

The North Korean Test and Iran: How Effective is Engagement?

Dr. Oded Brosh, Senior Research Fellow, IPS

Recent developments in the DPRK and Iran spur two thoughts regarding the international community's treatment of salient nuclear proliferation priorities and objectives. The first is that on Iran, engagement envisages – as it did on North Korea in 1994 – a de facto recognition of Iran's right to expand on indigenous nuclear capabilities for peaceful purposes, subject to bona fide full compliance with its non-proliferation commitments. In Iran's case this means its uranium enrichment capability for LEU (Low Enriched Uranium), subject to stringent safeguards and full transparency so as to guarantee that it remains no more than that. Possibly, it also envisages recognition of Iran's right to operate the Arak heavy water research reactor (HWRR) currently under construction, also subject to safeguards to prevent diversion of plutonium to reprocessing for nuclear weapons purposes. This latter issue has not yet come up for public scrutiny.

Iran's past violations of non-proliferation commitments are forgiven, and suspicion regarding scenarios of future breakouts would be held in reserve until proven. At least, this seems to be the message contained in President Obama's reference to Iran in his Cairo speech of June 4th, 2009, reiterating Iran's right to the pursuit of nuclear technology for peaceful purposes subject to adherence to non-proliferation commitments. It is

striking how similar this script is to the 1994 agreement with North Korea, when past trespasses were forgiven so as to build a new future of trust and confidence. The agreement included the recognition of the DPRK's legitimate rights regarding the application of nuclear technology for peaceful purposes subject to adherence to non-proliferation commitments contained in NPT and IAEA frameworks. So, "Trust but verify" employed, albeit circumspectly, with ultimately catastrophic results, at least in one of the cases.

The second thought is with respect to the validity and efficacy of UN Security Council resolutions on proliferation issues. Those require a subject state's compliance, including application of sanctions to signal or clarify the prospective calculus implied. Both Iran and North Korea have openly flouted Security Council resolutions, branding them illegitimate and therefore not really deserving of compliance. In his Prague address of April 5th, 2009, President Obama said, when speaking of North Korea and the associated Security Council action, "Rules must be binding. Violations must be punished. Words must mean something". At the same time, generally since taking office, the President has avoided all mention of the Security Council words that require Iran to immediately and unconditionally suspend all of its sensitive nuclear activities, namely

all those in connection with uranium enrichment and the construction of the heavy water research reactor at Arak. Five UN Security Council resolutions, unanimously adopted, and deploying sanctions against Iran, albeit not significant enough to have real impact, expressed the international concern that Iran's nuclear program may ultimately not be peaceful. The resolutions also imply that breakout scenarios are seriously plausible considering Iran's past record of violations, and the nature of its ruling regime.

The failure of both types of approaches currently employed to advance the cause of non-proliferation – escalating confrontation and engagement respectively – is deeply worrying, and begs the question of whether either of them can work at all. The multilateral approach adopted by the Bush administration – quite contrary to its misperceived image as unilateralist – now expanded by the Obama administration, has failed in both cases. Sanctions as employed in both cases, have not produced the intended results, and the question is whether more sanctions might do so. Despite significant differences between North Korea and Iran, there are also some similarities in the passions attached to their respective nuclear programs, and the all too frequent discovery of their digression from commitments.

From 1994 to 2009 – the proliferation threat: exit the front door, sneak back in the rear window?

Comparison and contrast with the case of Iran is commonplace, though it is easily recognized that there are significant differences between the two cases. Some of those differences are relevant for a future course of action regarding Iran by the international community. The most poignant of these is that the DPRK is intensely focused on maintaining the *status-quo*, and may therefore be a rather good candidate for containment and deterrence, which have recently reclaimed a great deal of their former popularity. On the other hand, the Iranian Shi'ite Islamic Revolution's *raison d'être* is the pure

antithesis of the *status-quo*. In fact the current leadership in Teheran is commanded to struggle tirelessly against it, and abandoning the struggle is viewed as religious and ideological neglect. This makes Iran a far greater challenge than the DPRK for the application of containment and deterrence in a nuclear environment.

