other disagreements, the six-party talks stalemated and the "Statement of Principles" remained dormant for over 18 months.

2006 Nuclear Tests and Resumption of Talks

The nuclear crisis on the Korean peninsula continued to deteriorate throughout 2006, reaching a low point in October when North Korea conducted a nuclear test. Immediately following the test, the UNSC imposed sanctions on North Korea. After intense diplomatic activities by the Chinese government and others involved in the six-party process, the parties met again in December 2006 after a hiatus of more than a year. However, these talks end without any sign of progress. In what appeared to be a breakthrough in the negotiations, the six parties in February 2007 agreed on the "Initial Actions for the Implementation of the Joint Statement" (see Annex 3 for the full text) whereby North Korea agreed to abandon all its nuclear weapons and existing nuclear programs, and return to the NPT and IAEA safeguards, in exchange for a package of incentives that included the provision of energy assistance to North Korea by the other parties. The agreement also established a 60-day deadline during which North Korea was to shut down and seal its main nuclear facilities at Yongbyon under IAEA supervision.



After the **February 2007 agreement**, the North Koreans extended invitations to IAEA officials opening the door to re-establishing its relationship with the Agency since expelling IAEA inspectors in December 2002. In March 2007, an IAEA delegation headed by Mohamed ElBaradei visited Pyongyang and met with North Korean officials to discuss the denuclearization process. In July 2007, North Korea began shutting down and sealing its main nuclear facilities at Yongbyon under IAEA supervision. Further progress was made in the six-party talks when the parties adopt the "Second Phase Actions for the Implementation of the Joint Statement" (see Annex 4 for the full text) that called on North Korea to disable its main nuclear facilities and submit a complete and correct declaration of all its nuclear programs by December 31, 2007. While disablement activities on North Korea's three key plutonium production facilities at Yongbyon—the 5MW(e) experimental reactor, the Radiochemical Laboratory and the Fuel Fabrication Plant—progressed, North Korea failed to meet the December 31 deadline to submit its declaration. Sharp disagreements over North Korea's past procurement efforts that support the development of a uranium enrichment capability and controversies surrounding suspected North Korean nuclear cooperation with Syria proved to be the key sticking points.

Almost six months past the deadline, on **June 26, 2008**, North Korea submitted its much-awaited declaration. While the contents of North Korea's declaration have not been disclosed to the public, various media reports claimed that the declaration failed to address its alleged uranium enrichment program or suspicions of its nuclear proliferation to other countries, such as Syria. Despite problems with the declarations, the Bush administration notified U.S. Congress that it was removing North Korea from the U.S. list of state sponsors of terrorism and also issued a proclamation lifting some sanctions under the Trading with the Enemy Act. Following the U.S. government's action, North Korea demolished the cooling tower at the Yongbyon reactor which was broadcasted by the international media. However, North Korea announced in late August 2008 that they restored the nuclear facilities in Yongbyon and barred international inspectors from accessing the site. Pyongyang also criticizing the United States for delaying the removal of North Korea from the list of state sponsors of terror. On 11 October 2008, the United States dropped North Korea from the terrorism list after reaching a deal in which North Korea agreed to resume the disabling of its nuclear facilities and allow inspectors access to the nuclear sites. The six parties then resumed negotiations to map out a verification plan in Beijing in December 2008. These negotiations focused on ways to verify the disabling of North Korea's nuclear program, including taking nuclear samples. However, the negotiations failed to reach an agreement on a verification protocol and the issue was stalled. Then after, a rapid deterioration of the relation between North Korea and the international community followed in 2009. North Korea's increasing "belligerent" stance also may have been a response to earlier statements by the new American President Barack Obama about his commitment to avoid North Korea to become a danger. After war-mongering discourse earlier in the year, the DPRK apparently felt the need to illustrate to the outside world (South Korea, Japan and the United States of America) that it was perfectly capable of defending its own territory. The following "illustrations" were set up by North Korea;

- On **April 5, 2009**, the DPRK launched the Unha-2 space booster (allegedly based on the long-range Taepodong-2). Although the launch was more successful than the 2006 test, the third stage still failed to separate properly. A missile test or a satellite attempt, the launch nevertheless violates earlier UN Security Council's resolutions. Because the Unha-2's first stage engine is the Musudan (Nodong-B / Taepodong-X), North Korea claims they have demonstrated the 4000 km range and reliability of its new Musudan missile. This means North Korea may be able to develop/deploy mobile ICBMs within 7-10 years, which can survive a US first strike;
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- On **May 25, 2009**, the DPRK conducted the second nuclear test in its history;
 - On **July 2, 2009**, North Korea test fired a series of at least four surface-to-ship cruise missiles into the Sea of Japan;
 - Two days later, on **July 4**, they proceeded to test fire a further seven Scud-type ballistic missiles into the same sea. The tests are seen by world powers as a symbol of defiance to the United Nations set over North Korea after their nuclear test on May 25, 2009. These launches come only a week after US President Barack Obama extended US economic sanctions against North Korea. This is also a response to the **UN's sanctions that were imposed on 12 June 2009 (UN Security Council Resolution - UNSC 1874 [2009], see Annex 5 for the full text, read the decisions taken by the UN Security Council).**
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With UNSC 1874 (2009), all Council members seemed to gradually align. The UN resolution calls for inspections of ships to or from North Korea believed to be carrying goods connected to weapons of mass destruction. It also broadens the arms embargo and further cuts the North's access to the international financial system, but does not authorise the use of force. In any event, the P5 within the UNSC took steps to jointly tackle the threat emanating from North Korea. Especially the change in position of China is remarkable. According to analysts, the Chinese used to think that Kim Jong-il was just playing nuclear poker with the Americans, South Korea and Japan, but now they think he really does want a nuclear arsenal. Even for China this is difficult to swallow. But while China supported the Security Council's condemnation of its neighbour, it is still wary of striking too strident a note. UNSC 1874 (2009) also gave other countries the right to stop North Korean ships and inspect their cargo if they had "reasonable grounds" to suspect they were carrying prohibited items. China agreed to this stipulation, but has advised caution when carrying it out (BBC News, 2009).

North Korea reacted to UNSC Resolution 1874 by issuing a Foreign Ministry statement June 13 condemning the UN action and outlining "countermeasures" Pyongyang would take, including the development of a uranium-enrichment program. The June 13 statement claimed that North Korea would be pursuing uranium enrichment to provide fuel for a light-water reactor it intended to construct. North Korea said it has been working on developing this capability and that "*enough success has been made in developing uranium enrichment technology to provide nuclear fuel*" for such reactors. The other steps Pyongyang said it would take in response to the UN measure included weaponizing all newly separated plutonium and meeting "*an attempted blockade of any kind*" with "*a decisive military response*."

It has been suggested that the test firing of missiles is an act of defiance against the United States national holiday, Independence Day. The response of the US was quick. On June 18, 2009, the US Secretary of Defense Robert Gates told reporters at the Pentagon he has sent the military's ground-based mobile missile system to Hawaii, and positioned a radar system nearby. The *Terminal High Altitude Area Defense system* is designed to shoot down ballistic missiles in their last stage of flight. This shows even the US is planning for all contingencies.

On July 23rd, 2009, US Secretary Hillary Clinton responded by stating at an Asian regional forum in Thailand she said there was widespread agreement that North Korea could not be allowed to maintain nuclear weapons: "*North Korea has no friends to protect it from international efforts to end its nuclear programme*". North Korea's envoy at the meeting said his nation would not re-enter six-party talks on ending its nuclear programme.

Clearly, North Korea and the international community are on a collision course, with possible dire consequences for the peace and security in the region and the world.

In order to understand the North Korean crisis in its full dimensions, several aspects will be further analysed in depth in the next pages;

- the historical and geopolitical background
- the DPRK's politics, geography, economy and military
- the diplomatic background of the Six Party Talks
- the situation on the ground: North Korea's (presumed) assets, both with regard to nuclear capabilities & WMD, and with regard to its fast growing missile capabilities

After this overview, an analysis will be offered into the intentions of the DPRK, and an insight will be reconstructed into the positions of the major players in this conflict, most notably China, Japan, South Korea, the United States of America, India, Russia and Canada.

Historical and Geopolitical Background: a brief history of the Korean peninsula

Background

On the 24th August 1910, Korea was fully annexed by the Japanese Empire. The colonisation would take 35 years. The occupation of Korea by Japan was efficient, though harsh and repressive. The Korean population was almost totally excluded of government and administration. The Korean peninsula served Japan economically, both in agriculture and in industry. From 1919 onwards, an independence movement started to take root in Korea. The Japanese occupation has left Koreans of the elder generation with a general distrust of the intentions of Japan, even today. It would take until 1945 before Korea would be free again. However, soon after the liberation, it was already clear that an autonomous and independent Korean peninsula would become very difficult to achieve (Verheyen, 2006).



In the Potsdam Agreement of 1945, it was decided that the north of the country came under the control of the Soviet Union, whereas the South came under the influence of the United States of America. Henceforth, the global geopolitical East-West divide made both Koreas a front-line, in geopolitical and geostrategical terms. The 38th parallel (degree of latitude) was established as the artificial border between the two occupation zones. Two thirds of Koreans lived in the south, whereas the industry was mostly located in the north. Both the US and the USSR tried to implement their own societal model in their respective part of 'Korea'. Therefore, after the division into two separate countries, this boundary became both a physical and ideological border (Vanden Berghe, 2008: 162).

The US wanted to leave Korea without losing face. In 1947, the General Assembly of the United Nations was asked to come up with a solution. Because a Special Commission was not granted access to the north, elections were only held in the south. Syngman Rhee, who had stayed in the US during the 35 years of the Japanese occupation, was accepted as president by the United Nations, and his government was considered "the only true government of the whole of the Korean peninsula" (August 1948). In September 1948, the communists in North Korea responded by forming a government under Kim Il-sung, who had fought together with other nationalists and China's communists under Mao against the Japanese. Later, Kim Il-sung had also been an officer in the Russian Army, and he had fought together with the Soviets against the Japanese in Manchuria. After establishing their respective governments, the Soviets retreated in December 1948, the Americans did also in June 1949 (Vanden Berghe, 2008: 163).

On Sunday June 25th, 1950, Kim Il-sung launches a massive invasion of South Korea. Almost all analysts in the US thought it had been Stalin who had told Kim Il-sung to conquer South Korea. Today we know that it was the other way around; Kim Il-sung had asked Stalin. Initially Stalin was against, but forces Kim Il-sung to ask for Chinese approval from Mao. In January 1950, the Soviet Union conducted an 'empty chair-policy' to protest against the fact that Communist China was not admitted to the United Nations. For the Americans, this proved to be a unique occasion to pass a resolution in the UN Security Council, voted on 27 June 1950, which stated that North Korea should withdraw, and that all members of the United Nations should try to offer assistance to South Korea against the invasion. On July 4th, 1950, the UN Security Council installed an Expeditionary Force to fight against the DPRK. The bulk of the force consisted of American troops, but also military forces from sixteen more countries were part of it (the UK, France, the Benelux-countries, etc.). In August 1950, the Soviet Ambassador returned to the UN in New York, but the decisions had already been made. In September 1950, the DPRK had almost completely conquered the south, but on 15 September 1950 the American General MacArthur landed hundreds of miles behind enemy lines and freed the South Korean capital of Seoul. On October 7th, 1950, the UK proposed a text to the General Assembly that later would become known as the "*Uniting For Peace-Resolution*" or United Nations General Assembly (UNGA) resolution 377 A. It states that in cases where the United Nations Security Council fails to act in order to maintain international peace and security, owing to disagreement between its five permanent members, the matter shall be addressed immediately by the General Assembly.³ MacArthur was given clearance to cross the 38th parallel and "free the whole of the Korean peninsula". On October 1950, Mao started a counter-offensive, and conquered Seoul again in December 1950. MacArthur then responded, and re-conquered Seoul in March 1951. The fierce fighting would drag on until July 26th, 1953 (Vanden Berghe, 2008: 164-169). When the cease fire is signed, North Korea has gained nothing. The border at the 38th parallel is restored, the economy lies in ruins, and many people had died (1.4 million North Koreans and Chinese, 400.000 South Koreans, 37.000 Americans, the Soviet Union suffered almost no casualties). Because Stalin had not helped the DPRK, Kim Il-sung distrusted the Russians, and felt deeply betrayed. After the war, Kim Il-sung therefore switched away from orthodox Marxist-communism to his own self-scripted doctrine of "*Juche*", which essentially calls for *self-sufficiency in all aspects of life*. His policies saw North Korea become even more isolated from and hostile to Western powers. International trade declined and Kim began to perpetuate a personality cult, styling himself as the "Great Leader". The regime began to strictly control every aspect of daily life. Although vast military expenditure continued to drain the economy, North Korea enjoyed a period of relative prosperity through the 1960s and 70s. In the 1980s however, the country began to falter. While other communist countries attempted economic reform, North Korea stuck rigidly to the ideological purity of its state-run system. The collapse of communism in Europe and Russia saw North Korea lose many of the few trading partners it had. By the mid 1990s, a series of droughts and floods coupled with continued economic mismanagement triggered severe food shortages. Thousands of refugees flooded across the border into China.

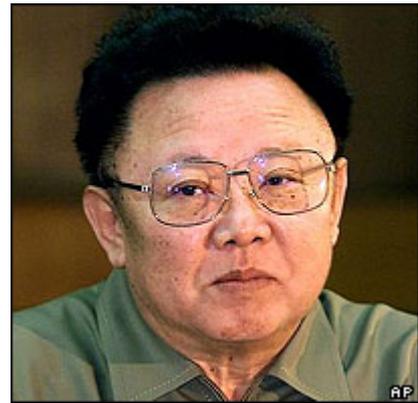
³ The *Uniting for Peace resolution* – also known as the "Acheson Plan" – was adopted 3 November 1950 by a vote of 52 to 5 (Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, the USSR, Byelorussian Soviet Socialist Republic), with 2 abstentions (India and Argentina): "*Reaffirming the importance of the exercise by the Security Council of its primary responsibility for the maintenance of international peace and security, and the duty of the permanent members to seek unanimity and to exercise restraint in the use of the veto, [...] "Recognizing in particular that such failure does not deprive the General Assembly of its rights or relieve it of its responsibilities under the Charter in regard to the maintenance of international peace and security," [...] "Resolves that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security."*

Kim Il-sung died in 1994 and his son Kim Jong-il, head of the armed forces, assumed control. Amid rumours of a power struggle however, he was not confirmed as General Secretary of the Communist Party until October 1997. A short period of rapprochement with South Korea and the United States followed, culminating in an unprecedented summit between Kim Jong-il and South Korean President Kim Dae-jung in 2000. Despite this, food shortages and economic hardships have continued, despite some hopes that the country would emulate China's modern-day free market reforms. In recent years, North Korea's series of ballistic missile tests and efforts to build nuclear weapons has fuelled regional tension (BBC, 2009).

A Brief Snapshot of the DPRK: Politics, Geography, Economy and Military

Leadership and politics

Kim Jong-il is North Korea's supreme ruler and so far, the only communist leader to ever have inherited power from his father. Kim Jong-il was born in Siberia, Russia during his father's period of exile from Korea in 1941. Since coming to power he has further developed and refined elements of his father's Juche doctrine of self-sufficiency. Details of the exact power structure within North Korea are obscure. Western political observers consider it to be an archetypal totalitarian state reminiscent of Stalin's Russia, with a state ideology which combines Juche with more conventional strands of marxist-communism. In line with many other communist leaders, Kim Il-sung fashioned a strong personality cult to consolidate his power and his son Kim Jong-il followed suit (BBC, 2009).



