

# *North Korea, Iran, and the Proliferation of Nuclear Weapons: The Threat, U.S. Policy, and the Prescription . . . and the India Deal*

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There are similarities and connections, as well as important differences, between the cases of North Korea and Iran.

In both cases, the prospect of these states acquiring a nuclear weapons arsenal has regional implications. In Northeast Asia, a North Korea with nuclear weapons threatens other states in the region, beginning with South Korea and Japan. The DPRK has developed a medium range ballistic missile (MRBM), the No Dong, which could reach Japan. The North can be counted upon to try to design a weapon that could be mated with its MRBM so that it could blackmail or deter Tokyo in a crisis. Since Seoul is within range of the North's artillery deployed along the DMZ, the North already poses a nuclear threat to the South. The fact that the South Korean public apparently does not see the North as a threat does not mean that the government in Seoul is as relaxed. The first point, then, is that Seoul and Tokyo may eventually react to a growing North Korean nuclear weapons program with decisions to abandon their own non-nuclear status and dependence on alliance with the United States, withdraw from the NPT—as North Korea already has—and develop nuclear weapons of their own. It should be recalled that the South Koreans had a secret program in the 1970s and that both these countries have advanced nuclear energy programs that could be converted into substantial nuclear

weapons programs in short order, in a few years at the most. Obviously, if either Japan or the ROK were to begin such a process, it would sharply increase the likelihood that the other would do likewise.

Similarly, should Iran succeed in creating a nuclear weapons capability, it is likely to prompt others in the Middle East to consider doing the same. The Gulf States, particularly Saudi Arabia, would be among the first to weigh the pros and cons of becoming a nuclear weapons state to prevent a Persian hegemony over the Gulf. Iran has deployed an MRBM of its own, the Shahab III, based on the North Korean No Dong, which can reach targets as far away as Israel. Like the North Koreans, the Iranians would have to design a weapon that could be delivered by their missile, but this is thought to be the principal reason why they acquired their MRBM in the first place since its inaccuracy makes it a poor delivery system for conventional explosives.

Second, in addition to creating regional instability and beginning the unraveling of the NPT regime, both of these cases pose direct threats to the interests of the United States. Once North Korea and Iran have nuclear weapons, deployments of American forces to the region will have to take account of their nuclear capability. While we may continue to rely on deterrence to dissuade any nuclear use against our forces, circumstances could emerge where we will be limited in our options because of the nuclear threat, particularly in scenarios where the regimes of those states believe their survival is threatened and thus fail to see our retaliation as unacceptable.

Perhaps the gravest threat these states pose to the United States does not arise from their stockpiling of nuclear weapons, but from their accumulation of fissile material. We have a long history of living with the threat posed by potentially hostile states armed with nuclear weapons, against which we had and have no defense, that is, the Soviet Union and China. We dealt with that threat by the development of a robust deterrent capability, promising to do to any attacker what it would regard as unacceptable damage, in the event of an attack on the United States or its allies. Now, with the emergence of terrorist entities such as Al Qaeda, we may not be certain who was responsible for an attack, and we can have no confidence that the promise of retaliation would discourage one. In this world, the key to defending our cities is preventing terrorists from getting nuclear weapons or the material necessary to make them. Today that means persuading Russia and Pakistan to do a lot better at securing

their fissile material and nuclear weapons; tomorrow that could mean trying to convince Iran and North Korea that we will find out if they were to sell such material or weapons to Al Qaeda. In short, both these countries' fissile material production programs pose a deadly threat to American cities that we have no sure way of meeting.

## **CAPABILITIES**

There are also differences in the capabilities of these countries and the circumstances of the policy situation. North Korea had a small plutonium producing reactor and reprocessing facility which it used to produce and separate plutonium in the early 1990s. These facilities were effectively frozen for about ten years following the negotiation of the Agreed Framework in 1994. However, after the collapse of the Framework in the first Bush Administration, the North restarted plutonium production in its reactor at approximately a bomb's worth per year, and claims to have separated the plutonium that had been sealed during the period of the Agreed Framework.

