VERIFYING A NORTH KOREAN COMMITMENT TO NONPROLIFERATION

Houston Wood
Professor University of Virginia
Known cases of DPRK proliferation

- Syria
- Iran
- Myanmar (Burma)
- A.Q. Khan and Libya
- Selling nuclear dual use items, such as nuclear grade graphite?
Lessons and findings

North Korea has a long history of subterfuge in proliferating to other countries and conducting illicit nuclear trade to outfit its own facilities.

Techniques:

- Creation of procurement and sales entities able to manage smuggling networks;
- False descriptions and mislabeling of container contents;
- Falsification of manifests covering shipments;
Techniques continued:

- Alteration and falsification of information concerning original consignor and ultimate consignee;
- Diversion of cargo;
- Multiple layers of intermediaries;
- Shell companies; and,
- Hidden payments.
Defining a commitment not to proliferate

- **Step 1: Establish statement.**
  - October 3, 2007 Six Party agreement states North Korea will not transfer “nuclear materials, technology, or know-how.” This clause is incomplete.
  - This clause should be replaced by something more likely to catch the range of sensitive items that North Korea could proliferate to a state, company or other entity. The language should clearly include nuclear facilities, nuclear and dual-use goods, and the means to make such equipment or facilities.
• A broader, more effective statement:
  ○ *North Korea agrees not to transfer to any state or entity whatsoever, or in any way help a state or entity to obtain, nuclear weapons or explosive devices, or components of such a system; nuclear material; nuclear know-how or technology; equipment, material goods, or technology designed for, prepared for, or that can contribute to the processing, use or production of nuclear materials.*
● Step 2: Define a commitment not to conduct illicit trade

  North Korea should agree not to outfit facilities that would support its banned nuclear programs or to conduct illicit trade to outfit other countries’ nuclear programs.
Verification approaches

- Verifying nonproliferation and nontrafficking pledges is difficult to do and virtually unexplored.

- However, verifying a North Korean nonproliferation pledge will strengthen the effort to verify North Korea’s declaration and dismantlement of its nuclear weapons programs.
Identify banned goods

- Parties must specify what North Korea is banned from transferring or procuring.
  - Existing Security Council resolutions, the sanctions committee, and the UN Security Council Panel of Experts have identified goods that could be constituted into a list of goods that North Korea cannot transfer.
  - Some additions and perhaps exceptions for civil nuclear activities may need to be added to the list.
Verification Organization Tasks:

1. Verify clauses in new resolution covering a ban on proliferation;
2. Evaluate reports from member states about continuing prohibition of exports of items to North Korea;
3. Take on alleged violations;
4. Determine on an ad hoc basis additional materials, goods, technologies, and entities to add to the list of banned items; and,
Panel of Experts

1. Receive member state reports;
2. Conduct interviews;
3. Examine seized goods;
4. Publish an annual report to assess North Korean compliance with its obligations and the effectiveness of the verification regime; and,
5. Submit reports to the Verification Committee and Security Council
Other measures

- Role of Member States to provide information
  - Member states would play a critical role in detecting noncompliance.
    - Detect suspected illicit trade by North Korea.
    - Must be proactive and timely in sharing sensitive information.
Domestic North Korean controls

- North Korea should establish an export control agency to enforce legislation.

- Experts from the United States, China, Russia, and perhaps Japan and South Korea would assist in developing effective methods to implement the legislation.
Conclusion

- North Korea’s commitment to nonproliferation will play an integral role in any verified dismantlement process.