In early August 2008, Kim Jong-Il suffered a debilitating stroke after he failed to appear at an event celebrating the sixtieth anniversary of the founding of the state. Despite official protestations of his good health, Kim Jong-Il disappeared from sight for several months with many rumors circulating about his physical and mental impairment. However, with no outward signs that a leadership transition is under way, the prevailing expectation is that he is recuperating and the situation will eventually return to the status quo ante. It is possible, however, that Kim Jong-Il's condition may actually be much worse than press reports suggest and that his capacity to govern --if it hasn't already been seriously compromised-- may be short lived. There has long been speculation that he is a diabetic and therefore prone to kidney failure, heart complications, and at a higher risk of stroke (Stares & Wit, 2009).

According to Dean Yates, the following scenarios can be distinguished on how the internal situation may play out in North Korea over the coming months and years (Yates, 2009):

▪ **Scenario 1: SMOOTH TRANSITION**

The longer Kim lives and remains in reasonable health, the greater the chance of a smooth transition of power to his youngest son, Kim Jong-un, today 26 years of age. If Jong-un has 15 or 20 years to cement his position, he may be able to continue the Kim dynasty. Kim junior is also believed to have the backing of Jang Song-thaek, effectively the country's number 2 leader. Kim Jong-il in April promoted Jang, his 63-year-old brother-in-law, to the powerful National Defense Commission, which many analysts saw as an attempt to establish a mechanism for the transfer of power, with Jang as kingmaker. *Under this scenario*, financial market players would watch events in North Korea with interest but not trade dramatically either way. Global powers would seek to ascertain the intentions of the new leadership as it took shape. North Korean policy toward the outside world may not alter much.

- **Scenario 2: MESSY TRANSITION**

The early death or incapacitation of Kim would complicate the transition. Under this scenario, the regime may rally around Jong-un with Jang heading a collective leadership until the son is ready to assume power. Given his youth, inexperience and the fact few North Koreans even know of his existence, it is hard to see Jong-un taking over in the near future. That puts the onus on the elite to manage the transition. The one thing they have in common is regime survival. If Kim died suddenly, expect North Asia's financial markets to drop while world powers try to work out who rules a state that has detonated two nuclear devices and has enough fissile material, experts say, to make at least 5-7 more. *Under this scenario*, North Korea could become even more bellicose to build internal support.

- **Scenario 3: MILITARY TAKES OVER**

The sudden death of Kim Jong-il could prompt a military coup. The country's recent nuclear test, missile launches and threats of war all indicate the military has a major say in policy. The *Council on Foreign Relations*, in a report in January called "Preparing for Sudden Change in North Korea," said a military coup was possible (Stares & Wit, 2009). "Unconfirmed reports of past assassination attempts and military purges, not to mention the apparent precautions Kim takes to ensure his personal security when traveling around the country, all suggest that a military-led coup is quite plausible," the report said. A coup would be bearish for financial markets given that the military is seen as a prime backer of recent belligerence.

- **Scenario 4: COLLAPSE OF THE STATE**

Economic disintegration or a protracted leadership crisis could lead to North Korea's collapse, sending millions across the border into the wealthy and more populous South or across the more open northern border with China. For South Korea, this would wreck its economy and create social upheaval. While many analysts believe this scenario is unlikely, the *Council of Foreign Relations* report noted North Korea is a weak state with an economy that has never recovered from a 1990s' contraction and whose population is chronically short of food. "Under these circumstances, the uncertainty and stress imposed by a lengthy and perhaps ultimately inconclusive leadership struggle on the overall system of governance might prove too much," it said. South Korean estimates have said it would cost \$1 trillion or more to absorb the North. Financial markets in Seoul would plunge given how expensive and messy such a transition could be.

Geography and terrain

North Korea occupies some 120,540 square kilometres of land - an area roughly five times the size of Wales - on the northern part of the Korean peninsula. Capital city Pyongyang is by far the largest population centre. The total population is about 23 million with most major towns and cities located in coastal lowland regions. Much of the country is arid and mountainous, with only 16% suitable for agriculture. The highest point is Mount Paektu - the official birthplace of the North Korean leader Kim Jong-il.

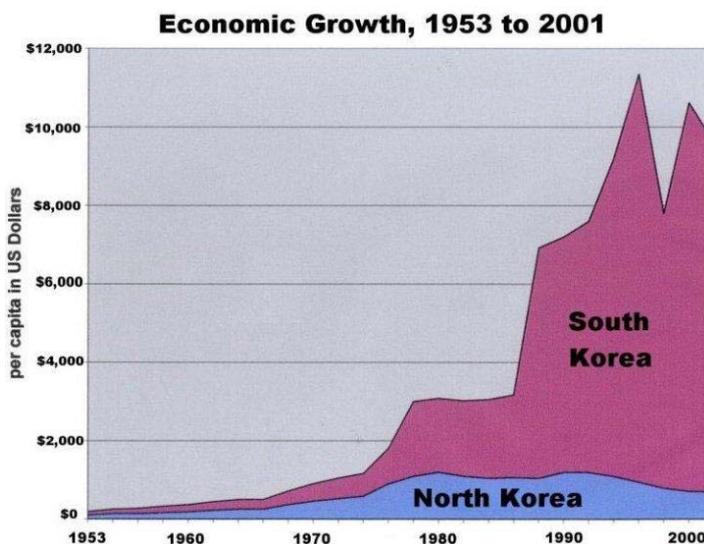


Heavy industry exists across the country, but most plants are rundown and inefficient after years of underinvestment. Manufacturing output is geared to the demands of the massive armed forces. Few factories produce consumer goods and those North Koreans who can afford them rely on imported second hand items from China and Japan (BBC, 2009).



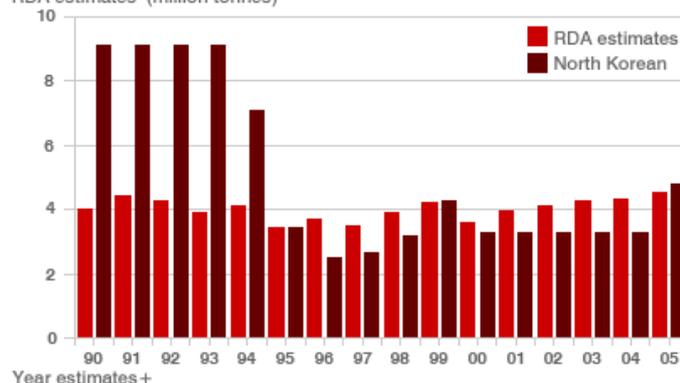
Economy

For 20 years after the war, North Korea produced more than South Korea. Richer than the South in natural resources like coal and iron ore and it possessed more heavy industry than the agricultural South. But its rigid centralized economy and policy of *Juche* or self-reliance it stagnated. This combined with the loss of support from the former USSR, floods and drought it faced shortages in food, electrical power, fuel, and industrial equipment. The South enjoyed exceptional prosperity. Due in part to its policy of enforced conglomerates called *chaebols*, it has become the world's 12th largest economy.⁴



Life for North Korea's 23 million population is harsh, with most people experiencing daily shortages of food. Consumer goods such as fridges, washing machines and bicycles are hard to come by. Acute power shortages curtail daily life outside major cities to daylight hours. Most roads are deserted as there are few cars, and the rail network is run down and dilapidated. Most North Koreans are forbidden to travel outside the country. In the mid-1990s, years of *economic mismanagement and drought* culminated in a severe famine in which the UN estimates between 500,000 and 2 million people may have died. While the food situation has improved in recent years, the *UN World Food Programme* warns that cereal production remains well below minimum requirements & that levels of malnutrition, particularly among children, are still high (BBC, 2009).

NORTH KOREA'S GRAIN PRODUCTION
RDA estimates*(million tonnes)



Year estimates+
* Rural Development Association, South Korea
+ North Korean report to the UN committee on Economic, Social and Cultural Rights

SOURCE: Human Rights Watch

⁴ www.paulnoll.com/Korea/History/Korean-income.html

Military

North Korea is one of the most heavily militarised countries in the world. Its 1.2 million strong army is considered to be the world's fifth largest. Military spending accounts for some 25% of GDP, according to US estimates, while some 40 out of every 1,000 North Koreans are enlisted in the armed forces, compared to 14 out of every 1,000 South Koreans. Most military equipment is derived



from Chinese and Russian designs. Analysts consider North Korea's tanks, aircraft and ships to be relatively obsolete in comparison to modern Western forces however. In recent years the country has pursued an ambitious missile building programme in tandem with efforts to build nuclear weapons. North Korea possesses a number of ballistic missiles with varying ranges. Currently none are thought to be able to travel more than about 800km. Missile testing has been sporadic, and in many cases, has appeared unsuccessful. The testing of a small nuclear device in October 2006 alarmed the international community and triggered UN sanctions. However North Korea is thought to be some way from possessing the technology required to miniaturise and deliver a nuclear warhead via a missile (BBC, 2009). Interestingly, according to US General Leon LaPorte (stationed in Guam), the DPRK possesses the *largest submarine fleet* in the world.

Diplomatic Background: the Six Party Talks

The Six-Party Talks concerning the DPRK's nuclear program involve the United States, North Korea, China, Japan, Russia and, South Korea. However, the primary players are the US and North Korea. The US has requested the involvement of the other four nations to deny North Korea of its desire to participate in bilateral negotiations with the US. The US is unwilling to participate in bilateral negotiations, citing North Korea's breach of the 1994 Framework Agreement. Besides the issue of North Korea's nuclear program, Japan is interested in the six-party talks to help rectify the abductees issue and Russia is concerned about its presence in Northeast Asia. Both countries will have little influence on either the US or North Korea during the talks. One often reads that China is extremely vital to the six-party talks. Some analysts (Globalsecurity.org) think this is exaggerated. Nevertheless, it is the national interest of China that North Korea is relatively stable, so as to reduce the exodus of North Korean refugees into Chinese territory and to act as an area separation between China and the US's military presence in South Korea. North Korea is too important to China's national security interests for it to become a failed state. North Korea considers its nuclear program as a vital element of its national security and of the continued existence of the Kim Family Regime. Therefore, it is doubtful that North Korea will surrender its nuclear program. Moreover, due to the stagnation of the country's economy, a nuclear program acts as a less expensive deterrent than a Western-style army. Finally, a functioning nuclear program is perceived as a sign of internal prestige by the regime. Because of the value North Korea places on its domestic nuclear program, Pyongyang, if it is to halt the program, has requested foreign aid and security commitments from the US (Globalsecurity.org, 2009).

According to most analysts, the Six Party Talks are probably the only mechanism that, if there was a desire by Pyongyang to reach a solution, could provide the means to solve it. However, the situation has deteriorated to the point now where the Six Party Talks have been rejected by the North. Also China may have a hard time getting the North Koreans back to the talks. Some observers are even stating that there first has to be a fundamental change in North Korea itself before the Six Party Talks could resume again.

As De Ceuster and Melissen write, progress in inter-Korean affairs also hinges on a peace treaty being signed to end formally the Korean War. Because there is an international dimension to the termination of the Korean War, agreement on a peace regime for the Korean Peninsula is also part of the Six-Party Talks. If and when the agenda of the Six-Party Talks is fully realized, the geopolitical map of North-East Asia will be fundamentally redrawn. The North Korean leadership is aware that for a small nation surrounded by big powers, a multilateral framework may be conducive to the protection of its interests. It is from this perspective that a continued US presence in the region is not opposed by North Korea's Kim Jong-Il, who sees a regional role for the United States in maintaining Korea's security (De Ceuster and Melissen, 2008).

Situation on the ground: North Korea's (presumed) assets

The DPRK's nuclear and WMD capabilities

North Korea has conducted *two nuclear weapon tests*. On **9 October 2006**, North Korea tested its first nuclear device at 10:35AM (local time) at Mount Mant'ap near P'unggye-ri, Kilchukun, North Hamgyong Province. The yield from this test appeared to be less than 1 kiloton; North Korea was reportedly expecting at least a 4 kiloton yield, possibly indicating that the North Korean nuclear program still had a number of technical hurdles to overcome before it had a usable warhead. In reaction to the test, the UN Security Council passed Resolution 1718 placing sanctions on North Korea. On **25 May 2009**, North Korea conducted its second nuclear test after having apparently warned the U.S. and Chinese government of their intentions. North Korea's Korean Central News Agency announced that Pyongyang had carried out the nuclear test, and that it "*was safely conducted on a new higher level in terms of its explosive power and technology of its control.*" Initial estimates from the US government showed the test causing seismic activity equivalent to a magnitude of 4.7 on the Richter Scale and located close to the site of the first nuclear test in 2006. Early estimates pointed to a possible yield for the test of between 4 and 8 kilotons; while this is stronger than the first test, some analysts still question the viability of Pyongyang's nuclear warhead design (nti.org).

So, what are the nuclear capabilities of North Korea? According to Larry A Nicksch, most of North Korea's plutonium-based nuclear installations are located at Yongbyon, 60 miles from the North Korean capital of Pyongyang. The key installations are as follows (Nicksch, 2009):

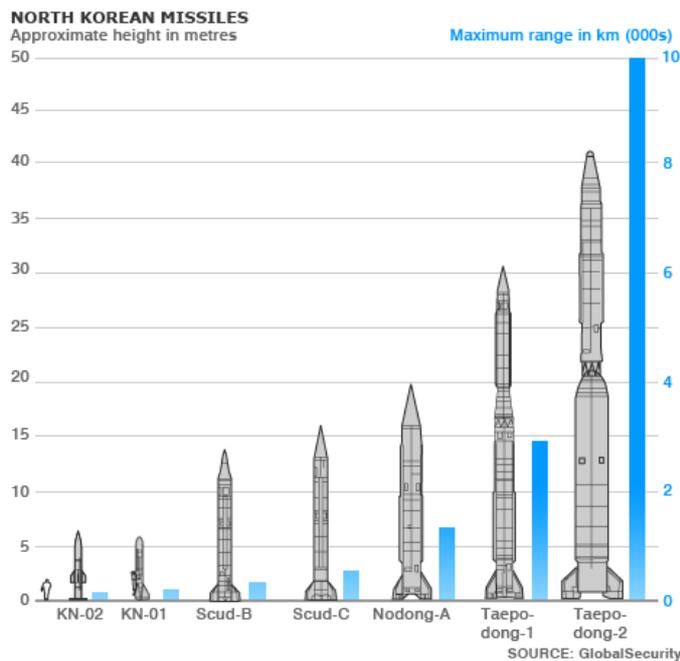
- *An atomic reactor, with a capacity of about 5 electrical megawatts that began operating by 1987. It is capable of expending enough reactor fuel to produce about 6 kilograms of plutonium annually – enough for the manufacture of a single atomic bomb annually. As of late 2008, North Korea had completed eight of the eleven steps of the disablement of the reactor, including the removal of equipment from the reactor and the blowing up of reactor's cooling tower.*
- *Two larger (estimated 50 megawatts and 200 electrical megawatts) reactors under construction at Yongbyon and Taechon since 1984.*

- A plutonium reprocessing plant about 600 feet long and several stories high. The plant would separate weapons grade plutonium-239 from spent nuclear fuel rods for insertion into the structure of atomic bombs or warheads. U.S. intelligence agencies reportedly detected North Korean preparations to restart the plutonium reprocessing plant in February and March 2003. According to press reports, the CIA estimated in late 2003 that North Korea had reprocessed some of the 8,000 fuel rods. IAEA monitors in July 2007 stated that the reprocessing plant was not in operation, and it remained shut down into early 2009.
- Satellite photographs reportedly also show that the five megawatt reactor has no attached power lines, which it would have if used for electric power generation. North Korea's secret highly enriched uranium (HEU) program appears to date from at least 1996. According to a CIA report to Congress, North Korea attempted in late 2001 to acquire "centrifuge-related materials in large quantities to support a uranium enrichment program."