Most estimates would credit North Korea with now having approximately forty kilograms of plutonium, enough for perhaps eight nuclear weapons. In addition, our intelligence community detected significant numbers of components for a gas centrifuge uranium enrichment program being transferred from Pakistan to the DPRK during the late nineteen nineties through the early part of this decade. We do not know where this equipment is, or if it has been assembled into a cascade of machines, or if it is in operation. Estimates about when the North might also be producing highly enriched uranium for nuclear weapons are therefore highly speculative, but prudence would have us expect the North Koreans to eventually master the technology and develop another source of fissile material.

Iran, by contrast, has little in the way of operating nuclear facilities, but substantially more potential for fissile material production than North Korea over time. Iran has one power reactor very nearly completed by the Russians located at Bushehr. This is a light water reactor, easy to safeguard, whose spent fuel is difficult to reprocess for weapons, and possibly subject to other provisions negotiated by Moscow that make it relatively "proliferation resistant." The concern over Iran stems from two programs: a gas centrifuge program that now includes only

164 operating machines but which is planned to grow to one of thousands of machines, about which international attention is now focused; and a plutonium production program centered on a heavy water moderated “research” reactor, now in the design phase following Russian assistance, and which has received little notice. Iran may be as far away from accumulating fissile material as five to ten years, if their capacity is limited to what we are now aware of, or it could be much closer, if it has constructed and even begun operating a secret centrifuge cascade.

## **POLICY**

Administration policy to deal with the threat posed by both these countries has suffered from the same handicap: unwillingness at the top of the Bush administration to embrace negotiation as a legitimate and potentially effective way of addressing such threats from “rogue regimes.” In the case of North Korea, the president let it be known during his first couple of months in office that he doubted the utility of the kind of negotiation with the DPRK that had been pursued by the Clinton administration, much to the dismay of the government in Seoul which had invested heavily, financially and politically, in the so called sunshine policy of openness with the North. While nothing much happened during the first year of the Bush administration in Washington’s relations with Pyongyang or Tehran, America suffered the attacks of September 11, which had an important psychological impact on the administration. The first State of the Union Address by the President in January 2002 laid out his approach to North Korea and Iran by lumping them with Iraq and describing them collectively as an axis of evil, which threatened international security by their association with terrorist allies. Months later, the President’s commencement speech at the U.S. Military Academy at West Point foreshadowed the national security strategy, formally enunciated in the fall of 2002, which described a policy of pre-emption as appropriate to threats to the national security of the kind posed by these rogue regimes.

Against this backdrop, the Bush administration took the position that it would not talk with the North Koreans outside of the “six party context,” that is, a meeting of China, Russia, Japan, South Korea, North Korea and the United States. Furthermore, it would not negotiate with the North until it committed to give up its secret uranium enrichment program and allow inspections to verify its compliance with

its obligations under the NPT and the Agreed Framework. While the North Koreans initially refused to meet in the six-party context, they eventually agreed and a number of meetings among the parties took place, beginning in 2003 and ending in September, 2005. At the last meeting, there was agreement in principal on the rough outlines of a new framework, but there have been no meetings since then. What little progress was made has effectively been stalled, the North Koreans complaining that an American action to sanction a bank in China for dealing in North Korean counterfeit currency amounts to sanctions on the North, a situation it says must end before the DPRK will return to the table. Thus, the current situation has North Korea continuing to produce plutonium, and probably expanding its nuclear weapons arsenal, even as it works to construct a gas centrifuge facility that will yield still more fissile material.

The administration, having no faith in or enthusiasm for negotiations with Pyongyang, and no military option absent knowledge of the location of weapons, material or enrichment facility, is left without a policy for North Korea. In the meantime, the South Koreans continue to do business with the North, decreasing the incentive in the North to reach an agreement with the United States.

The situation with Iran has some of the same elements that are present in the North Korean case. The administration's unwillingness to engage Tehran has meant that negotiations with Iran over the years about ending its uranium enrichment program have been left to the Europeans—Britain, France and Germany—the Russians, and the IAEA. The United States has always favored bringing the matter to the UN Security Council, even though it was far from clear that the Council would be able to act given the veto power of both Russia and China. The basis for such a move was the discovery that Iran had secret nuclear facilities that it failed to submit to the IAEA for inspection. When Iran refused to terminate its enrichment program, the IAEA board ultimately did report the matter to the UN Security Council, where it now rests. Neither the Russians nor the Chinese appear willing to support any sanctions resolution that could lead to the use of force. With the United States still publicly declaring its disinterest in any direct discussions with Iran, and Iran continuing to construct the necessary facilities for a large centrifuge program, our policy is stalemated here as well.

