

of war that ensued between the IAEA and DPRK over the scope and content of inspection exposed the IAEA's extremely limited ability to compel compliance when the DPRK failed to heed its demands and even condemnation. In announcing on 13 June 1994 the termination of its membership, the DPRK stated that it was no longer obliged to allow IAEA inspectors to carry out their work under the Safeguards Agreement.

Subsequent negotiations, in which the IAEA was not an actual player owing to the DPRK's unresponsiveness and hinted preference for bilateral dialogue with the United States, focused on continuing IAEA inspections in the DPRK. According to a statement issued by the DPRK foreign ministry, because the "so-called 'nuclear problem'" (that is, how much plutonium it might have reprocessed in the past) was "not a problem between our country and the IAEA" but "between us and the United States," it should not be raised "in the UN arena" but "resolved through negotiations" between the DPRK and the United States.⁵ Although the United States spoke on behalf of the IAEA in the negotiations, the IAEA was wary of giving the impression that its ability to fulfill its mandate was dependent on, or that it was in any way subordinate to, the United States.⁶

In May 1993, the IAEA requested that the UN sanction the DPRK's continued refusal to permit inspection of suspected nuclear facilities. A UN Security Council resolution passed without veto (China abstained) that urged the DPRK to reconsider its decision to withdraw from the NPT and comply with the IAEA's requests, but the resolution did not specify any penalties for noncompliance. The resolution was rejected by the DPRK as interference in its internal affairs.

In nevertheless encouraging all UN member states to urge the DPRK to respond positively, the resolution implied support of continued high-level talks between the United States and the DPRK. The resolution also exerted some pressure on the DPRK through international condemnation and the prospect of economic sanctions. China's gesture of refraining from exercising its veto was of symbolic importance in sending a clear message of nonproliferation to the DPRK.

Lack of power and lack of resources to enlarge the scope of negotiations were key reasons for the UN's and IAEA's limited involvement; they could condemn the DPRK's actions but had to depend on member states to respond to the DPRK's concerns and requests. The United States was more practically positioned to be the principal negotiator and chief problem solver.

The Current DPRK Nuclear Issue

The current crisis started on 16 October 2002 with the announcement by the United States that the DPRK had admitted in talks with former assistant secretary of state James A. Kelly earlier that month that it had a "program to enrich uranium for nuclear weapons."⁷ China subsequently intervened by hosting successive rounds of six-party talks that found the IAEA and UN on the sidelines, forced to accept the DPRK's withdrawal from the NPT and the exclusion of IAEA inspectors. Former UN Secretary-General Kofi Annan assigned a personal special envoy, Maurice Strong, to the DPRK from 2003 to 2005 to support the international response to the DPRK's humanitarian and development needs as well as the denuclearization process.⁸

Those impatient with the progress of the six-party talks claimed that "strong diplomacy in the Security Council produced two tough resolutions."⁹ In July 2006, the UN Security Council adopted resolution 1695, which condemned DPRK missile tests and imposed missile trade sanctions. This was followed by resolution 1718, passed in October of the same year, which condemned the DPRK's nuclear test and placed sanctions on the supply of nuclear or missile components, conventional military equipment, and luxury goods. But its enforcement depends on voluntary implementation and reporting by member states, with no compulsory enforcement mechanism in place.

Constraints on the UN

There are several reasons why the UN has remained an indirect player in the DPRK nuclear crises.

- Interpretation of the nature and scope of the DPRK nuclear threat varies among the five permanent members of the UN Security Council, who also have divergent geopolitical considerations. Arriving at a common UN solution is complicated. For example, the U.S. willingness to internationalize the crisis through Security Council condemnation and sanctions was tempered by China and Russia, which worried that any move that might escalate the crisis could have a counterproductive effect.
- The difficulty of decoupling development, energy assistance, humanitarian aid, and human rights issues from the nuclear problem has impeded UN efforts to formulate a coherent approach to dealing with the DPRK.
- The antagonistic relationship between the DPRK and the UN has made it difficult for the DPRK to accept a

UN solution. The DPRK's grievance was manifested in its foreign ministry's response to the U.S. call for an April 2003 UN Security Council meeting to discuss the DPRK's withdrawal from the NPT: "The DPRK will not recognize any resolution to be adopted at the UNSC meeting to be called by the United States which launched the war defying the UN."¹⁰ That the UN Security Council occasionally became an avenue through which bilaterally friendly countries joined the international community's harsh response to its nuclear program only further aggrieved the DPRK.