Next to these central facilities at Yongbyon, the map below developed by the *Center for Non-Proliferation Studies* at the *Monterey Institute of International Studies*, offers a good overview of the DPRK's other nuclear facilities and their locations:



The DPRK's fast growing missile capabilities



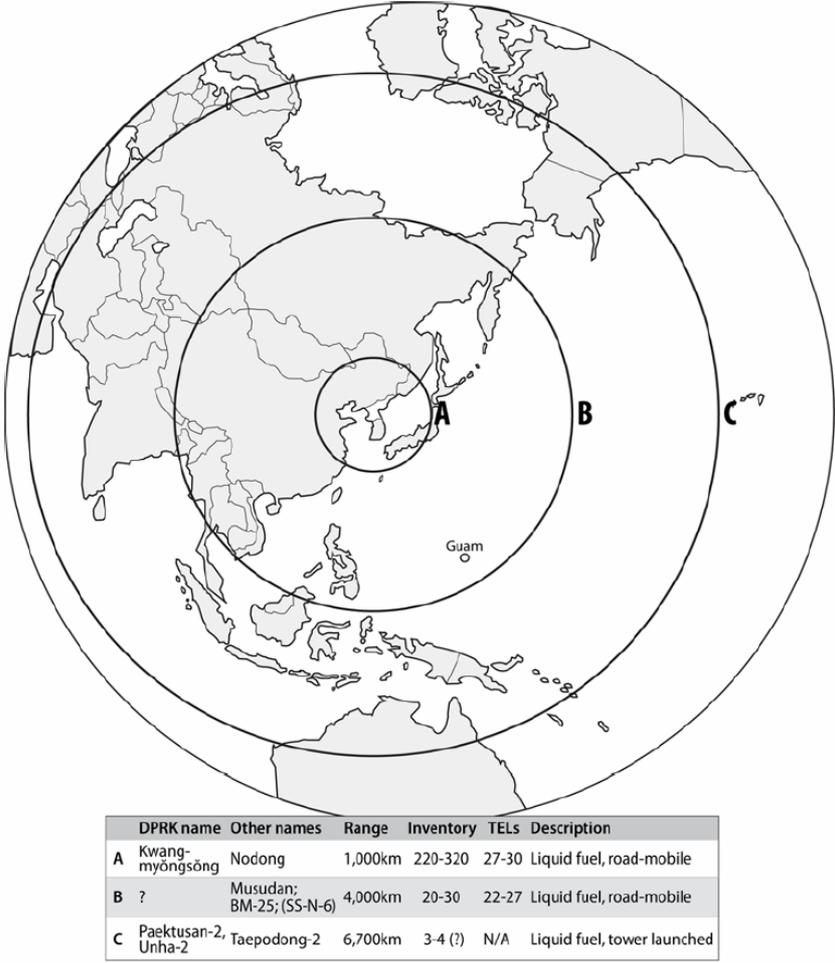
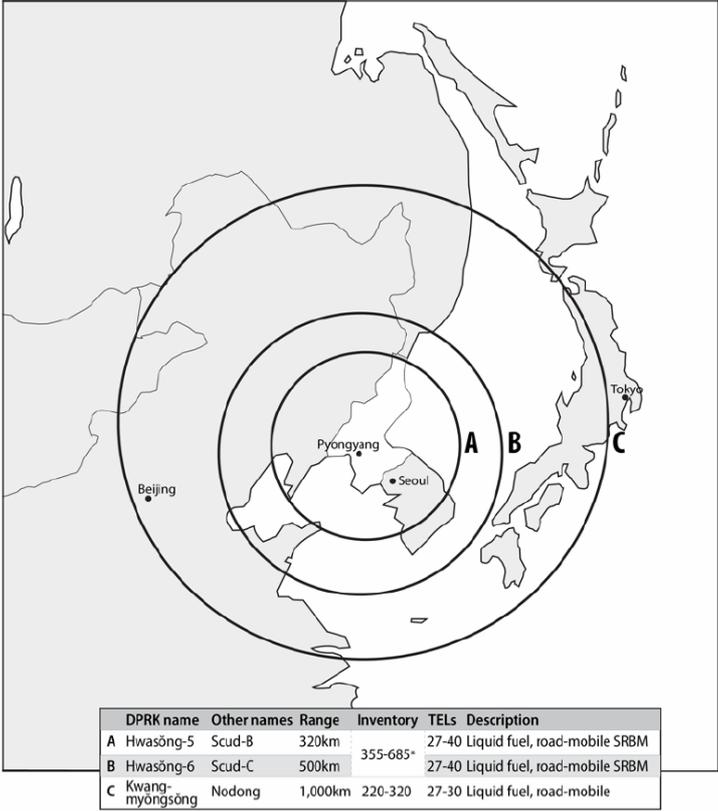
North Korea began its missile development program in the 1970s and tested an "indigenous" Scud-B ballistic missile in April 1984. In its short-range arsenal, Pyongyang has produced the 500km-range Scud-C, the 800km-range Scud-D, and the KN-02 which is an upgraded version of the Russian SS-21 "Scarab" with slightly longer range, about 100 to 120km. In its medium and intermediate-range arsenal, North Korea has the 1300km-range missile known as the Nodong (Rodong) which it initially tested in 1993 (500km) and again in 2006. North Korea has deployed about 175-200 Nodong missiles. In August 1998, North Korea flight-tested the two-stage Paektusan-1 (Taepodong-1), a 1800 km range

missile, in a failed attempt to place a small satellite into earth orbit. In its second stage, it flew over the main Japanese island of Honshu and landed in the Pacific Ocean after travelling 1,380 km. North Korea has also tested anti-ship cruise missiles in 1994, 1997, 2003, and 2007. The first three were based on the CSSC-3 'Seersucker' and identified as the AG-1. The latest anti-ship cruise missile tests on 25 May and 7 June 2007 are believed to have been either the KN-01 or Chinese-made CSSC-3 'Seersucker'. In its long-range missile arsenal, North Korea tested the Taepodong-2 (Paektusan-2) on 5 July 2006 and 5 April 2009. The Taepodong-2 potentially has inter-continental range. However, the system failed in the 2006 test after about 40 seconds of flight. This test broke Pyongyang's 1999 moratorium on long-range missile tests. More recently, North Korea informed the International Maritime Organization on 12 March 2009 of its intent to launch a satellite in early April. This launch was interpreted by most outside analysts and governments to be another test of the Taepodong-2 system. The 5 April 2009 launch, like the 2006 test, was a technical failure, with the multistage rocket crashing into the Pacific Ocean without the detachment of the second and third stages and its payload.

North Korea is also a major exporter of missile technology. North Korea has exported missiles, missile components, and technology to Egypt, Iran, Libya, Pakistan, Syria, and Yemen. United States and Spanish naval forces intercepted a North Korean ship in December 2002 loaded with Scud missiles, but then allowed the ship to proceed to deliver the missiles to Yemen. In late January 2004, North Korea and Nigeria reportedly agreed to a missile deal, but Nigeria backed out of the agreement in early February under U.S. pressure. North Korea is not a member of the *Missile Technology Control Regime* (Source: www.nti.org).



The following maps offer a detailed overview of the potential range of the missiles from the DPRK, with all countries who's territory can be potentially reached (XXX, 2009b: 28-29):



Evaluating the risks which the DPRK poses to the region, and the world

How should one evaluate the risks which the DPRK poses to the region, and to the world?

According to the International Crisis Group, North Korea's nuclear and missile arsenal is already of worrying size. Pyongyang possibly has deployed over 600 short-range Scud variants that can strike South Korea, and as many as 320 medium-range Nodong missiles that can strike Japan. Long-range missiles with the potential to hit the continental U.S. are still under development. It probably has somewhere between six and twelve



nuclear weapons, or at least explosive devices. Experts are divided as to whether weaponisation technology has advanced far enough for any of these to be now useable as warheads: for this purpose weapons have to be small enough to be mounted on missiles and durable enough to withstand the rigours of flight. Even if they are not at this stage now, each year and each test bring that moment closer. While North Korean military doctrine still emphasises offensive tactics, the nuclear weapons are of little use except for deterrence, which is reflected in the posture of deployments and in the command and control structure. Nevertheless, misperception, miscalculation, escalation or a change in military strategy could conceivably lead to their deliberate, accidental or unauthorised use. The risk of an accidental nuclear explosion cannot be ignored, given uncertainty about the sophistication of the North's technology and its known generally poor safety standards (XXX, 2009b). The reality of a nuclear North Korea menacing the world could eventually lead to a nuclear arms race; Japan might decide to go nuclear if it feels the US cannot sufficiently protect the country. Such a development might in itself alarm China and cause a Sino-Japanese arms race.

There are however also other opinions out there. For instance, Douglas H. Paal, a well-esteemed analyst at the *Carnegie Endowment for International Peace*, thinks that North Korea poses no real threat to the world. According to Paal, North Korea lacks the industrial capacity to build large numbers of long-ranged missiles. The DPRK will not be able to build so many weapons as to become a strategic factor in the region. But Paal does acknowledge that North Korea does pose a threat to South Korea both through short-range missiles, and the possibility of using the nuclear weapons in the South, even though there are just a few, or artillery from the North to the South. That would be the end of the North regime if they were to attack the South, but they still have that capacity. Moreover, North Korea may force the Japanese to reconsider their very modest defense program. The Japanese have the capacity to move to a nuclear weapon. Certainly, politically Japan will debate whether or not move to a nuclear weapon in the short term because of this development in North Korea. And they do feel threatened by the North Korean short-ranged missiles and nuclear weapon (Paal, 2009). The reassurances made by Paal thus at the same time constitute a 'wake up' call; the North Korean case is about much more than the operational assets and capabilities of the DPRK, in it's essence it is about the way in which all regional and extra-regional powers *perceive* the "security complex", and what each of them concludes must be done. If countries such as Japan or South Korea conclude they must develop a harsher stance, or invest in extra capabilities, a 'security dilemma' will be set in motion whereby other powers cannot but follow. In many ways, the dossier which will now be on the table of the UNSC will define the contours of peace and stability in the South Asian region for at least the coming decade.

Understanding the DPRK's intentions: different hypotheses

The DPRK's unpredictability as a negotiation tactic: "brinkmanship"

North Korea has often been described as an irrational country. Kim Il-sung's unpredictability is probably his most typical 'negotiation tactic'. If one analyses the posture of the DPRK in all the crises since the 1990s, one can gradually distil a pattern. Some classify the DPRK's belligerent posturing under the label 'brinkmanship'. Brinkmanship is the practice of pushing a dangerous situation to the verge of disaster in order to achieve the most advantageous outcome. It occurs in international politics, foreign policy, labour relations, and (in contemporary settings) in military strategy involving the threatened use of nuclear weapons. Brinkmanship is the ostensible escalation of threats in order to achieve one's aims. In his 1999-book *'Negotiating the Edge: North Korean negotiating behavior'*, Scott Snyder developed an excellent definition: *"Brinkmanship involves the mixing of aggressive and provocative tactics, including issuing unconditional demands, blustering, bluffing, threatening, stalling, manufacturing deadlines, and even walking out of negotiations."* (Verheyen, 2006).

The dangers of brinkmanship as a political or diplomatic tool can be understood as a slippery slope: *in order for brinkmanship to be effective, the threats used are continuously escalated. However, a threat is not worth anything unless it is credible; at some point, the aggressive party may have to back up its claim to prove its commitment to action* (Wikipedia, 2009). According to Edward A. Olson, the goal of Pyongyang's brinkmanship is not a distracting tactic in a larger war-fighting strategy. Instead it is an essential element of a strategy designed to create two results. The *first result* is a form of interim deterrence against what they perceive as U.S. brinkmanship – the world's sole superpower applying a pre-emptive doctrine toward a cluster of rogue states and terrorists. North Korea's aggressive policy is designed to compensate for their manifest weaknesses and to keep U.S. military capabilities off balance. The *second goal* is to set the stage for external diplomatic and economic intervention that will pull the confrontational U.S.-North Korea parties away from the brink and act as a catalyst to negotiated reunification of North & South Korea (Olson, 2004).



North Korean brinkmanship compounds the US' problems on the Korean peninsula by undercutting the ability of the U.S.--South Korea (ROK) Strategic Partnership to cope with North Korea at the same time South Korea's more assertive roles within the U.S.-ROK-PRC and U.S.-ROK-Japan triangular relationships evolve in ways that raise new questions about long term trends. South Korea wants its closer ties with China to be acknowledged by U.S. and Japanese policy makers in a more creative manner. Arguably the best way for the United States to become more effective in coping with the prospect that responding to North Korea's brinkmanship could yield a China-focused outcome, complicated by South Korean "independencism," is to pay far more attention than it presently does to South Korean ideas about how to handle North Korea. On June 16, 2009, U.S. President Barack Obama and South Korean President Lee Myung-bak warned North Korea that brinkmanship will not work. Obama said a nuclear-armed North Korea would pose a "grave threat" to the world and vowed that new U.N. sanctions would be strictly enforced. *"I want to be clear that there is another path available to North Korea ... including full integration into the community of nations,"* Obama said. *"That destination can only be reached through peaceful negotiations that achieve the full and verifiable denuclearization of the Korean peninsula."* ⁵

⁵ <http://www.reuters.com/article/topNews/idUST32127420090616>

The DPRK's hostility during 2009: searching for explanations

Why would North Korea stir up so much trouble in just the last year, conducting a second nuclear test when the world was already convinced it had nuclear weapons and launching another medium-range missile, both in defiance of UN resolutions? And why would it alienate the South Korean government, one of its strongest supporters? Dr. Kongdan Oh and Prof. Dr. Ralph C. Hassig of the Institut für Strategie- Politik- Sicherheits- und Wirtschaftsberatung in Berlin have developed the following possible explanations (Oh & Hassig, 2009):

- As Kim's health has declined, foreigners have begun to speculate, just as they did after his father's death, that the country may collapse without a Kim at its helm. The United States and South Korea have been refurbishing their plans to intervene in case North Korea, already an economic basket case, descends into anarchy, and China, Russia, and Japan must be working on their own contingency plans as well. It would be quite natural for Kim and his military supporters to want to convince the world that North Korea is stronger than ever, and not easy prey for intervention or takeover. This is *one plausible explanation* for the recent military activity.
- A *second explanation* involves succession politics. If Kim has only a few years to live, or at least to be healthy enough to direct the country's affairs, he needs a successor, and because North Korean propaganda has always claimed that the Kim family is the only truly revolutionary family, therefore Kim recently appointed his youngest, third son Kim Jong-un, only 26 years of age, as his successor. Just as Kim needed years of work to ingratiate himself with senior officials and introduce himself to the public, so Kim's successor will need years of preparation for the throne, unless he is simply installed as a figurehead leader. Given the importance of the military in today's North Korea, the next ruling Kim must also claim military prowess, although none of Kim's sons is known to have distinguished himself in the military in any way. A substitute might be for North Korea to engage in belligerent activities so that the successor, whoever he may be, can mount a warhorse already in full gallop.