## PRESCRIPTION

The policy prescription in both cases, North Korea and Iran, is the same: develop a serious negotiating position and engage both parties in direct discussions aimed at resolving the issues. In the case of North Korea, this would mean that we would have to be prepared to make serious concessions in the interest of gaining significantly from the North. On our side, we should be willing to give the North the bilateral negative security guarantees it seeks, regenerate the light water reactor program that had been initiated under the 1994 Agreed Framework and then abandoned in 2003, remove continuing sanctions against business with North Korea, and generally normalize relations with the North. We have to be prepared to do all this, without requiring fundamental changes in the North's government or human rights policy. The near term benefits would be limited to national and international security, while our concern for the people of North Korea would have to be addressed over the longer term, much as we approach other governments whose domestic policies we find repugnant. On their side, we would have to require of the North that it give up its uranium enrichment activity, cease reprocessing and dismantle its gas graphite nuclear program as had been planned under the Agreed Framework, disassemble its nuclear weapons and submit accumulated plutonium to safeguards before removal from the country, and return to the NPT—and all this under an inspection regime that would have to be more extensive than the standard IAEA provisions.

The Iranian case requires that the United States develop with the Europeans and the Russians a robust set of incentives that are materially significant and which address the issues of national prerogative raised by our insistence that Iran abandon its uranium enrichment program. That package of incentives must be coupled with a set of sanctions whose effects would ultimately be felt by the regime, not just the people. The key to the Iran case is Russia: with Russian cooperation on sanctions and incentives, Tehran would have no place to turn; without Moscow aboard, the impact of American and European action will be undercut. At the same time, the possibility that the international community might at some point sanction military action aimed at slowing or stopping the Iranian nuclear program must be kept alive. Facing sanctions and suffering a possible air strike on the one hand, and enjoying a range of financial and trade inducements—including guaranteed access to uranium enrichment services—on the other, might well persuade Tehran to agree

to freeze its enrichment activity until it developed a light water reactor economy that could plausibly justify the development of its own enrichment facility. This would likely take a decade or two. Again, as with North Korea, the key is the willingness of the United States to directly engage Iran, rather than continuing to leave the responsibility of negotiations to others as we deplore the lack of progress.

## THE INDIA DEAL

Three points about the deal should be made. The first is that those who advocate making this special arrangement to permit nuclear cooperation with India ought to be clear—and honest—about why they are doing so. The second is that the reasons for making the particular deal they propose, while important, do not justify the cost to the national security of doing so. And third, that there is an arrangement which would, in fact, strike the right balance between competing national security interests, an arrangement that may be negotiable at some future time, if not now.

Our non-proliferation policy has been a chronic irritant to US–India relations over the last thirty years. We should acknowledge the importance that India attaches to American willingness to change that policy so that the United States can begin to sell it nuclear equipment, material and technology. We should also admit that the proposed deal would grant what New Delhi values most, namely our acceptance of India as a nuclear weapons state. And while we are at it, we should admit that although the deal would be critically important to our goal of improving relations with India, it will really do nothing to help us deal with the risks posed by the proliferation of nuclear weapons. Assertions to the contrary are less than forthright.

There is no reason why we should attach any positive value to India's willingness to submit a few additional nuclear facilities of its choosing to international safeguards, so long as other fissile material producing facilities are free from safeguards. This move has been called “symbolic” by critics, but it is not at all clear what useful purpose it symbolizes. The other elements of the deal that are supposed to contribute to its non-proliferation value were in place before the deal was struck. The first point then, is that the Administration proposes this deal to address a genuine regional security objective and not because it helps in any way our global security concern over nuclear proliferation.

The second point is that the proposed arrangement will be too costly to the national security to be justified by gain in relations with India.