- A similarly antagonistic relationship hindered the IAEA's participation in efforts to resolve the DPRK nuclear problem. The IAEA's legitimacy was questioned by the DPRK, which accused the agency of (1) being an instrument of U.S. hegemony through the facade of multilateralism,¹¹ and (2) adopting a double standard for the United States and the DPRK by failing to criticize U.S. violation of the principle of negative security assurance embodied in the NPT by adopting a hostile policy that underlined the nuclear threat to the DPRK. The DPRK's perception of the IAEA as a nonneutral international organization was reflected in its statement that the "IAEA alienated itself from the process of resolving the nuclear problem by dealing with the Korean nuclear problem in an unfair manner that arises from the application of a double-standard under American influence."¹²
- The solid, ongoing (albeit off-and-on) six-party talks spearheaded by major regional players including three of the five permanent members of the UN Security Council, save for occasions on which the DPRK's provocative behavior prompted calls for international condemnation or sanctions that required a council resolution, rendered direct involvement by the UN less necessary.

The absence of an active, coherent UN response to the DPRK nuclear crisis raised concerns about the vitality of the international nonproliferation regime. Hans Blix, head of the United Nations Monitoring, Verification and Inspection Commission from March 2000 to June 2003, lamented that some elements in the United States seemed to regard "the UN as an 'alien power' which they hoped would sink into the East River."¹³

Does the UN Matter?

Although the DPRK denuclearization process is currently proceeding within the context of the six-party talks under the auspices of China, the UN and the international

nonproliferation regime still bear responsibility for facilitating the process for the following reasons:

- The DPRK nuclear problem poses a risk not just to regional peace and security but also to the international nonproliferation regime. On 10 January 2003, the DPRK became the first country to withdraw from the NPT since its inception in 1970. The perception of the NPT as a hollow shell with respect to containing proliferation could trigger further defections from the treaty and encourage non-nuclear parties to begin to pursue nuclear weapons programs of their own. The UN's facilitation of an early end to the crisis might be seen as a wake-up call, whereas continued peripheral and ineffectual involvement will only serve to further erode confidence in the global nonproliferation regime.
- The UN is a necessary control valve for preserving nuclear peace and balance on the Korean peninsula. Were these to be destroyed and the region to become engulfed in conflict, the UN might have to bear the postconflict consequences. On 10 January 2003, the DPRK warned that "a new Korean War will finally lead to the Third World War. If a war breaks out on the Korean peninsula where military and strategic interests of neighboring big countries are entangled, they will be embroiled in it, like it or not."¹⁴ When South Korea's new president, Lee Myung-bak, indicated a shift from his predecessors' Sunshine Policy toward the DPRK in announcing that he would condition aid on Pyongyang's abandonment of its nuclear weapons programs, the DPRK responded by expelling South Korean officials from a joint factory park, test-firing missiles, and warning that it might make a preemptive military strike that would reduce South Korea to "ashes."¹⁵ Preventive diplomacy that facilitates an early resolution of the nuclear issue is essential to dilute the "sea of fire" scenario on the Korean peninsula and eliminate a major source of provocation.
- With the six-party denuclearization talks already progressed to the substantive stage of accommodating the resumption of IAEA inspections and reinstating the DPRK's membership in the NPT, the UN has a major stake in the talks.
- Denuclearization is not an isolated issue for the DPRK but is related to other issues such as humanitarian aid, energy assistance, and development. The UN enjoys the unique authority to mobilize and coordinate international resources to address these issues in a comprehensive and constructive manner.

Exploring the UN's Role

The DPRK nuclear problem wants a comprehensive, long-term solution, of which enforcement of the nonproliferation regime is just the beginning. Assumption of the post of UN secretary-general by South Korean Ban Ki-moon in January 2007 raised new expectations for the UN's role. Citing nonproliferation and disarmament as priorities, Ban said of the DPRK issue, in particular, that "I am personally committed to facilitating the smooth progress of the six-party process, and to encouraging the work of the denuclearization of the Korean Peninsula."¹⁶ There are three interrelated possibilities for the UN's role: (1) refresh the secretary-general's good offices, (2) take a more humane approach to dealing with assistance-related issues to the DPRK, and (3) advocate a nonconfrontational approach to interacting with the DPRK on the denuclearization process.