Evaluating the current strategy of the DPRK

According to the Polish IR-analysts Łukasz and Madej, the chief goal of North Korea's foreign policy is to alter the pattern of contacts with the United States and with the remaining participants of the Six-Party Talks. Within the previous format of talks, North Korea could count on political and economic advantages only in exchange for concrete disarmament measures. At present, the DPRK wants its future contacts to be based on its permanent recognition (explicit or implicit) as a country with nuclear weapons. In practice, this would mean not only waiving the sanctions against North Korea, but also replacing denuclearization demands with a normalization of relations. The North Korean regime is no doubt also counting on the exclusion from the talks of representatives of South Korea (which has become particularly significant since the coming into power of President Lee Myung-bak, who wants economic aid for the North to be dependent upon progress in denuclearization) and of Japan (which is demanding an explanation of the fate of its citizens kidnapped by DPRK intelligence) (Łukasz & Madej, 2009).

Understanding the positions of the major players in this conflict

China: the party that has the most leverage of all external powers?

Many analysts see **China** as the country with the most leverage vis-à-vis the DPRK. Since China has not voted against UNSC 1874, one can ask the question; *is China willing to make a strategic shift in terms of its view of North Korea?* As the International Crisis Group stated accurately in a report in 2006, China's influence on North Korea is more than it is willing to admit but far less than outsiders tend to believe. Although it shares the international community's denuclearisation goal, it has its own concept of how to achieve it. It will not tolerate erratic and dangerous behaviour if it poses a risk of conflict but neither will it endorse or implement policies that it believes will create instability or threaten its influence in both Pyongyang and Seoul. China's priorities with regard to North Korea are: (1°) avoiding the economic costs of an explosion on the Korean Peninsula; (2°) preventing the U.S. from dominating a unified Korea; (3°) securing the stability of its three economically weak north eastern provinces by incorporating North Korea into their development plans; (4°) reducing the financial burden of the bilateral relationship by replacing aid with trade and investment; (5°) winning credit at home, in the region and in the U.S. for being engaged in achieving denuclearisation; (6°) sustaining the two-Korea status quo so long as it can maintain influence in both and use the North as leverage with Washington on the Taiwan issue; (7°) avoiding a situation where a nuclear North Korea leads Japan and/or Taiwan to become nuclear powers. China's roughly two-billion-dollar annual bilateral trade and investment with North Korea is still the most visible form of leverage for ending deadlock and expediting the nuclear negotiations. However, there is virtually no circumstance under which China would use it to force North Korea's compliance on the nuclear issue. The bilateral relationship affords China little non-coercive influence over Pyongyang. Viewing it as one sustained by history and ideology ignores powerful dynamics of strategic mistrust, fractured leadership ties and ideological differences. Pyongyang knows Beijing might not come to its defence again in war and fears that it would trade it off if it felt its national interest could benefit. One factor shaping China's preference for the status quo in North Korea is the presence of two million ethnic Koreans in the country including an estimated 10,000 to 100,000 refugees and migrants at any one time. Although it cannot deliver a rapid end to Pyongyang's weapons program, China must still be an integral component of any strategy with a chance of reducing the threat of a nuclear North Korea. No other country has the interest and political position in North Korea to facilitate and mediate negotiations (XXX, 2006). Realistically only China can pressure North Korea since it provides some 90% of its fuel and most essential goods. China is cognizant, however, that if the North Korean state were to fail, a large refugee exodus could be expected that would be unstoppable. It is hard to guess, therefore, what concrete steps China will take against Pyongyang—*Will it only indulge in rhetoric and, thereafter adjust itself pragmatically to these new realities?* (Chari, 2009)

Japan: moving from a sanction-regime towards a more harsher stance?

The relations between **Japan** and the DPRK have been dominated by a single issue; the plight of Japanese citizens abducted by North Korean agents in the 1970s and 1980s. Today, Japan still claims that 12 abductees are not accounted for. The abduction issue has frozen broader bilateral relations and resulted in the neglect of other crucial issues in the Japan-North Korea relationship. According to Professor Morris-Suzuki of the Australian National University, the current Japanese government approach has failed to produce a breakthrough on the abduction issue. It has also restricted the role that Japan plays in the Six Party negotiations (Morris-Suzuki, 2009).

However, Japan has been confronted twice with North Korean missiles flying over its territory, and landing into the Pacific. Japan's defence forces are increasingly viewing these missile launches as a 'clear and present danger' to the security of the country. In many respects, Japan is looking to the United States of America whether the Obama Administration is ready to uphold its promise to solving the North Korean Crisis. The statement by US Secretary of Defense Robert Gates that the US would not tolerate a nuclear North Korea resonated very positively in Tokyo. The Japanese Government is also appreciative of Washington's continued assurance to Japan that if there would be a return to the Six Party Negotiations, Washington was willing to fully take into account Tokyo's concerns. However, the *National Defense Outline of Japan* is currently under review in Japan. There are increasingly voices within the ruling elite in Japan which state that North Korea's missile tests demand a response from Japan; developing the capabilities for a counter-strike or even for a pre-emptive strike. This could entail a Japanese missile programme or a new type of Japanese bomber, or even both. This in itself already entails a dangerous potential escalation as a result of the North Korean crisis, with further potential consequences for the peace and security in the rest of the region. An additional, even bigger question is whether Japan would decide to go nuclear, although the chances for that are slim; for the moment Japan is looking towards the United States of America for leadership so as to avoid further nuclear proliferation in the region. The nuclear option does however remain on the table for Japan. There are even those analysts who suggest that Japan at any time is only two "screwdriver"-weeks away from acquiring atomic bomb-capabilities. Japan wants to find a political solution to this continuing crisis, but at the same time its elites have changed and have become more open to the idea of their military offering Japan extra options should things turn out badly.

South Korea (ROK): no longer on speaking terms with the DPRK?

Of all the countries involved in this crisis, **South Korea (aka, the Republic of Korea or ROK)** has the most to loose. The ruling elite in Seoul is very much aware of the dangerous situation in which it finds itself in today. Technically speaking, North and South Korea are still at war with each other since the 1950's.

South Korea's foreign relations are largely dominated by governing and, during the last decade, by overcoming the nation's division. Successive South Korean governments have been keenly aware that rapprochement and reconciliation with the North cannot be achieved in isolation but demand a permanent balancing act on both domestic and international tightropes. For South Korea, the nuclear crisis impedes swift progress in inter-Korean relations. The Six-Party Talks are an important and necessary international phase in a multifaceted peace process for the Korean Peninsula (De Ceuster and Melissen, 2008: 94).



The final three months of 2008 saw relations between the two Koreas continue to worsen, as they had since South Korean voters in December 2007 elected the conservative Lee Myung-bak as their next president, ending a decade of rule by liberals. Official ties remained frozen as Pyongyang media continued to heap childish insults on Lee. Upping the ante from words to deeds, but also shooting itself in the foot, from December the North placed restrictions on cross-border traffic and expelled most Southerners from the joint Kaesong Industrial Complex (KIC), just north of the Demilitarized Zone (DMZ) (Foster-Carter, 2009).

The United States of America: pressure upon Washington to come up with solutions

At present, it is the **United States of America** which bears the main burden of responsibility for the future of the crisis. The DPRK's conduct signifies the failure of the present administration's policy of ignoring North Korea's developing nuclear and missile program, and is also a blow to President Obama's prestige. South Korea and Japan will very much expect the United States to be more active and confirm its security guarantees. But at the same time, the need for further engagement (including military) in other parts of the world is seriously restricting the possibility of any change in American policy towards the DPRK. This should compel the United States to adopt a two-track strategy combining efforts to strengthen and improve sanctions against the DPRK with offers of a return to negotiations. Diplomatic dialogue between the United States and North Korea is possible, but a formal departure from the Six-Party Model of talks would be seen in particular by South Korea and Japan as a sign of American disregard for their vital interests (Łukasz & Madej, 2009).

In February 2009, the *Atlantic Council of the United States* wrote a noteworthy policy recommendation to the new Obama Administration called "*A New US Diplomatic Strategy Toward North Korea*". The Atlantic Council identified the following strategic policy goals for the US in its treatment of the North Korean crisis (XXX, 2009c):

- *Denuclearizing the Korean peninsula and curtailing the threat of North Korean nuclear proliferation* : consistent with U.S. policy going back to the early 1990s, it is critical to manage, contain, reduce and, ultimately, eliminate the nuclear threat from North Korea.
- *Establishing regional peace and stability while avoiding a war on the Korean Peninsula* : this broader U.S. strategic goal would be facilitated by normalizing relationships among the nations concerned, negotiating significant redeployments and reductions of conventional forces on the Korean peninsula to establish stable military postures on both sides of the DMZ, and replacing the 1953 Armistice with a comprehensive settlement that engenders both North-South and multilateral cooperation on security, economic and humanitarian issues. Significant progress in resolving North Korea-related issues would strengthen the U.S. relationship with China and by so doing, help to stabilize Northeast Asia.
- *Transforming the behavior of the North Korean regime* : the United States has a strong interest in transforming the behavior of the government of North Korea, both by encouraging it to proceed with economic reform and by loosening controls over its people. Economic reform in North Korea will open its society to international norms of conduct and beneficial outside influences.
- *Enhancing Japanese security* : Japan is more at risk from a North Korean nuclear attack than the United States because Pyongyang potentially possesses the means for delivering a weapon at a short to medium range, while it still lacks long-range missile delivery systems. A settlement with North Korea which furthers peace and stability in Korea would strongly advance Japan's national interests.
- *Strengthening the U.S.-Korea alliance* : South Korea plays a critical role in the U.S. strategic alliance structure in the Asia Pacific. The non-military component of the U.S.-South Korea alliance has been expanding as well, based on common political values and the mutual desire to strengthen economic ties through a free trade agreement. A major policy goal of the U.S. should be consciously to promote measures that harmonize U.S. and South Korean policies and, in so doing, strengthen the alliance.

However, if the diplomatic route would fail, the US does have the military capabilities to counter missile launches from the DPRK. Currently, the US already has 14 naval ships under the '*U.S. Pacific Command*' capable of missile defense in the region.

India: more stakes in this crisis than would appear initially

It has been argued that these developments in Northeast Asia have little relevance to **India** and South Asia. But according to the Indian analyst Chari, this comforting thesis is seriously flawed. North Korea's aberrant behaviour threatens to unravel the international non-proliferation regime. The linkage, for example, between Pyongyang and Islamabad—both blatant proliferators—could strengthen in future. These general possibilities would have profound implications for India's national security. Three particular developments, which, admittedly, lay out worst case scenarios are of special significance. *First*, North Korea's intransigence will boost Iran's nuclear ambitions, and encourage its exercise of the nuclear option, sooner rather than later. An unbroken chain of nuclear weapon states would then be established extending from Pyongyang to Beijing to Islamabad, New Delhi and Teheran. This proliferation chain would, almost inevitably, extend further into the Gulf and Middle East region. *Second*, a quantum increase in the number of nuclear armed countries in India's neighbourhood raises the spectre of nuclear weapons being used in anger, but also the possibility of nuclear accidents rising exponentially, and the likelihood of these weapons falling into the hands of non-state actors. *Third*, the long-standing and close nuclear and missile transfer relationship between North Korea & Pakistan is well documented. Currently, both North Korea and Pakistan are currently being subjected to minute scrutiny, but their past ingenuity suggests that their clandestine relationship could get revived. According to Chari, this must attract India's serious concerns. India should pose some counterfactual questions to the United States, China and Russia: "How could the financial instrumentality be fashioned to halt North Korea's nuclear program? If this is considered impractical, why is this policy being pursued with Pakistan? If North Korea and Pakistan continue with their nuclear programs, how is it proposed to persuade Tehran to forsake its own nuclear quest" (Chari, 2009: 8-9).

Russian Federation: Many Goals, Little Activity

The relations between the DPRK and the **Russian Federation** are less close compared to the relation China-North Korea, but there is a clear mutual understanding about the importance of containing US influence in the region and the world. The interests of Russia, China in the North Korean issue are relatively recent, having been triggered by the nuclear crises with North Korea of 1993 and 2002. Along with China, Russia is the only country in the Six-Party Talks (SPT) that maintains diplomatic relations with all of the other participants. Russia contributed to



resolving the dispute between the US Treasury and North Korea on the Banco Delta Asia in 2006-2007 (De Ceuster and Melissen, 2008). The Russian Federation is often considered to be the weakest party within the Six-Party Talks. Initially, Russia was not even supposed to have a role at all in the Five-Party Talks that the United States had planned to start in 2003; it was only by North Korean pressure that Russia was invited to join the talks as the sixth party. This does not mean, however, that Russia did not have any role of importance during the negotiations, but Russia's role has been important for only two of the six countries involved: North Korea; and Russia itself. After Vladimir Putin became the Russian President in 2000 that friendly relations between Russia and North Korea were re-established to some extent,

including (relatively modest) economic support to North Korea. This change reflected the new Russian foreign policy that President Putin developed, trying to bring Russia back onto the political stage of the world's powers. Good relations with the international 'pariah regime' in Pyongyang gave Russia a more influential position on the Korean Peninsula, and as such at international negotiations to resolve the region's problems. As van der Meer accurately points out, *Russia has several reasons to be eager to participate in the Six-Party Talks. First, Russia is a neighbouring state to North Korea. Although their common border is only some nineteen kilometres in length, Russia is sincerely concerned about instability along this border, not only by the possibility of war on the Korean Peninsula, but also by the chaos that is expected when the North Korean regime collapses. Russia objects to the development of nuclear weapons by North Korea for the same reason: a successful nuclear weapons' programme would only cause more regional instability, as well as a costly arms race in East Asia that Russia may need – but does not want – to join. Stability on the Korean peninsula is thus one of Russia's main goals. Second, Russia also tries to use its role in the Six-Party Talks to re-establish its position as a superpower, in the East Asian region as well as globally. Part of this strategy is, of course, to counterbalance the role of the other superpowers, especially the United States but also China. Participation in the Six-Party Talks shows the world that Russia is taken seriously. And when there are any possibilities to downplay the influence of the United States in East Asia, Russia will gladly stimulate this. The more influence that Russia gains in the region the better, not only politically but also economically. Finally, the economic goals are not to be neglected either. Economic ties with South Korea are seen as highly profitable in Russia. By using North Korea as a bridgehead to South Korea, and with the aim of using South Korea in turn as a bridgehead to other East Asian countries such as Japan, Russia is trying to enlarge its economic leverage in Asia. Exporting energy and raw materials from Siberia to East Asia has been assessed as an important opportunity. Russia hopes that improving its political relations with especially South Korea – by means of supporting South Korean views within the Six-Party Talks as much as possible – will at the same time improve economic relations. Although Russian exports to South Korea have been rapidly growing in recent years (nowadays estimated to be worth around US\$ 5 billion per year), Moscow hopes for much more. Considering the Russian role within the Six-Party Talks as 'weak' does not mean that it could also be earmarked as 'unimportant'. From the United States' point of view, this may seem the case, because the Russians were not very helpful during the negotiations. From the North Korean and Russian perspectives, however, the Russian role was important and even to some extent successful. Russia's role within the international framework concerning North Korea will not easily change. Its somewhat opportunistic relationship with North Korea has thus far proven to be fruitful for both Russia and North Korea, so one may expect it to be continued (van der Meer, 2008).*

Canada & "The G-8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction"

Recently, **Canada** became involved since the DPRK's newest missile can potentially reach Canadian territory. In its report of June 2009, the International Crisis Group suggested that Canada could play a role in diminishing tensions (XXX, 2009b: 24). The *G-8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction* (Global Partnership) was established in June 2002 at the G-8 Summit in Kananaskis, Canada, with the objective of raising \$20 billion over ten years to eliminate WMD threats through dismantlement and the employment of weapons scientists for peaceful purposes. The U.S. has pledged to provide at least \$10 billion of the funding, and other industrialised countries have joined the effort. Until now, efforts have focused on the former Soviet Union, but the partnership is looking to expand its work to WMD programs in other countries, including the DPRK. *Canada has taken a strong interest in the initiative and could approach North Korea and propose participation as a way to help Pyongyang meet its obligations in the Six-Party process.*

A Deep International Crisis Seems Imminent



What implications do the recent actions and discourse of the DPRK have for Northeast Asian security? What do they forebode for the international system?