In Iran, the Islamic Revolutionary Guard Corps (IRGC) serves as the regime's Praetorian Guard force, exercising the state's coercive powers and in charge of national strategic capabilities and assets

(such as nuclear weapons and ballistic missiles), as well as so-called "special operations". The significance of this should not be underestimated, since there are ample historical examples that demonstrate how authoritarian regimes both ensure survival and also pursue their agendas through the exercise of this force. This was recognized to a degree by the international community, when the entire IRGC command was designated for sanctions in the relevant UN Security Council resolutions (1737 and 1747), because of its involvement in the nuclear and missile programs.

The international community's approach to the two cases in recent weeks has been almost paradoxical: the Obama administration has led an effort at the UN Security Council to increase North Korea's isolation, and to ratchet up sanctions. The President has repeatedly asserted, regarding the Security Council resolutions on North Korea that "words must mean something". But the DPRK is already the most isolated state in the world, and it has made its nuclear headway while under the most severe of self-imposed as well as externally mandated economic sanctions.

At the same time, while orchestrating Security Council action on the DPRK, the Obama administration has deliberately and demonstratively ignored the five unanimously adopted Security Council resolutions that are already on the books. Those require Iran's immediate and unconditional suspension of its sensitive nuclear activities, particularly uranium enrichment and the continued construction of the Arak heavy water research reactor (HWRR). The Obama administration, then, is legitimately pursuing a new approach to Iran, in the belief that the Bush administration's was ineffective, or even counter-productive. It is also expanding the Bush administration's multilateral approach, which was slow to develop and gain sufficient support to be effective.

The question that is, however, most disconcerting is how the leaderships of North Korea and Iran respectively are supposed to comprehend the contradictory approach that the US is leading the international community to adopt towards the other. The danger is that the North Korean leadership, if it has not done so already, may conclude that contrary to President Obama's declarations, Security Council resolutions and words mean nothing at all. The Iranian leadership, if it has not done so already, may conclude that even harshly worded Security Council resolutions that are already on the books, and the future threat of incrementally severe sanctions – do not really mandate a change of direction. To the contrary, resolute non-compliance with unanimously

adopted Security Council resolutions and sanctions, has proven beneficial, since the international community leadership may be willing to accept Iran's claims that its nuclear program is peaceful purposes.

It is also ironic that the Obama administration has taken this tack on North Korea. For the past few years, the criticism of the Bush administration by his Democratic opponents was focused on it having taken an escalatory approach that in effect pushed the DPRK's leadership into renewing its drive for nuclear weapons grade materials, and perhaps nuclear weapons. Bush was accused of having, in the early years of his first term, reversed the Clinton administration's willingness to engage the North Koreans (as was demonstrated amicably during Secretary of State Madeleine Albright's visit to the DPRK in 1999). The North Koreans quite openly accuse Obama of having instigated the current escalation by a series of harsh words and UN Security Council actions. Anyway, neither courses of action – escalation/confrontation, and engagement – have had the desired effect.

Another obvious difference is that the DPRK openly declares that it has weapons grade materials, declares that it will seek to acquire more of them (both plutonium and now enriched uranium too), has tested two nuclear devices that are akin to nuclear weapons, and is engaged in testing ballistic missiles that could potentially carry nuclear warheads. The DPRK also has a disturbing proliferation record because it is the leading exporter of ballistic missile technologies to states of concern. Moreover, it was apparently constructing a gas-graphite reactor sold to Syria with the implied intent of helping the latter to produce a clandestine weapons-grade plutonium capability similar to North Korea's own.

Iran, on the other hand, vigorously denies any intention to seek weapons grade materials, nuclear weapons, or that its ballistic missiles by implication might carry nuclear warheads which will not exist anyway. To accept that Iran's nuclear program is peaceful requires some degree of cognitive

dissonance, in light of the past record of a clandestine uranium enrichment program in violation of its NPT and IAEA full-scope safeguards commitments; reports of its investigation of atomic bomb designs and nuclear warheads for its ballistic missiles; and construction of a large heavy water research reactor, now nearing completion, in the wake of a resolute refusal to accept a large light water research reactor offered by Russia. Now, international recognition of an Iranian LEU uranium enrichment program would allow Iran to acquire large stocks of enriched uranium, albeit under safeguards. Similarly, operation of the Arak heavy water reactor, subject to safeguards if they are accepted (which is not yet certain), would allow Iran to accumulate significant quantities of plutonium short of reprocessing to weapons grade. The propensity for dire breakout scenarios would then depend on the efficacy of safeguards and Iran's continued strict adherence to commitments.