Since the dawn of the nuclear age and the arrival of intercontinental ballistic missiles, our nation has been defenseless against devastating attack—leaving us to rely on deterrence, the promise of retaliation, to deal with nuclear armed enemies. From the beginning, we recognized that this left us vulnerable to anyone who could not be deterred, and so, in some basic way, our security depended on limiting the number of countries that ultimately acquired nuclear weapons. Most analysts believe that fifty years of non-proliferation policy has something to do with explaining why the spread of nuclear technology has not led to the proliferation of nuclear weapons, why we live in a world of eight or nine nuclear weapons states, rather than eighty or ninety. A key part of that policy has been our support for an international norm captured in the very nearly universally adhered to Nuclear Non-Proliferation Treaty (NPT). The norm is simple: in the interest of international security, no more states should acquire nuclear weapons. There are many provisions in the treaty and details to be understood to fully appreciate the norm, but that is its essence. Certainly the fact that we have eight or nine states with nuclear weapons rather than only the original five, means that the norm has not held perfectly well. But it has had substantial force in the face of widespread acquisition of critical nuclear technologies, and that has been of vital importance to America's security. Simply put, the Administration now proposes to destroy that norm.

Some claim the deal would only recognize the reality of India's nuclear weapons program. But that is not accurate. Recognizing that India and a few additional countries have acquired nuclear weapons over the last three decades is not the issue. The damage will be done to the non-proliferation norm by *legitimizing* India's condition, by exempting it from a policy that has held for decades. And we would do this, we assert less than honestly, because of its exceptionally good behavior. In truth, we would reward India with nuclear cooperation because we now place such a high value on improved relations with New Delhi, not because of its uniquely good behavior.

Critics ask, if we do this deal, how will we explain, defend, and promote our policy of stopping Iran's proposed uranium enrichment program? Iran is, after all, a party to the Nuclear Non-Proliferation Treaty, and as far as we know, has no fissile material outside of international

safeguards and has never detonated a nuclear explosive device. A good question, but not the best one because India has arguably been a more responsible member of the international community than Iran. Rather, if we do this deal, ask how we will avoid offering a similar one to Brazil or Argentina if they decide on nuclear weapons acquisition, or our treaty ally South Korea. Dozens of countries around the world have exhibited good behavior in nuclear matters, and have the capability to produce nuclear weapons, but choose not to, at least in part, because of the international norm against nuclear weapons acquisition, reinforced by a policy we would now propose to abandon. If we do this, we will put at risk a world of very few nuclear weapons states, and open the door to the true proliferation of nuclear weapons in the years ahead.

Finally, if there are two national security objectives in conflict here, one regional and the other global, is it possible to reconcile them? The answer is probably yes, but not now, not in the current context. Clearly and regrettably, if the Administration's proposal does not succeed, in much the same form in which it has been put forth, US - India relations will deteriorate for a time. But acknowledging that does not mean that we should go ahead with a deal that would do irreparable damage to our long-term national security interests. Instead, we should put forth a proposal that more nearly balances regional and global security interests, recognizing that it will be some time, at best, before it will appeal to New Delhi.

The proposal would permit nuclear cooperation with India, if it accepts a reasonably verifiable ban on the production of any more fissile material for nuclear weapons purposes. This approach would permit India reprocessing and enrichment facilities, but effectively require international safeguards on all its nuclear facilities and any nuclear material produced in the future. Its appeal in regional terms is that it would allow India to pursue nuclear energy without restrictions of any kind—more than we are willing to do for Iran at the moment. From the global security perspective, we will have succeeded in capping a nuclear weapons program, a substantive achievement which arguably offsets a breach of the long-standing policy against nuclear cooperation with a state such as India that does not accept full-scope safeguards. The deal would have to have other provisions, such as rigorous nuclear export control policies, a ban on export of enrichment or reprocessing technology, and a permanent prohibition on nuclear explosive testing, but this is its essence.

The deal described above would require India to choose between the opportunity to expand its nuclear energy program on the one hand, and the expansion of its nuclear weapons arsenal on the other. The Administration proposes to allow India to do both, and that would be a mistake. Our security depends on maintaining the norm against nuclear weapons proliferation.

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