According to the Indian analyst Chari, it would be excessive to believe that North Korea presents a direct nuclear threat to South Korea or Japan, and much less to the United States. Why? It has been assessed that North Korea's recent nuclear test was only a qualified success, and that it may not be able to miniaturize its nuclear weapons for carriage by a missile or aircraft. North Korea does not require nuclear weapons to attack South Korea or Japan, assuming that its unpredictable regime wishes to pursue this disastrous policy. Its long-range artillery and short/medium range missiles can wreak havoc on South Korea and Japan. In fact, Seoul, which houses almost one half of South Korea's total population of some 80 million, is only 40 miles south of the DMZ separating the two Koreas (Chari, 2009: 6-7).

According to Chari, the danger from North Korea's nuclear and missile capabilities arise for other reasons that are more subtle and indirect (Chari, 2009: 7-8):

- *First*, they generate a permissive atmosphere, encouraging other nuclear aspirants to derive their nuclear option by clandestine means. The regional candidates are South Korea and Japan, but also Taiwan that have the capability to deploy a nuclear arsenal. They have not done so because they have sheltered under the umbrella of extended deterrence provided by the United States. Should their confidence in US ability to continue providing extended deterrence weaken, South Korea and Japan, but also Taiwan, could rethink their earlier decisions to forsake their nuclear option, despite their vociferous denials that this question will not arise under any circumstances.
- *Second*, if North Korea deploys its nuclear arsenal, the extra-regional nuclear aspirants like Iran and Syria would feel encouraged to pursue their nuclear ambitions. Collectively, all these developments would greatly weaken the international nuclear regime that is under considerable strain already, with the next *Review Conference of the Nuclear Non-Proliferation Treaty* slated for next year in 2010. For its part, North Korea has never been averse to assisting other nuclear aspirants to derive their nuclear option or develop their missile capabilities.
- *Third*, North Korea's intransigence throws into high relief the weakness of the counter-proliferation regime. North Korea has proven that it can bargain with its neighbours and the United States by threatening to either develop and/or transfer nuclear weapons or by collapsing as a national entity. The collapse of North Korea presages large-scale refugee movements into China and South Korea; hence, they are not prepared to let it fail. South Korea, moreover, no longer wishes to reunify the Korean peninsula, fearing that the absorption of North Korea would entail huge economic costs; besides, it would inherit Pyongyang's nuclear legacy, with all its adverse consequences; hence it is more greatly inclined now to deal with North Korea as a separate entity.

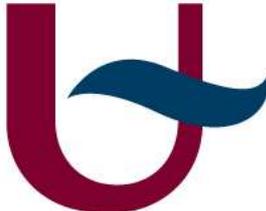
Beware of the Dynamics in the Decision-making Arena!

The UN Security Council consists of five permanent members (the so-called “P-5”, with veto powers); the People’s Republic of China, the Republic of France, the Russian Federation, the United Kingdom and the United States. *Furthermore*, the UNSC consists of an additional ten non-permanent members; currently Austria, Burkina Faso, Costa Rica, Croatia, Japan, Socialist People’s Libyan Arab Jamahiriya, Mexico, Turkey, Uganda and the Socialist Republic of Viet Nam. *In addition*, a number of delegations will also be invited to the work of the Security Council during the negotiations, a representative of the following countries:

- the Democratic People’s Republic of Korea, or DPRK (also ‘North Korea’),
- the Republic of Korea, or ROK (also ‘South Korea’),
- Australia,
- Canada,
- India,
- Indonesia,
- the Islamic Republic of Iran,
- the Philippines,
- the International Atomic Energy Agency (IAEA).

Be aware that these invited delegations can be a source of advice and/or exert informal pressures on the negotiations. However, they do *not* have any voting powers in the UNSC... At the end of the day, it will thus be upon the 15 to (try to) decide upon an international course of action to safeguard peace and stability. The presidency of the Security Council will be observed by a number of professors, together with 2 vice-presidents (assistants).

The distribution of the delegations among the different Flemish universities is as follows:

 Universiteit Antwerpen	 Vrije Universiteit Brussel	 UNIVERSITEIT GENT	 KATHOLIEKE UNIVERSITEIT LEUVEN
United States of America	United Kingdom	France	Russian Federation
Uganda	Socialist People’s Libyan Arab Jamahiriya	Socialist Republic of Viet Nam	Croatia
Mexico	Japan	Turkey	Austria
Philippines	Republic of Korea	Burkina Faso	DPRK
Islamic Republic of Iran	International Atomic Energy Agency (IAEA)	China	Indonesia
India	Australia	Costa Rica	Canada

The Role of the Security Council in this Case, and Your Role

In the scenario in which we will be negotiating, a number of incidents have taken place since the passing of UNSC 1874:

- North Korea has announced it is starting a 'crash programme' to again enrich uranium, so as to be able to develop additional nuclear bombs. These developments are accompanied by new levels of rhetorical belligerence, in which the DPRK-regime openly is threatening war, and even stated that it will strike (South Korea) pre-emptively if it is provoked any further.



- There are several reports of shootings between soldiers of the DPRK and the ROK on multiple locations alongside the *Demilitarized Zone* (DMZ). Some sources tell us that the North Korean soldiers are trying to provoke their South Korean counterparts, but those reports are unconfirmed at this time. What is certain, is that tensions alongside the border are increasing. This nervousness could in itself cause a dangerous confrontation and escalation, and is monitored closely.



- UNSC Resolution 1874 appears to provide U.N. cover for a U.S. unilateral declaration of "reasonable grounds" and interdiction of North Korean vessels on the high seas or even in others' territorial waters – and thus erodes the age-old regime of freedom of navigation. The United States says it will interdict North Korean vessels "but not forcibly board them." Nevertheless, North Korea has repeatedly vowed that it would consider interdiction of its vessels an *act of war* and respond accordingly.



Questions can be also raised whether the inspections of cargoes ordered by the UNSC are as water-tight as some might hope them to be.

- The DPRK has threatened to again start with active missile testing, to which Japan is responding by increasing its surface-to-air defense capabilities. Also the US is responding by further enhancing the *U.S. Pacific Fleet*, and sending the *aircraft carrier George Herbert Walker Bush (CVN-77)*, the most advanced task force in the U.S. Navy which was commissioned on 10 January 2009.



- At the same time it is rumoured that Japan and other countries in the region are seriously considering investing more in their own security, which could trigger an arms race in North East Asia, or even in the broader region.

Japan and South Korea, the countries most threatened by its arsenal, are non-nuclear weapon states, in full compliance with NPT obligations and IAEA safeguards, including the Additional Protocol. But both have extensive nuclear power industries and advanced nuclear technologies. Japan enriches uranium for reactor fuel and reprocesses spent fuel. Any diversion of its nuclear materials would be observable, and Tokyo depends on foreign uranium, so is vulnerable to a supply suspension. Nuclear breakout would be very costly for Seoul and Tokyo, politically and economically, but the technical barriers to building a bomb are relatively low. *Furthermore*, North Korean proliferation to other regions, particularly the Middle East and South Asia, can trigger or exacerbate arms races in areas that are already insecure (XXX, 2009b: 18). If this would happen, the dream of a world without nuclear weapons would cease to exist.



In light of all these developments, **it is decided that the UN Security Council (UNSC) will again convene to assess the current situation, and possibly to vote a new resolution.** Together with your colleagues, you will have to come to a decision concerning the following questions;

1. Which elements within the previous UN Security Council Resolution 1874 (2009) should be adapted to the current situation? Should certain provisions be strengthened, or do the council members think that too severe restrictions are 'backfiring' – in which case the provisions as written in UNSC 1874 should be softened.
2. In light of recent developments, should certain 'incentives' or 'penalties' be imposed on North Korea? If yes, what kind of incentives/penalties & what kind of time-framework should be envisioned?
3. Should the international community develop a framework so as to re-start the "Six Party Talks"? If so, how can this be accomplished in light of recent DPRK-statements that North Korea will not resume the Six Party Talks?
4. What additional measures can be taken by the UNSC to de-escalate the current dangerous situation on the ground, and on the high seas?
5. What preventive measures can be taken so as to limit potential proliferation by North Korea and also to assure all powers in the region that an arms race is not a viable option for the peace and security of the region, and the world.



The United Nations Security Council will convene in an **Emergency Meeting in Brussels** in an attempt to develop a common answer from the international community to this volatile crisis. A Plenary Session will give each of the member-countries of the UN Security Council an opportunity to influence the course of current international politics. Some other countries will also be invited by the 15 to have a say, although they will themselves not be deciding parties.

You will act as the Ambassador of one of the 15, or of an invited delegation. Be aware, however, that negotiations constitute a *dynamic process*; it will be up to you to defend the interests of your country/delegation! You and only you will also be answerable for your actions to your own Government upon returning to your capital.

Thus, much is at stake... It will therefore prove crucial that you reflect in advance about the strategy you will follow during the deliberations. For this purpose, you will be asked to write a *position paper* in preparation of the Emergency Meeting. The position papers will be officially distributed in advance. The strategy papers however should be considered top secret material which can only circulate *within* and *not between* delegations.

It is very probable that the UNSC will move from a formal setting to an informal setting during its deliberations. This is called '*caucusing*', a setting which can be suggested by one or more of the delegations. There are two forms of '*caucusing*'; moderated and unmoderated. Both are informal ways of negotiating. The difference can be stated quite simply; (1) a '*moderated caucus*' is led by the presidency around the negotiating table, (2) an '*unmoderated caucus*' can be seen as an interaction between delegations away from the negotiating table (the presidency thus has no role to play in an '*unmoderated caucus*').

When you return to a formal setting, be aware that a resolution is adopted if 9 out of 15 votes are in favour and if there is no veto. Any amendments will be voted upon before the resolution has become final. In procedural matters, a veto cannot be used. The presidency calls the meeting to order and as it proposed this emergency session of the Council, he/she will speak up first. After this opening address the permanent members will take the floor, followed-up by the non-permanent members.

The final goal of the negotiations should be the drafting of a UNSC resolution. If this would ultimately prove politically and/or technically unattainable, the negotiating parties can draw up statements, on their own or as a group. If a resolution is attainable, the negotiating parties can also issue explanatory statements. *Last but not least*, if certain countries were to agree upon separate '*secret*' deals during the Emergence Session in Brussels, the parties involved will be asked to disclose the content of their arrangements during the evaluation *after* the negotiations, so that a full *group-evaluation* of the political process can be made, all the cards on the table.

A final piece of advice; be aware that the negotiations can also be affected by '*new developments on the ground*'. You must therefore '*be prepared for anything*'.

Good luck!

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Useful links:

- IAEA-website: *In Focus : IAEA and DPRK*:
<http://www.iaea.org/NewsCenter/Focus/IaeaDprk/>
- NTI.ORG: North Korea Country Profile:
http://www.nti.org/e_research/profiles/NK/index.html
- Special Issue on 'Arms and Influence: Strategic Challenges for the Obama Administration' & on 'The Nuclear Proliferation Puzzle' (a.o., the cases of Japan, Turkey) in the Spring 2009 issue of '*Strategic Insights: An Electronic Journal for U.S. National Security*':
<http://www.ccc.nps.navy.mil/si/index.asp>

VIDEO resources on North Korean crisis:

RECOMMENDED:

- Link TV (2009): North Korea: where the truth lies: a comparison of international broadcasting on North Korea (5 minutes):
<http://www.linktv.org/video/3774/north-korea-where-truth-lies>
- Video: Discovery Spotlight (2006): North Korea Nuclear Documentary (45 minutes):
<http://video.google.com/videoplay?docid=3787046457101273554&hl=nl>
- Speech by U.S. President Obama in Prague on 5 April 2009: "North Korea Broke The Rules" (almost 3 minutes):
http://www.youtube.com/watch?v=10_ZsYIQaKg&hl=nl

EXTRA:

- Video: "Welcome to North Korea" (53 minutes):
<http://video.google.com/videoplay?docid=-3742145385913859804>

ANNEX 1: Agreed Framework Between the United States of America and the Democratic People's Republic of Korea (October 21st, 1994)

Delegations of the Governments of the United States of America (U.S.) and the Democratic People's Republic of Korea (DPRK) held talks in Geneva from September 23 to October 17, 1994, to negotiate an overall resolution of the nuclear issue on the Korean Peninsula.

Both sides reaffirmed the importance of attaining the objectives contained in the August 12, 1994 Agreed Statement between the U.S. and the DPRK and upholding the principles of the June 11, 1993 Joint Statement of the U.S. and the DPRK to achieve peace and security on a nuclear-free Korean peninsula. The U.S. and the DPRK decided to take the following actions for the resolution of the nuclear issue:

I. Both sides will cooperate to replace the DPRK's graphite-moderated reactors and related facilities with light-water reactor (LWR) power plants.

1) In accordance with the October 20, 1994 letter of assurance from the U.S. President, the U.S. will undertake to make arrangements for the provision to the DPRK of a LWR project with a total generating capacity of approximately 2,000 MW(e) by a target date of 2003.

-- The U.S. will organize under its leadership an international consortium to finance and supply the LWR project to be provided to the DPRK. The U.S., representing the international consortium, will serve as the principal point of contact with the DPRK for the LWR project.

-- The U.S., representing the consortium, will make best efforts to secure the conclusion of a supply contract with the DPRK within six months of the date of this Document for the provision of the LWR project. Contract talks will begin as soon as possible after the date of this Document.

-- As necessary, the U.S. and the DPRK will conclude a bilateral agreement for cooperation in the field of peaceful uses of nuclear energy.

2) In accordance with the October 20, 1994 letter of assurance from the U.S. President, the U.S., representing the consortium, will make arrangements to offset the energy foregone due to the freeze of the DPRK's graphite-moderated reactors and related facilities, pending completion of the first LWR unit.

-- Alternative energy will be provided in the form of heavy oil for heating and electricity production.

-- Deliveries of heavy oil will begin within three months of the date of this Document and will reach a rate of 500,000 tons annually, in accordance with an agreed schedule of deliveries.

3) Upon receipt of U.S. assurances for the provision of LWR's and for arrangements for interim energy alternatives, the DPRK will freeze its graphite-moderated reactors and related facilities and will eventually dismantle these reactors and related facilities.