As a result, looking farther down the road, within a few short years, Iran would have a significant stock of fissile materials that it could then decide to clandestinely divert to produce a rather large nuclear weapons arsenal – similar perhaps in scope to that of Pakistan's. Alternatively, it could follow the DPRK's lead by openly breaking with the international community. Finally, it could also divert small quantities of fissile materials to covert undeclared facilities while deceiving the safeguards (for example, claiming that the missing materials were "lost in the pipes").

The international community might now be willing to cohabitate with such a condition, in the hope of encouraging positive change in Iran. In this sense, the events pursuant to the elections are disconcerting, and have demonstrated how lame are the international community's efforts to predict the course likely to be taken by the custodians of the Islamic Revolution of Iran.

KEDO then and Iran now: Manipulation of the time continuum

In 1994, the North Korean crisis had reached the brink of war: the Clinton administration was on the verge of bombing the North Korean nuclear facilities to stop the acquisition of weapons grade materials by the DPRK. At the time, it was already clear that some had already been produced clandestinely and secreted away at undisclosed locations. Nevertheless, the destruction of the Yongbyon reactor and the reprocessing capability would have significantly set back any future production thereof. Then Secretary of Defense William Perry has since indicated that preparations for such a strike had been completed, and that the President was on the verge of ordering it. But former President Jimmy

Carter's last-minute, last-ditch, effort to convince North Korea's leader Kim Il-Sung to give up the weapons aspect of the program was successful, and in July 1994 the prospect of war was replaced by a vision of fruitful engagement, economic benefits and strictly peaceful application of nuclear technology subject to adherence to non-proliferation commitments.

The Korean Peninsula Energy Development Organization (KEDO) agreement of 1994 promised the DPRK nuclear power stations to increase the

availability of electricity, required for an expected surge in economic development.¹

Unlike North Korea, Iran has in effect openly given up its nuclear weapons program, in that it has always claimed that its nuclear activities are designed only for peaceful purposes, that it never intended and never will develop, acquire or deploy nuclear weapons. Even the US National Intelligence Estimate (NIE) of November 2007 determined that Iran gave up its nuclear weapons program in 2003. This, however, is disturbing confirmation that one did actually exist until 2003 – covertly, clandestinely

¹ <http://www.kedo.org/pdfs/AgreedFramework.pdf>

and regardless of Iran's long-time professions to the contrary. In effect, today Iran is asking the international community to disregard its record of past violation of its commitments and its past denials since refuted – much as North Korea's violations and lies were forgiven in the 1994 accords.

Such forgiveness of past transgressions may be viewed primarily as instrumental in mobilizing future compliance with normative standards. Skeptics may say that this is a Western philosophical concept, not common in practice to other adversarial cultures, and that chances of its realization are rather slim. Nor may it be compatible with *realpolitik*, where adversaries quite naturally will test "red lines", to see what they can get away with; or by the definition of the rational-actor model, will attempt to maximize gains (auto-defined) and minimize costs (auto-

defined). In this sense, Libya's 2003 decision to invert the traditional view of WMD programs as strategic assets, and accept that they had become liabilities – may well be an exception to the rule, mandated by Libya's weakness compared to other states on the proliferation agenda, such as Iran.

The question is whether a 1994-like reconciliation between Iran and the international community would signify Iran's abandonment of nuclear weapons ambitions in exchange for rehabilitation, incentives and recognition of its rights in the field of nuclear technology peacefully applied? Given the obvious differences between the two cases, if it is true that Iran is a much more open nation and does not wish for severe isolation – there is some sound basis for optimism. There is also a wide gamut of other issues that require common ground with the international

community (Iraq, Afghanistan, oil, economics, support for terrorism and extremism outside of Iran's borders, Lebanon, the Palestinian issue, Turkey and more). Engagement with Iran will be a complex and comprehensive undertaking, in which the nuclear issue is prominent but not exclusive. Moreover, Iran also represents a duality of national interests along with the unique characteristics and agenda of the Islamic Republic's regime, as was recently demonstrated by the domestic upheaval in the wake of the Presidential elections. So alongside the hope for cautious optimism about the prospects for successful engagement, there also remain disturbing reasons for skepticism and pessimism too.