Asked about the DPRK at the time Ban initially assumed office, a spokesperson said, "the UN is not directly involved, but he [Ban] said that he would use his good offices to help the six-party talks to move forward."¹⁷ The DPRK will not be denuclearized by technical means alone; active diplomacy, including good offices, is also essential, particularly with the six-party process at a critical, challenging point with respect to the work needed to move the DPRK toward verifiable denuclearization and, ultimately, return it to the NPT and IAEA safeguards.¹⁸

"I intend," Ban stated, "to have my own special envoy who will be assisting me and will engage in talks with North Koreans. Somebody who would have experience and knowledge about Korean Peninsula issues and somebody who would be acceptable, be able to have dialogue with South and North Korea, particularly North Korea."¹⁹ Appointing a new special envoy to the DPRK is an attractive adjunct to engaging prominent parties to help facilitate the six-party talks and supporting China's mediation role. No single member state is as well positioned as the UN to serve as missionary to the international community and nonproliferation regime, especially with current negotiations centered on getting the DPRK to accept reinstatement of the NPT obligation and IAEA safeguards.

It is important that the UN secretary-general be seen not as a messenger of the permanent five but as duly elected by all 191 (now 192) states.²⁰ In light of Saddam Hussein's continued defiance of the international community, critics characterized as fruitless Kofi Annan's 1998 visit to Baghdad. But Annan averted a war that only a week earlier had seemed almost inevitable, quite possibly the

most dramatic achievement by a secretary-general since the era of Dag Hammarskjöld.²¹ "We say Iraq is isolated from the international community," Annan had said of his mission to Iraq, "but the international community is also isolated. We want them to comply, but I'm not sure we make the effort to understand what is going on."²² The DPRK case is inherently similar. Noting that Annan never visited the DPRK, Ban said he stood ready to travel to Pyongyang after seeing how circumstances evolve "in the course of a few months," and consulting key governments. "I hope they will have no objection to my visit to North Korea. I am the same Korean as they are. As a secretary-general coming from South Korea, it would be much better for North Korea if they would really be sincerely interested in resolving this issue."²³

The symbolic significance of Ban's intervention could make a difference. A positive gesture, to the extent that it succeeded in tempering the DPRK's bitter memory of the Korean War, could, by helping to restore the UN's image as an impartial and a fair-minded body, pave the way for the DPRK's return to the global nonproliferation regime and full integration into the international community and, thus, bring the organization back from the margins around an issue central to international peace and security.

Excitement over expectations generated by Ban was to a certain extent dampened by operations of the United Nations Development Program (UNDP) in the DPRK, which cast a shadow on the UN's role in that country. In January 2007, amid allegations by the U.S. mission to the UN (USUN) of irregularities in the UNDP, Ban called for an audit by the UN's external board of auditors of UN agencies operating in the DPRK.²⁴ When several changes to the UNDP's North Korean program and operations mandated by its executive board were met with resistance from DPRK authorities, in early March 2007 the UNDP suspended operations in the DPRK. The report of the External Independent Investigative Review Panel (the Németh report) was released on 1 June 2008. The UNDP executive board reviewed this report in Geneva later in June, and delegations expressed broad support for the resumption of UNDP activities in the DPRK, pointing out that the allegations that prompted the review were found by the panel to be unsubstantiated.²⁵

Before the UNDP suspended its operations, seven UN agencies had operated in the DPRK: Food and Agriculture Organization (FAO), UNDP, the United Nations Population Fund (UNFPA), United Nations Children's Fund (UNICEF), World Health Organization (WHO), the World Food Program (WFP), and the United Nations Education, Science and Culture Organization (UNES-

CO). The collective goal of the UN country team—to help the DPRK government improve the quality of life for its citizens—has, however, been impeded by the nuclear complications.

According to the UN strategic framework for the DPRK for 2007–09, the country continues to suffer from limited economic growth and poor access to the latest international best practices and technological know-how. That aid and foreign investment have remained far below the levels required to revive key sectors of the economy and restore basic social services to pre-1995 levels has been largely due to the complex external political environment.²⁶

In the absence of international financial institutions and major bilateral aid programs, the UN is an essential partner with the government in capacity building and cooperative development. To contribute the maximum value, the UN should execute a more holistic approach that decouples necessary assistance from the nuclear issue. This could have the desirable effect of cultivating an international environment more conducive to facilitating the denuclearization process.