-- The freeze on the DPRK's graphite-moderated reactors and related facilities will be fully implemented within one month of the date of this Document. During this one-month period, and throughout the freeze, the International Atomic Energy Agency (IAEA) will be allowed to monitor this freeze, and the DPRK will provide full cooperation to the IAEA for this purpose.

-- Dismantlement of the DPRK's graphite-moderated reactors and related facilities will be completed when the LWR project is completed.

-- The U.S. and DPRK will cooperate in finding a method to store safely the spent fuel from the 5 MW(e) experimental reactor during the construction of the LWR project, and to dispose of the fuel in a safe manner that does not involve reprocessing in the DPRK.

4) As soon as possible after the date of this document. U.S. and DPRK experts will hold two sets of experts talks.

-- At one set of talks, experts will discuss issues related to alternative energy and the replacement of the graphite-moderated reactor program with the LWR project.

-- At the other set of talks, experts will discuss specific arrangements for spent fuel storage and ultimate disposition.

II. The two sides will move toward full normalization of political and economic relations.

1) Within three months of the date of this Document, both sides will reduce barriers to trade and investment, including restrictions on telecommunications services and financial transactions.

2) Each side will open a liaison office in the other's capital following resolution of consular and other technical issues through expert level discussions.

3) As progress is made on issues of concern to each side, the U.S. and DPRK will upgrade bilateral relations to the Ambassadorial level.

III. Both sides will work together for peace and security on a nuclear-free Korean peninsula.

1) The U.S. will provide formal assurances to the DPRK, against the threat or use of nuclear weapons by the U.S.

2) The DPRK will consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean peninsula.

3) The DPRK will engage in North-South dialogue, as this Agreed Framework will help create an atmosphere that promotes such dialogue.

IV. Both sides will work together to strengthen the international nuclear non-proliferation regime.

1) The DPRK will remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and will allow implementation of its safeguards agreement under the Treaty.

2) Upon conclusion of the supply contract for the provision of the LWR project, ad hoc and routine inspections will resume under the DPRK's safeguards agreement with the IAEA with respect to the facilities not subject to the freeze. Pending conclusion of the supply contract, inspections required by the IAEA for the continuity of safeguards will continue at the facilities not subject to the freeze.

3) When a significant portion of the LWR project is completed, but before delivery of key nuclear components, the DPRK will come into full compliance with its safeguards agreement with the IAEA (INFCIRC/403), including taking all steps that may be deemed necessary by the IAEA, following consultations with the Agency with regard to verifying the accuracy and completeness of the DPRK's initial report on all nuclear material in the DPRK.

Kang Sok Ju - Head of the Delegation for the Democratic People's Republic of Korea, First Vice-Minister of Foreign Affairs of the Democratic People's Republic of Korea

Robert L. Gallucci - Head of the Delegation of United States of America, Ambassador at Large of the United States of America

ANNEX 2: Joint Statement of the Fourth Round of the Six-Party Talks Beijing, September 19, 2005

The Fourth Round of the Six-Party Talks was held in Beijing, China among the People's Republic of China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation, and the United States of America from July 26th to August 7th, and from September 13th to 19th, 2005.

Mr. Wu Dawei, Vice Minister of Foreign Affairs of the PRC, Mr. Kim Gye Gwan, Vice Minister of Foreign Affairs of the DPRK; Mr. Kenichiro Sasae, Director-General for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan; Mr. Song Min-soon, Deputy Minister of Foreign Affairs and Trade of the ROK; Mr. Alekseyev, Deputy Minister of Foreign Affairs of the Russian Federation; and Mr. Christopher Hill, Assistant Secretary of State for East Asian and Pacific Affairs of the United States attended the talks as heads of their respective delegations. Vice Foreign Minister Wu Dawei chaired the talks.

For the cause of peace and stability on the Korean Peninsula and in Northeast Asia at large, the Six Parties held, in the spirit of mutual respect and equality, serious and practical talks concerning the denuclearization of the Korean Peninsula on the basis of the common understanding of the previous three rounds of talks, and agreed, in this context, to the following:

1. The Six Parties unanimously reaffirmed that the goal of the Six-Party Talks is the verifiable denuclearization of the Korean Peninsula in a peaceful manner. The DPRK committed to abandoning all nuclear weapons and existing nuclear programs and returning, at an early date, to the Treaty on the Non-Proliferation of Nuclear Weapons and to IAEA safeguards. The United States affirmed that it has no nuclear weapons on the Korean Peninsula and has no intention to attack or invade the DPRK with nuclear or conventional weapons. The ROK reaffirmed its commitment not to receive or deploy nuclear weapons in accordance with the 1992 Joint Declaration of the Denuclearization of the Korean Peninsula, while affirming that there exist no nuclear weapons within its territory. The 1992 Joint Declaration of the Denuclearization of the Korean Peninsula should be observed and implemented. The DPRK stated that it has the right to peaceful uses of nuclear energy. The other parties expressed their respect and agreed to discuss, at an appropriate time, the subject of the provision of light water reactor to the DPRK.
2. The Six Parties undertook, in their relations, to abide by the purposes and principles of the Charter of the United Nations and recognized norms of international relations. The DPRK and the United States undertook to respect each other's sovereignty, exist peacefully together, and take steps to normalize their relations subject to their respective bilateral policies. The DPRK and Japan undertook to take steps to normalize their relations in accordance with the Pyongyang Declaration, on the basis of the settlement of unfortunate past and the outstanding issues of concern.
3. The Six Parties undertook to promote economic cooperation in the fields of energy, trade and investment, bilaterally and/or multilaterally. China, Japan, ROK, Russia and the US stated their willingness to provide energy assistance to the DPRK. The ROK reaffirmed its proposal of July 12th 2005 concerning the provision of 2 million kilowatts of electric power to the DPRK.
4. The Six Parties committed to joint efforts for lasting peace and stability in Northeast Asia. The directly related parties will negotiate a permanent peace regime on the Korean Peninsula at an appropriate separate forum. The Six Parties agreed to explore ways and means for promoting security cooperation in Northeast Asia.
5. The Six Parties agreed to take coordinated steps to implement the afore-mentioned consensus in a phased manner in line with the principle of "commitment for commitment, action for action".
6. The Six Parties agreed to hold the Fifth Round of the Six-Party Talks in Beijing in early November 2005 at a date to be determined through consultations.

ANNEX 3: Beijing Agreement of February 13, 2007 - Initial Actions for the Implementation of the Joint Statement

The Third Session of the Fifth Round of the Six-Party Talks was held in Beijing among the People's Republic of China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America from 8 to 13 February 2007.

Mr. Wu Dawei, Vice Minister of Foreign Affairs of the PRC, Mr. Kim Gye Gwan, Vice Minister of Foreign Affairs of the DPRK; Mr. Kenichiro Sasae, Director-General for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan; Mr. Chun Yung-woo, Special Representative for Korean Peninsula Peace and Security Affairs of the ROK Ministry of Foreign Affairs and Trade; Mr. Alexander Losyukov, Deputy Minister of Foreign Affairs of the Russian Federation; and Mr. Christopher Hill, Assistant Secretary for East Asian and Pacific Affairs of the Department of State of the United States attended the talks as heads of their respective delegations.

Vice Foreign Minister Wu Dawei chaired the talks.

- I. The Parties held serious and productive discussions on the actions each party will take in the initial phase for the implementation of the Joint Statement of 19 September 2005. The Parties reaffirmed their common goal and will to achieve early denuclearization of the Korean Peninsula in a peaceful manner and reiterated that they would earnestly fulfill their commitments in the Joint Statement. The Parties agreed to take coordinated steps to implement the Joint Statement in a phased manner in line with the principle of "action for action".
- II. The Parties agreed to take the following actions in parallel in the initial phase:
 - I. The DPRK will shut down and seal for the purpose of eventual abandonment the Yongbyon nuclear facility, including the reprocessing facility and invite back IAEA personnel to conduct all necessary monitoring and verifications as agreed between IAEA and the DPRK.
 - II. The DPRK will discuss with other parties a list of all its nuclear programs as described in the Joint Statement, including plutonium extracted from used fuel rods, that would be abandoned pursuant to the Joint Statement.
 - III. The DPRK and the US will start bilateral talks aimed at resolving pending bilateral issues and moving toward full diplomatic relations. The US will begin the process of removing the designation of the DPRK as a state-sponsor of terrorism and advance the process of terminating the application of the Trading with the Enemy Act with respect to the DPRK.
 - IV. The DPRK and Japan will start bilateral talks aimed at taking steps to normalize their relations in accordance with the Pyongyang Declaration, on the basis of the settlement of unfortunate past and the outstanding issues of concern.
 - V. Recalling Section 1 and 3 of the Joint Statement of 19 September 2005, the Parties agreed to cooperate in economic, energy and humanitarian assistance to the DPRK. In this regard, the Parties agreed to the provision of emergency energy assistance to the DPRK in the initial phase. The initial shipment of emergency energy assistance equivalent to 50,000 tons of heavy fuel oil (HFO) will commence within next 60 days.

The Parties agreed that the above-mentioned initial actions will be implemented within next 60 days and that they will take coordinated steps toward this goal.

- III. The Parties agreed on the establishment of the following Working Groups (WG) in order to carry out the initial actions and for the purpose of full implementation of the Joint Statement:
 - I. Denuclearization of the Korean Peninsula
 - II. Normalization of DPRK-US relations
 - III. Normalization of DPRK-Japan relations
 - IV. Economy and Energy Cooperation
 - V. Northeast Asia Peace and Security Mechanism

The WGs will discuss and formulate specific plans for the implementation of the Joint Statement in their respective areas. The WGs shall report to the Six-Party Heads of Delegation Meeting on the progress of their work. In principle, progress in one WG shall not affect progress in other WGs. Plans made by the five WGs will be implemented as a whole in a coordinated manner.

The Parties agreed that all WGs will meet within next 30 days.

- IV. During the period of the Initial Actions phase and the next phase - which includes provision by the DPRK of a complete declaration of all nuclear programs and disablement of all existing nuclear facilities, including graphite-moderated reactors and reprocessing plant - economic, energy and humanitarian assistance up to the equivalent of 1 million tons of heavy fuel oil (HFO), including the initial shipment equivalent to 50,000 tons of HFO, will be provided to the DPRK.

The detailed modalities of the said assistance will be determined through consultations and appropriate assessments in the Working Group on Economic and Energy Cooperation.

- V. Once the initial actions are implemented, the Six Parties will promptly hold a ministerial meeting to confirm implementation of the Joint Statement and explore ways and means for promoting security cooperation in Northeast Asia.
- VI. The Parties reaffirmed that they will take positive steps to increase mutual trust, and will make joint efforts for lasting peace and stability in Northeast Asia. The directly related parties will negotiate a permanent peace regime on the Korean Peninsula at an appropriate separate forum.
- VII. The Parties agreed to hold the Sixth Round of the Six-Party Talks on 19 March 2007 to hear reports of WGs and discuss on actions for the next phase.

Annex 4: Six Parties October 3, 2007 Agreement on 'Second-Phase Actions for the Implementation of the Joint Statement'

The Second Session of the Sixth Round of the Six-Party Talks was held in Beijing among the People's Republic of China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America from 27 to 30 September 2007. Mr. Wu Dawei, Vice Minister of Foreign Affairs of the PRC, Mr. Kim Gye Gwan, Vice Minister of Foreign Affairs of the DPRK, Mr. Kenichiro Sasae, Director-General for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan, Mr. Chun Yung-woo, Special Representative for Korean Peninsula Peace and Security Affairs of the ROK Ministry of Foreign Affairs and Trade, Mr. Alexander Losyukov, Deputy Minister of Foreign Affairs of the Russian Federation, and Mr. Christopher Hill, Assistant Secretary for East Asian and Pacific Affairs of the Department of State of the United States, attended the talks as heads of their respective delegations. Vice Foreign Minister Wu Dawei chaired the talks. The Parties listened to and endorsed the reports of the five Working Groups, confirmed the implementation of the initial actions provided for in the February 13 agreement, agreed to push forward the Six-Party Talks process in accordance with the consensus reached at the meetings of the Working Groups and reached agreement on second-phase actions for the implementation of the Joint Statement of 19 September 2005, the goal of which is the verifiable denuclearization of the Korean Peninsula in a peaceful manner.

I. On Denuclearization of the Korean Peninsula

1. The DPRK agreed to disable all existing nuclear facilities subject to abandonment under the September 2005 Joint Statement and the February 13 agreement. The disablement of the 5 megawatt Experimental Reactor at Yongbyon, the Reprocessing Plant (Radiochemical Laboratory) at Yongbyon and the Nuclear Fuel Rod Fabrication Facility at Yongbyon will be completed by 31 December 2007. Specific measures recommended by the expert group will be adopted by heads of delegation in line with the principles of being acceptable to all Parties, scientific, safe, verifiable, and consistent with international standards. At the request of the other Parties, the United States will lead disablement activities and provide the initial funding for those activities. As a first step, the US side will lead the expert group to the DPRK within the next two weeks to prepare for disablement.
2. The DPRK agreed to provide a complete and correct declaration of all its nuclear programs in accordance with the February 13 agreement by 31 December 2007.
3. The DPRK reaffirmed its commitment not to transfer nuclear materials, technology, or know-how.

II. On Normalization of Relations between Relevant Countries

1. The DPRK and the United States remain committed to improving their bilateral relations and moving towards a full diplomatic relationship. The two sides will increase bilateral exchanges and enhance mutual trust. Recalling the commitments to begin the process of removing the designation of the DPRK as a state sponsor of terrorism and advance the process of terminating the application of the Trading with the Enemy Act with respect to the DPRK, the United States will fulfill its commitments to the DPRK in parallel with the DPRK's actions based on consensus reached at the meetings of the Working Group on Normalization of DPRK-U.S. Relations.
2. The DPRK and Japan will make sincere efforts to normalize their relations expeditiously in accordance with the Pyongyang Declaration, on the basis of the settlement of the unfortunate past and the outstanding issues of concern. The DPRK and Japan committed themselves to taking specific actions toward this end through intensive consultations between them.

III. On Economic and Energy Assistance to the DPRK

In accordance with the February 13 agreement, economic, energy and humanitarian assistance up to the equivalent of one million tons of HFO (inclusive of the 100,000 tons of HFO already delivered) will be provided to the DPRK. Specific modalities will be finalized through discussion by the Working Group on Economy and Energy Cooperation.

IV. On the Six-Party Ministerial Meeting

The Parties reiterated that the Six-Party Ministerial Meeting will be held in Beijing at an appropriate time.

The Parties agreed to hold a heads of delegation meeting prior to the Ministerial Meeting to discuss the agenda for the Meeting.

Annex 5: United Nations Security Council Resolution 1874 (2009) - Adopted by the Security Council at its 6141st meeting, on 12 June 2009



**SECURITY COUNCIL, ACTING
UNANIMOUSLY, CONDEMNS IN
STRONGEST TERMS DEMOCRATIC**

**PEOPLE'S REPUBLIC OF KOREA
NUCLEAR TEST, TOUGHENS
SANCTIONS**

**Resolution 1874 (2009) Strengthens
Arms Embargo, Calls for Inspection
of Cargo, Vessels If States Have
'Reasonable Grounds' to Believe
Contain Prohibited Items**

The Security Council today condemned in the strongest terms the 25 May nuclear test by the Democratic People's Republic of Korea and tightened sanctions against it by blocking funding for nuclear, missile and proliferation activities through targeted sanctions on additional goods, persons and entities, widening the ban on arms imports-exports, and calling on Member States to inspect and destroy all banned cargo to and from that country -- on the high seas, at seaports and airports -- if they have reasonable grounds to suspect a violation.