The Need for Effective International Action?

The altogether contravening cases of the DPRK and Iran are revealing of the inherent weakness of concerted international action, in fact of multilateralism, whether conducted through the channels of the UN Security Council or other means. UN Security Council resolutions remain dead letters when it comes to regimes that have a clear preference for an extreme ideological agenda. One of the reasons for this may be a disdain for the resolve of their adversaries, typical of totalitarian regimes over the past century. In the case of Iran, it may also be a matter of recovering past status and importance, and retrieving what Persia's and Iran's leaders have always viewed as the nation's natural place on the world chess board.

Today there is an obviously increased emphasis on "soft power" (or "smart power"), engagement and dialogue, multilateralism, containment and

deterrence. All are viewed in concert as probably more promising than the escalation, unilateralism and pre-emption attached – rightly or wrongly – to a failed *weltanschauung*. There is an intense desire to prove that the clash of civilizations can be tempered, that the intensity of ideological rivalry can be bridged, and that the extremists can be marginalized by forging alliances with the moderates in the adversary's camp. Concerted action by the international community on the burning issues of nuclear proliferation, North Korea's erratic course, and Iran's duality of interests and ideological priorities – is essential. The message being conveyed by the contradictory application of unanimously adopted UN Security Council resolutions – is a debatable and controversial beginning.

The Institute for Policy and Strategy

The Institute for Policy and Strategy (IPS) was founded in 2000 by Professor Uzi Arad. The Institute operates as part of the IDC Herzliya's Lauder School of Government, Diplomacy & Strategy. Its primary objective is to engage in research activities which contribute to Israel's national policy and to the upgrading of its strategic decision-making process. The range of IPS projects encompasses a variety of issues crucial to Israel including national security and strategy; foreign policy; intelligence; the Jewish people; economics; science and technology; welfare; social policy and education.

IPS conducts research on a broad analytical scope, concentrating on identifying emerging issues and trends. It also invests in improving analysis and in innovative methodologies. IPS is characterized by its variety of disciplines and inputs, and its interdisciplinary, integrative, comprehensive and future-oriented approach.

IPS cultivates close working relations with governments, public institutions, think tanks and research institutes around the world. It convenes meetings with experts and holds seminars and debates. The annual Herzliya Conference on the Balance of Israel's National Security is the flagship of IPS activities.

About the Author

Dr. **Oded Brosh** is a Senior Research Fellow at the Institute for Policy and Strategy at the Interdisciplinary Center in Herzliya, Israel. His expertise is in the field of nuclear politics, strategy, deterrence, proliferation, and related WMD issues. He is also involved in the Institute's other International Affairs studies and activities.

Dr. Brosh teaches at the Lauder School of Government, Diplomacy and Strategy of the IDC, Herzliya, and previously taught at the Hebrew University, Jerusalem, and Ben-Gurion University, Beersheva. He has also served as a senior analyst with the Prime Minister's Office.

Dr. Brosh holds an M.A. and a Ph.D. in Political Science from the Hebrew University. As an undergraduate he studied at Johns Hopkins University, and is a graduate of UCLA. He was a Postdoctoral Research Fellow at the Belfer Center for Science and International Affairs at Harvard University's Kennedy School of Government.

Institute for Policy and Strategy
Lauder School of Government, Diplomacy and Strategy
Interdisciplinary Center Herzliya, IDC
P.O.Box 167, Herzliya 46150, Israel
Tel: 09-9527389, Fax: 09-9527310
E-mail: ips@idc.ac.il, Site: www.ips.idc.ac.il

Herzliya Analytical Note, July 2009

Author: Dr. Oded Brosh
Editors: Mr. Tommy Steiner
Ms. Lea Landman
Designer: Ms. Nirit Gil