Humanitarian aid, for example, could be used not to coerce cooperation but to bridge differences between the DPRK and the outside world. In 2003, as a result of significant reductions in aid by the United States (80 percent) and other donors, the WFP had to scale back its distribution plans by about 40 percent (\$130 million instead of the targeted \$225 million), a reduction that affected three million children, pregnant women, and elderly people.²⁷ According to former UN secretary-general Kofi Annan, the severe famine in the DPRK is one of 21 world crises that have been neglected by the international community.²⁸

The WFP warned in April 2008 that the DPRK faces a looming food and humanitarian crisis after a poor harvest that has caused food prices to skyrocket and supplies to dwindle.²⁹ According to the FAO, this year's food shortfall is projected to be 1.66 million metric tons, about double last year's need and the highest since 2001. South Korea has conditioned its usually large gifts of food and fertilizer on the North's progress in dismantling its nuclear program and improving human rights. "No food aid is moving from the South to North Korea, as far as I am aware," observed WFP regional director for Asia, Tony Banbury.³⁰ In an encouraging sign, however, President Lee Myung-bak said in a *Time* magazine interview in June 2008, "Our basic principle is that the people in North Korea should not go through such dismal conditions because of the lack of food. [We] are prepared to

provide humanitarian assistance."³¹ The United States has not provided food aid to the DPRK since early 2006, when agreements broke down amid U.S. concerns over how to ensure that the aid was being properly distributed. Because of the intensified food crisis, however, the United States has agreed to provide 500,000 metric tons of food over 12 months starting in June 2008, and State Department spokesman Sean McCormack maintains there is no connection between food aid discussions and the six-party talks.³² This seems to be action on the right track.

The UN is uniquely positioned to manage and coordinate its multiagency teams' deployment of humanitarian assistance and planning for longer-term economic development, activities that—to give a human face to the problems the DPRK faces and channel necessary international resources to people urgently in need of them—should be disassociated to the greatest extent possible from the denuclearization talks.

Complementing a beneficent approach to dealing with the DPRK's various humanitarian and development issues with a nonconfrontational approach to encouraging nonproliferation would serve to reduce risks to world peace and security. The "Operation Plan 5027-98" prepared in late 1998 by the U.S. Department of Defense elaborating a war scenario was viewed by the DPRK as the unfolding prospect of the United States "abusing the UN name again for mobilizing multinational forces against it."³³ The Iraqi war only heightened concerns on the part of the DPRK, which expressed the hope that the UN would act against "the revival of power politics such as the use of force seeking hegemony and domination, and fulfill its responsibility and roles for ensuring international peace and security."³⁴

The UN could facilitate a more constructive resolution of the DPRK nuclear issue by (1) consistently sending out the message that a diplomatic and peaceful solution to the DPRK nuclear crisis is crucial, and (2) aiming at a comprehensive and permanent peace on the Korean peninsula. Convening a four-party conference under the auspices of the UN Security Council to craft a peace treaty (to replace the armistice treaty) in exchange for verified dismantling of the DPRK's nuclear weapons seems a helpful consideration.³⁵ Positive intervention for peace after the lapse of more than 50 years would be for the UN a step toward writing a new chapter on its role in the Korean peninsula. "If there is any good that can come out of the world community's reaction to North Korea's nuclear test," remarked Maurice Strong, "it is that it could provide the basis for a new approach to resolving the ominous cloud that has threatened the region's peace

and security for more than half a century.”³⁶

Beyond the Limits of the UN

A more assertive UN role in the resolution of the DPRK nuclear issue does not imply the eclipse or replacement of the six-party talks. There being substantial and immediate leverage in the hands of major parties involved in those talks, the existing framework would, and should, continue to serve as the main channel for shepherding the DPRK back to the nonproliferation regime.

The failure of the League of Nations nearly a century ago sowed the seeds of a destructive world war.³⁷ Fifty years ago, the UN participated in a war that engulfed the Korean peninsula. Today, the UN has the opportunity to curtail the DPRK’s nuclear ambitions by helping eliminate the seeds of those ambitions.

If it does not take the lead in resolving the DPRK nuclear issue, the UN may at least not lose its podium. A strengthened “good offices” role for the UN secretary-general that couples the message of denuclearization with a humane, well-coordinated package of proposals that address the security, economic, energy, and humanitarian concerns of the DPRK could effectively serve to advance the six-party talks toward a successful conclusion. Equally important, if not more, is that UN participation in this process could bring about a long-term, comprehensive solution to problems that have persisted since the Korean War. The UN has a unique opportunity to facilitate through the six-party talks an earlier end to Pyongyang’s nuclear saga, to help to bring lasting peace and security to the Korean peninsula, and to help to restore credibility and vitality to the NPT regime.

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