Unanimously adopting resolution 1874 (2009) under Chapter VII, the Council sharpened its weapons import-export ban on the Democratic People's Republic of Korea enacted in resolution 1718 (2006) -- which included armoured combat vehicles, large calibre artillery systems, attack helicopters, warships and missiles and spare parts -- by calling on States to inspect, seize and dispose of the items and by denying fuel or supplies to service the vessels carrying them.

The Council called on all States to cooperate with those inspections, and, if the flag State did not consent to inspection on the high seas, decided that that State should direct the vessel to proceed to an appropriate and convenient port for the required inspection by the local authorities.

Any Member State that undertook an inspection, or seized and disposed of such cargo, was required to promptly submit reports containing the details to the Committee monitoring the sanctions, and to report on any lack of cooperation of a flag State.

It asked the Secretary-General to set up a seven-member expert panel, for an initial one-year period, to assist the Committee in carrying out its mandate and, among other tasks, to gather, examine and analyse information from States, United Nations bodies and other interested parties regarding implementation of resolution 1718 (2006) and today's text, particularly incidents of non-compliance.

Small arms and light weapons were exempted from the inspections, but the Council called on States to exercise vigilance over the direct or indirect supply, sale or transfer to the Democratic People's Republic of those weapons and directed States to notify the "1718" monitoring Committee at least five days prior to selling, supplying or transferring small arms or light weapons to it.

In addition to implementing the asset freeze and travel ban imposed in paragraphs 8 (d) and (e) of resolution 1718 (2006), the Council today called on Member States to prevent the provision of financial services or the transfer to, through, or from their territory of any financial or other assets or resources that could contribute to the Democratic People's Republic of Korea's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes or activities.

It called on all Member States and international financial and credit institutions not to enter into new commitments for grants, financial assistance or concessional loans to that country, except for

humanitarian and developmental purposes directly addressing civilian needs; and on all Member States not to provide public financial support for trade with that country where such support could contribute to the country's nuclear-related or ballistic missile-related or other "WMD"-related programmes or activities.

Deciding to adjust the measures imposed by paragraph 8 of 1718, including through the designation of entities, goods, and individuals, the Council directed the "1718" Committee to undertake its tasks to that effect and to report to the Council within 30 days. If the Committee had not so acted, then the Council would complete action to adjust the measures within seven days of receiving that report.

The Council called on all Member States to report to it within 45 days, and thereafter upon the Committee's request, on concrete measures taken to implement key provisions of the resolution. It pledged to keep the actions of the Democratic People's Republic of Korea under continuous review and to consider strengthening, modifying, suspending or lifting the measures in light of the country's compliance with both resolution 1718 (2006) and today's text. It underlined that further decisions would be required, should additional measures be necessary.

Following adoption of today's resolution, the representative of the Republic of Korea said the Council's action was an expression of the international community's firm will to collectively respond to the Democratic Republic of Korea's provocative action. Its nuclear test violated relevant Council resolutions and seriously threatened peace and stability on the Korean peninsula and beyond. Its overt declaration of intent to pursue development of its nuclear weapons programme was a grave challenge to the nuclear non-proliferation regime.

He urged the Democratic People's Republic of Korea to comply with today's resolution and to carefully heed the united voice of the international community that such actions would never be condoned. The country must refrain from any act that would further aggravate the situation on the Korean peninsula. He strongly urged the country to rejoin the six-party talks and to abandon all of its nuclear weapons and missile programmes, once and for all.

Japan's representative demanded that the Democratic People's Republic of Korea heed the message of the resolution and strongly urged that country to return immediately to the talks, without precondition. He highlighted the importance of the Council's expansion of sanctions and its demand that the Democratic People's Republic of Korea not conduct any further nuclear tests or ballistic missile launches, that it cease all other prohibited nuclear activities and that it respond to the humanitarian concerns of the international community. Hopefully, those measures would induce the Democratic People's Republic of Korea to change its course of action. It was essential for all Member States to take the necessary action to implement those provisions, which were not intended to harm the innocent people of the country.

The United States delegation, which had co-sponsored the resolution -- along with France, Japan, Republic of Korea, and the United Kingdom -- welcomed its unanimous adoption as a strong and united international response to North Korea's test of a nuclear device. The message of the text was clear -- that that country's behaviour was unacceptable to the international community, which was determined to respond. The country should return, without conditions, to peaceful dialogue and honour its previous commitments to denuclearize the Korean peninsula. But, for now, its choices had led it to face markedly stronger sanctions. The measures contained in the text were innovative, robust and unprecedented, and represented new tools to impair North Korea's ability to proliferate.

China supported the balanced reaction of the Security Council, its representative said, stressing that the Democratic People's Republic of Korea had violated Security Council resolutions, impaired the effectiveness of the nuclear non-proliferation regime and affected international peace and stability. The text showed the determination of the Council to resolve the "DPRK nuclear issue" peacefully, through dialogue and negotiations. And in that context, China had voted in favour of it.

At the same time, he stressed that the sovereignty, territorial integrity and legitimate security concerns and development interests of the Democratic People's Republic of Korea should be respected. After its return to the Nuclear Non-Proliferation Treaty, that country would enjoy the right to the peaceful use of nuclear energy as a State party. The Council's actions, meanwhile, should not adversely impact the country's development, or humanitarian assistance to it. As indicated in the text, if the country complied with the relevant provisions, the Council would review the appropriateness of suspending or lifting the measures. The issue of inspections was complex and sensitive, and countries must act prudently and under the precondition of reasonable grounds and sufficient evidence, and refrain from any words or deeds that might exacerbate conflict. Under no circumstances should there be the use of force or threat of the use of force.

Statements were also made by the representatives of the United Kingdom, Mexico, Viet Nam, Libya, Uganda, Russian Federation, France, Burkina Faso, Austria, Croatia, Costa Rica and Turkey.

The meeting was called to order at 12:10 p.m. and adjourned at 1:05 p.m.

Background

The Security Council met today to take action on a draft resolution (document S/2009/301), sponsored by France, Japan, Republic of Korea, United Kingdom and the United States, which reads as follows:

"*The Security Council,*

"*Recalling* its previous relevant resolutions, including resolution 825 (1993), resolution 1540 (2004), resolution 1695 (2006), and, in particular, resolution 1718 (2006), as well as the statements of its President of 6 October 2006 (S/PRST/2006/41) and 13 April 2009 (S/PRST/2009/7),

"*Reaffirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

"*Expressing* the gravest concern at the nuclear test conducted by the Democratic People's Republic of Korea ("the DPRK") on 25 May 2009 (local time) in violation of resolution 1718 (2006), and at the challenge such a test constitutes to the Treaty on Non-Proliferation of Nuclear Weapons ("the NPT") and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons towards the 2010 NPT Review Conference, and the danger it poses to peace and stability in the region and beyond,

"*Stressing* its collective support for the NPT and commitment to strengthen the Treaty in all its aspects, and global efforts towards nuclear non-proliferation and nuclear disarmament, and *recalling* that the DPRK cannot have the status of a nuclear-weapon State in accordance with the NPT in any case,

"*Deploing* the DPRK's announcement of withdrawal from the NPT and its pursuit of nuclear weapons,

"*Underlining* once again the importance that the DPRK respond to other security and humanitarian concerns of the international community,

"*Underlining* also that measures imposed by this resolution are not intended to have adverse humanitarian consequences for the civilian population of the DPRK,

"*Expressing* its gravest concern that the nuclear test and missile activities carried out by the DPRK have further generated increased tension in the region and beyond, and *determining* that there continues to exist a clear threat to international peace and security,

"*Reaffirming* the importance that all Member States uphold the purposes and principles of the Charter of the United Nations,

"*Acting* under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

"1. *Condemns* in the strongest terms the nuclear test conducted by the DPRK on 25 May 2009 (local time) in violation and flagrant disregard of its relevant resolutions, in particular resolutions 1695 (2006) and 1718 (2006), and the statement of its President of 13 April 2009 (S/PRST/2009/7);

"2. *Demands* that the DPRK not conduct any further nuclear test or any launch using ballistic missile technology;

"3. *Decides* that the DPRK shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launches;

"4. *Demands* that the DPRK immediately comply fully with its obligations under relevant Security Council resolutions, in particular resolution 1718 (2006);

"5. *Demands* that the DPRK immediately retract its announcement of withdrawal from the NPT;

"6. *Demands* further that the DPRK return at an early date to the NPT and International Atomic Energy Agency (IAEA) safeguards, bearing in mind the rights and obligations of States Parties to the NPT, and *underlines* the need for all States Parties to the NPT to continue to comply with their Treaty obligations;

"7. *Calls upon* all Member States to implement their obligations pursuant to resolution 1718 (2006), including with respect to designations made by the Committee established pursuant to resolution 1718 (2006) ("the Committee") pursuant to the statement of its President of 13 April 2009 (S/PRST/2009/7);

"8. *Decides* that the DPRK shall abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner and immediately cease all related activities, shall act strictly in accordance with the obligations applicable to parties under the NPT and the terms and conditions of the IAEA Safeguards Agreement (IAEA INFCIRC/403) and shall provide the IAEA transparency measures extending beyond these requirements, including such access to individuals, documentation, equipment and facilities as may be required and deemed necessary by the IAEA;

"9. *Decides* that the measures in paragraph 8(b) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms or materiel;

"10. *Decides* that the measures in paragraph 8(a) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms, except for small arms and light weapons and their related materiel, and *calls upon* States to exercise vigilance over the direct or indirect supply, sale or transfer to the DPRK of small arms or light weapons, and further *decides* that States shall notify the Committee at least five days prior to selling, supplying or transferring small arms or light weapons to the DPRK;

"11. *Calls upon* all States to inspect, in accordance with their national authorities and legislation, and consistent with international law, all cargo to and from the DPRK, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 or by paragraph 9 or 10 of this resolution, for the purpose of ensuring strict implementation of those provisions;

"12. *Calls upon* all Member States to inspect vessels, with the consent of the flag State, on the high seas, if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, for the purpose of ensuring strict implementation of those provisions;

"13. *Calls upon* all States to cooperate with inspections pursuant to paragraphs 11 and 12, and, if the flag State does not consent to inspection on the high seas, *decides* that the flag State shall direct the vessel to proceed to an appropriate and convenient port for the required inspection by the local authorities pursuant to paragraph 11;

"14. *Decides* to authorize all Member States to, and that all Member States shall, seize and dispose of items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 or by paragraph 9 or 10 of this resolution that are identified in inspections pursuant to paragraph 11, 12, or 13 in a manner that is not inconsistent with their obligations under applicable Security Council resolutions, including resolution 1540 (2004), as well as any obligations of parties to the NPT, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 29 April 1997, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 10 April 1972, and *decides* further that all States shall cooperate in such efforts;

"15. *Requires* any Member State, when it undertakes an inspection pursuant to paragraph 11, 12, or 13, or seizes and disposes of cargo pursuant to paragraph 14, to submit promptly reports containing relevant details to the Committee on the inspection, seizure and disposal;

"16. *Requires* any Member State, when it does not receive the cooperation of a flag State pursuant to paragraph 12 or 13 to submit promptly to the Committee a report containing relevant details;

"17. *Decides* that Member States shall prohibit the provision by their nationals or from their territory of bunkering services, such as provision of fuel or supplies, or other servicing of vessels, to DPRK vessels if they have information that provides reasonable grounds to believe they are carrying items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, unless provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and *underlines* that this paragraph is not intended to affect legal economic activities;

"18. *Calls upon* Member States, in addition to implementing their obligations pursuant to paragraphs 8 (d) and (e) of resolution 1718 (2006), to prevent the provision of financial services or the transfer to, through, or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic missile-related, or

other weapons of mass destruction-related programmes or activities, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are associated with such programmes or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation;

"19. *Calls upon* all Member States and international financial and credit institutions not to enter into new commitments for grants, financial assistance, or concessional loans to the DPRK, except for humanitarian and developmental purposes directly addressing the needs of the civilian population, or the promotion of denuclearization, and also *calls upon* States to exercise enhanced vigilance with a view to reducing current commitments;

"20. *Calls upon* all Member States not to provide public financial support for trade with the DPRK (including the granting of export credits, guarantees or insurance to their nationals or entities involved in such trade) where such financial support could contribute to the DPRK's nuclear-related or ballistic missile-related or other WMD-related programmes or activities;

"21. *Emphasizes* that all Member States should comply with the provisions of paragraphs 8(a)(iii) and 8(d) of resolution 1718 (2006) without prejudice to the activities of the diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations;

"22. *Calls upon* all Member States to report to the Security Council within forty-five days of the adoption of this resolution and thereafter upon request by the Committee on concrete measures they have taken in order to implement effectively the provisions of paragraph 8 of resolution 1718 (2006), as well as paragraphs 9 and 10 of this resolution, as well as financial measures set out in paragraphs 18, 19 and 20 of this resolution;

"23. *Decides* that the measures set out at paragraphs 8 (a), 8 (b) and 8 (c) of resolution 1718 (2006) shall also apply to the items listed in INFCIRC/254/Rev.9/Part 1a and INFCIRC/254/Rev.7/Part 2a;

"24. *Decides* to adjust the measures imposed by paragraph 8 of resolution 1718 (2006) and this resolution, including through the designation of entities, goods, and individuals, and directs the Committee to undertake its tasks to this effect and to report to the Security Council within 30 days of adoption of this resolution, and further *decides* that, if the Committee has not acted, then the Security Council will complete action to adjust the measures within seven days of receiving that report;

"25. *Decides* that the Committee shall intensify its efforts to promote the full implementation of resolution 1718 (2006), the statement of its President of 13 April 2009 (S/PRST/2009/7) and this resolution, through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council by 15 July 2009, and that it shall also receive and consider reports from Member States pursuant to paragraphs 10, 15, 16 and 22 of this resolution;

"26. *Requests* the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to seven experts ("Panel of Experts"), acting under the direction of the Committee to carry out the following tasks: (a) assist the Committee in carrying out its mandate as specified in resolution 1718 (2006) and the functions specified in paragraph 25 of this resolution; (b) gather, examine and analyse information from States, relevant United Nations bodies and other interested parties regarding the implementation of the measures imposed in resolution 1718 (2006) and in this resolution, in particular incidents of non-compliance; (c) make recommendations on actions the Council, or the Committee or Member States, may consider to improve implementation of the measures imposed in resolution 1718 (2006) and in this resolution; and (d) provide an interim report on its work to the Council no later than 90 days after adoption of this resolution, and a final report to the Council no later than 30 days prior to termination of its mandate with its findings and recommendations;

"27. *Urges* all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolution 1718 (2006) and this resolution;

"28. *Calls upon* all Member States to exercise vigilance and prevent specialized teaching or training of DPRK nationals within their territories or by their nationals, of disciplines which could contribute to the DPRK's proliferation sensitive nuclear activities and the development of nuclear weapon delivery systems;

"29. *Calls upon* the DPRK to join the Comprehensive Nuclear-Test-Ban Treaty at the earliest date;

"30. *Supports* peaceful dialogue, *calls upon* the DPRK to return immediately to the Six-Party Talks without precondition, and *urges* all the participants to intensify their efforts on the full and expeditious implementation of the Joint Statement issued on 19 September 2005 and the joint

documents of 13 February 2007 and 3 October 2007, by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States, with a view to achieving the verifiable denuclearization of the Korean Peninsula and to maintain peace and stability on the Korean Peninsula and in North-East Asia;

"31. *Expresses* its commitment to a peaceful, diplomatic and political solution to the situation and welcomes efforts by Council members as well as other Member States to facilitate a peaceful and comprehensive solution through dialogue and to refrain from any actions that might aggravate tensions;

"32. *Affirms* that it shall keep the DPRK's actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in paragraph 8 of resolution 1718 (2006) and relevant paragraphs of this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at that time in light of the DPRK's compliance with relevant provisions of resolution 1718 (2006) and this resolution;

"33. *Underlines* that further decisions will be required, should additional measures be necessary;

"34. *Decides* to remain actively seized of the matter."

Action on Draft

The draft resolution (document SC/2009/301) was adopted unanimously by the Security Council, as resolution 1874 (2009).

Explanations of Position

ROSEMARY DICARLO (United States) said she welcomed the unanimous adoption of the resolution, which was a strong and united international response to North Korea's test of a nuclear device. The message of the text was clear -- that that country's behaviour was unacceptable to the international community, which was determined to respond. The country should return, without conditions, to peaceful dialogue and honour its previous commitments to denuclearize the Korean peninsula. But, for now, its choices had led it to face markedly stronger sanctions. The resolution condemned in the strongest terms the nuclear test and strengthened the sanctions, by imposing a total embargo on arms exports and significantly expanding the ban on arms imports by creating a wholly new framework of inspections. It called on States and international financial institutions to prevent the flow of funds to support nuclear, missile and proliferation activities by committing to targeted sanctions against additional goods, persons and entities, and by strengthening the mechanisms to monitor that toughened new sanctions regime. Those measures were innovative, robust and unprecedented, and represented new tools to impair North Korea's ability to proliferate. She was grateful for the text's adoption.

ZHANG YESUI (China) said the Chinese Foreign Ministry had issued a firm statement of opposition against the nuclear test conducted by the Democratic People's Republic of Korea, in disregard for the international community's common objective. It had strongly urged that country to honour the quest to denuclearize the Korean peninsula and return to the six-party talks. China was committed, as always, to safeguarding the international nuclear non-proliferation regime, promoting the denuclearization of the Korean peninsula and peace and stability throughout North-East Asia. The Democratic People's Republic of Korea had violated Security Council resolutions, impaired the effectiveness of the nuclear non-proliferation regime and affected international peace and stability. China supported the balanced reaction of the Security Council. The resolution was in accordance with article 41 of Chapter VII of the Charter. The resolution showed the stance and determination of the Council to resolve the "DPRK nuclear issue" peacefully, through dialogue and negotiations.

In that context, China had voted in favour of the resolution, he said. It should be stressed, however, that the sovereignty, territorial integrity and legitimate security concerns and development interests of the Democratic People's Republic of Korea should be respected. After its return to the Nuclear Non-Proliferation Treaty, that country would enjoy the right to the peaceful use of nuclear energy as a State party. The Council's actions, meanwhile, should not adversely impact the country's development, or humanitarian assistance to it. As indicated in the text, if the country complied with the relevant provisions, the Council would review the appropriateness of suspending or lifting the measures. The issue of inspections was complex and sensitive, and countries must act prudently and under the precondition of reasonable grounds and sufficient evidence, and refrain from any words or deeds that might exacerbate conflict. Under no circumstances should there be use of force or threat of use of force. China had always stood for a peaceful solution to the situation and had made tremendous efforts in that regard, including by initiating the six-party talks.

Despite the second nuclear test, China still believed that Security Council actions "are not all about sanctions", but that political and diplomatic means were still the way to bring about peace on the Korean peninsula. Under the current circumstances, the parties should keep calm and exercise restraint.

YUKIO TAKASU (Japan) welcomed the adoption of the resolution as a strong condemnation of what he called the "DPRK's irresponsible act" that constituted a grave threat to the national security of his country and to international peace and security, and which undermined the NPT regime. He highlighted the importance of the Council's expansion of sanctions and its demand that the Democratic People's Republic of Korea not conduct any further nuclear tests or ballistic missile launches, that it cease all other prohibited nuclear activities and that it respond to the humanitarian concerns of the international community, including the abduction issue. In particular, he urged the Democratic People's Republic of Korea to take concrete measures towards the resolution of that issue.

He expressed strong hope that the measures taken today would induce the Democratic People's Republic of Korea to change its course of action and he stressed that it was essential for all Member States to take the necessary action to implement them. He underlined that the measures were not intended to harm the innocent people of the country. His country would seek to facilitate a peaceful and comprehensive solution through dialogue, he added, supporting the denuclearization of the Korean peninsula through the six-party talks. He demanded that the Democratic People's Republic of Korea heed the message of the resolution and strongly urged that country to return immediately to the talks, without precondition.

PHILIP PARHAM (United Kingdom) said the unanimous adoption of the resolution showed that the international community was united in condemning the Democratic People's Republic of Korea's nuclear activity and would not tolerate the country's flouting of its international obligations. He called on all member States to implement all measures, fully and without delay. He assured the Committee of the full and active cooperation of the United Kingdom, both in the immediate 30-day time frame and in continuing to work with partners in the United Nations and European Union to ensure prompt and effective implementation of all robust measures of the resolution.

He urged the Democratic People's Republic of Korea to refrain from any further provocative actions, which undermined regional security and further isolated the country. He urged the country to return to serious negotiations on denuclearization. Only then would the international community be willing to engage with it as an equal partner. The Democratic People's Republic of Korea and its people, he said, had everything to gain from such re-engagement.

CLAUDE HELLER (Mexico) said adoption of the resolution was a clear message that the actions of that country were not acceptable to the international community. Such a message was stronger with the fuller participation of all Council members. To be clear, addressing issues of non-proliferation, nuclear disarmament and the peaceful use of nuclear energy could not be the monopoly of a group of States, as those concerned the whole international community. Realizing the sense of urgency and gravity of the situation, however, his delegation had supported the resolution today. Recent actions by the Democratic People's Republic of Korea were a clear violation of Council resolutions. From the start, the Mexican Government strongly condemned the nuclear test, as well as the launches of short-range missiles by that country. It also shared the international community's concern that those actions undermined aspirations for a nuclear-weapon-free world, which included achieving the denuclearization of the Korean peninsula.

He said he hoped the Government of the Democratic People's Republic of Korea would heed the call for a pacific dialogue and return immediately to the six-party talks. The nuclear tests must cease "completely and permanently". The resolution's call on that country to join the Comprehensive Nuclear-Test-Ban Treaty was positive, and the nuclear test by the Democratic People's Republic of Korea had demonstrated the urgent need for the Treaty's entry into force. Mexico would have wanted the resolution to have included a clear and unequivocal commitment by all Member States towards that goal. It was imperative to remember that the actions of the Democratic People's Republic of Korea did not happen in a vacuum; they took place in a context of a constant threat to the international community derived from the existence of nuclear weapons and the risk of their proliferation. The possible proliferation of those weapons would remain, until those weapons were completely eliminated.

LE LUONG MINH (Viet Nam) said that, as a party to all major multilateral treaties on nuclear disarmament, his country was faithful to the objective of nuclear non-proliferation. That was not only an effective measure towards the final goal of the total elimination of those weapons, but also an indispensable tool to guarantee a favourable environment for the promotion of the use of nuclear energy for peaceful purposes. As a party to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone, Viet Nam was also a strong advocate of the establishment of such zones in every part of the world and, in that vein, had been strongly supporting the efforts towards denuclearization of the Korean peninsula. That served the long-term interest of peace, security and stability, not only of North-East Asia, but also of the wider region.

He said that Viet Nam joined the Council's consensus on measures to resolve the Korean nuclear issue through peaceful negotiation. At the same time, it had insisted in deliberations that, while intending to prevent proliferation and ballistic missile technology development, the measures adopted by the Council must avoid adversely affecting the normal life of the population, as well as the humanitarian, development and other legitimate economic activities of the Democratic People's Republic of Korea.

ABDURRAHMAN MOHAMED SHALGHAM (Libya) said that the world would not enjoy security until all weapons of mass destruction were eliminated. His country had renounced its own programmes and was working for a nuclear-weapon-free zone in the Middle East. Unfortunately, the international community had failed to take advantage of Libya's actions and reward it with development assistance in a way that would have helped further the case for non-proliferation. He stressed also that non-proliferation measures taken by the international community must be global and non-selective, and must extend to Israeli nuclear activities, which have, so far, engendered no action by the Council.

His country, he said, had usually opposed sanctions, as they usually harm people and do not bring about the desired results. In this case, as well, negotiations represented the greatest hope for a resolution, but he had joined the consensus to encourage the return to dialogue and because the measures in the resolution were targeted so as not to harm the Korean people. He expressed hope that dialogue would soon resume and the sanctions could be eliminated.

RUHAKANA RUGUNDA (Uganda) said that his country had joined the consensus on the resolution, because it was important to achieve non-proliferation in the Korean peninsula. But, it also believed it was important to eliminate all nuclear weapons in order to create a more secure world.

VITALY CHURKIN (Russian Federation) said that the resolution was an appropriate response to the actions of the Democratic People's Republic of Korea, and demonstrated the commitment to a negotiated solution. The Democratic People's Republic of Korea's actions had undermined international laws on non-proliferation; that demanded strong action that could bring the country back to the negotiating table. The provisions of the resolution were well targeted and the sanctions did not harm the welfare of the Korean people, something that his delegation had insisted upon.

It was important that, in the resolution, there was an appeal to the Democratic People's Republic of Korea to immediately return to negotiations, without preconditions, he said. It was important for the sanctions to be able to be lifted, if the country embarked on the path of abiding by Council decisions. He stressed that the country's nuclear programme did not bolster security, which could only come about through diplomatic means.

JEAN-MAURICE RIPERT (France) said that, for years, the Democratic People's Republic of Korea was engaged in a secret nuclear programme and a ballistic missile programme, which was increasing its nuclear threat by using very sensitive technologies. In so doing, that country had several times violated the NPT, from which it had said it was withdrawing. It had not met its commitments. In recent months, the country had significantly increased tensions in its region by testing missiles. The Council's reaction today was commensurate with that provocation, and with the risk that others would be encouraged to do the same. The Council had condemned, in the strongest possible terms, those activities. And had imposed very strong sanctions to limit North Korea from advancing its banned programmes, by blocking the funding for those programmes, by extending the embargo to products which helped them, and by adopting sanctions against persons and entities involved, and by requiring States to inspect and destroy banned cargo. The sanctions had excluded humanitarian assistance and development programmes, as the Council remained concerned about the population.

He stressed the need to ensure that all provisions of resolution 1874 (2009) were strictly implemented and by all. He welcomed the expanded mandate of the monitoring Committee and the establishment of an expert panel -- which would be precious help to the Turkish presidency of the Council and enable acceleration of follow-up and assistance to Member States that needed it. The resolution called on the Democratic People's Republic of Korea to join the test-ban Treaty, and France favoured its rapid entry into force. It would co-host the ministerial conference to facilitate the Treaty's operation. When reviewing the NPT, it was imperative to consider reactions against non-compliance. He called for a resumption of the six-party talks, stressing the need for the Democratic People's Republic of Korea to make a strategic choice to reject, once and for all, its nuclear programme.

PAUL ROBERT TIENDRÉBÉOGO (Burkina Faso) said he had supported the resolution -- support that emanated from his country's aspiration for a nuclear-weapon-free world. All States had the right to develop nuclear energy for civilian purposes, but they must refrain from activities that could threaten international peace and security and weaken the relevant institutional frameworks. His delegation had condemned the nuclear test carried out by the Democratic People's Republic of Korea, which had contravened Security Council resolutions and ran the risk of worsening tensions on the Korean peninsula and beyond. He hoped that, since today's resolution took into account all aspects of that issue, it would contribute to finding a solution to the North Korean nuclear issue. He hoped the targeted nature of the sanctions would make it possible to avoid any negative humanitarian impact. That had been one of the reasons he had supported the text. He called on the Democratic People's Republic of Korea to cooperate with the International Atomic Energy Agency and to return to the six-party talks, which, despite all their difficulties, remained the most appropriate framework for ending the crisis. "Choose dialogue," he urged the country, as it was the only path that could prevent an escalation of tensions in the region.

THOMAS MAYR-HARTING (Austria) said that the resolution was a clear, appropriate and unequivocal response to the Democratic People's Republic of Korea's actions. He welcomed the call for

the country to accede to the Comprehensive Nuclear Test Ban Treaty (CTBT), and stressed that that Treaty's coming into force was critical, in the light of this issue.

RANKO VILOVIĆ (Croatia) called on the Democratic People's Republic of Korea to return to the six-party talks and accede to the CTBT. He stressed that the measures were not aimed at the population of the Democratic People's Republic of Korea, and called on that country to return to negotiations.

JORGE URBINA (Costa Rica) said he had supported the resolution, echoing the views of previous speakers. As well as a strong and appropriate response to the recent actions of the Democratic People's Republic of Korea, he saw the text as a boost to non-proliferation and an opportunity for the country to return to the mechanisms of international dialogue. He urged it do so as soon as possible.

Council President BAKI İLKIN (Turkey), speaking in his national capacity, said he was deeply concerned about the nuclear test. For one thing, it was a clear violation of Security Council resolutions. Earlier, Turkey had expressed concern over the missile launch of 5 April. Such steps undermined stability, mutual trust and confidence in the region. Turkish authorities had condemned the nuclear test and supported the Council's strong response. The resolution contained the necessary elements of such a response. He fully expected that the Democratic People's Republic of Korea and the international community members would comply with its provisions. At the same time, Turkey also recognized the importance of encouraging the country to return to the six-party talks, as the best vehicle for achieving the peninsula's denuclearization. Those talks should aim to make concrete and irreversible progress towards lasting peace, stability and security in the region.

PARK IN-KOOK (Republic of Korea) said the nuclear test violated relevant resolutions and statements of the Council and defied repeated warnings of the international community. That action seriously threatened peace and stability on the Korean peninsula and beyond. Furthermore, the Democratic People's Republic of Korea's overt declaration of its intention to pursue the development of its nuclear weapons programme was a grave challenge to the international regime for nuclear non-proliferation. In conducting the second test, the country had clearly demonstrated a complete disregard for its commitments under the 19 September 2005 Joint Statement and other subsequent agreements reached at the six-party talks. The violations should be met with a strong response. In that regard, he welcomed adoption of today's resolution, which was an expression of the international community's firm will to collectively respond to the provocative action.

He urged the Democratic People's Republic of Korea to comply with the resolution and to carefully heed the united voice of the international community that such acts would never be condoned. The country must refrain from any action that would further aggravate the situation on the Korean peninsula. The Republic of Korea Government strongly urged the Democratic People's Republic of Korea to return to the six-party talks and to abandon all of its nuclear weapons and missile programmes, once and for all. Hopefully, all Member States would make united efforts to duly implement the measures outlined in the present resolution. His Government would continue to work closely with the international community to achieve those goals.

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* The 6140th Meeting was closed.