

III. The Situation in the Democratic People's Republic of Korea

Introduction

There has been considerable discussion regarding the Democratic People's Republic of Korea (DPRK) since the creation of the United Nations.¹ Between 1950 and 1952, the UN undertook its first peace enforcement mission in its existence on the Korean peninsula, otherwise known as the Korean War.² In June 1950, armed forces of the DPRK crossed the 38th parallel in the southern portion of the peninsula.³ The invasion prompted the UN Security Council (UNSC) to pass S/RES/83(1950) and S/RES/84(1950), authorizing the use of military force on the Korean Peninsula to restore peace.⁴ The Korean War ended in an armistice, establishing the independent states of the DPRK in the north and the Republic of Korea (ROK) in the south.⁵ Following the Korean War, the DPRK remained an isolated Member State of the UN.⁶ The DPRK was created and has been continuously led by the Kim family regime, having seen three generations of Kim leaders in its existence.⁷ The Kim regime has been under international scrutiny through its three-generation rule.⁸ By the early 1990s, the DPRK actively began pursuing nuclear capabilities at the expense of its citizens' well-being.⁹ Despite these concerns, the DPRK was formally admitted to the UN in 1991.¹⁰ Since admission, relations between the UN and the DPRK have been contentious, mainly revolving around the DPRK's nuclear capability and human rights violations.¹¹ For decades, the international community contended with the DPRK's growing military arsenal and nuclear capabilities that threaten international peace and security.¹²

Foreign Relations with the DPRK

The DPRK operates its foreign relations under a policy of almost complete isolationism.¹³ This policy of isolationism has long been part of the Kim regime's ideology, dating back to the end of the Korean War.¹⁴ However, despite this policy of isolationism, the DPRK has relations with over 160 Member States, with embassies in 46 Member States and several trading and diplomatic missions.¹⁵ One of the historically strongest allies of the DPRK has been the People's Republic of China (PRC).¹⁶ Since the Korean War, the PRC has been a prominent member of the DPRK's foreign policy.¹⁷ A majority of Member States with diplomatic relations with the DPRK handle these relations through PRC embassies.¹⁸ Moreover, the PRC-DPRK relationship is governed by the 1961 Treaty of

¹ Wilson Center Digital Archive, "Korea at the United Nations," 2020,

<https://digitalarchive.wilsoncenter.org/collection/130/korea-at-the-united-nations>, (accessed April 10, 2023).

² Alex J. Bellamy and Paul Williams, "Chapter 9. Peace Enforcement." In *Understanding Peacekeeping*. 2nd ed. 214-229. Cambridge: Polity, 2011.

³ United Nations Command, "History of the Korean War," 2023, <https://www.unc.mil/History/1950-1953-Korean-War-Active-Conflict/>, (accessed April 10, 2023).

⁴ United Nations Command, "History of the Korean War."

⁵ Alex J. Bellamy and Paul Williams, "Chapter 9. Peace Enforcement," In *Understanding Peacekeeping*.

⁶ Victor Cha, "Chapter 1. Contradictions," In *The Impossible State: North Korea, Past and Future*, 3rd ed., 1-18, HarperCollins, 2018.

⁷ Victor Cha, "Chapter 1. Contradictions," In *The Impossible State: North Korea, Past and Future*.

⁸ Victor Cha, "Chapter 1. Contradictions," In *The Impossible State: North Korea, Past and Future*.

⁹ Victor Cha, "Chapter 1. Contradictions," In *The Impossible State: North Korea, Past and Future*.

¹⁰ United Nations General Assembly, "Admission of the Democratic People's Republic of Korea and the Republic of Korea to Membership in the United Nations," United Nations, September 17, 1991, <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/UNMembers%20ARES%2046%201.pdf>, (accessed April 10, 2023).

¹¹ Victor Cha, "Chapter 1. Contradictions." In *The Impossible State: North Korea, Past and Future*.

¹² Victor Cha, "Chapter 1. Contradictions." In *The Impossible State: North Korea, Past and Future*.

¹³ Victor Cha, "Chapter 1. Contradictions." In *The Impossible State: North Korea, Past and Future*.

¹⁴ Lenka Caisova, *North Korea's Foreign Policy: The DPRK's Part on the International Scene and Its Audiences*, Routledge, October 12, 2018.

¹⁵ Daniel Wertz, JJ Oh, and Kim Insung, "DPRK Diplomatic Relations," The National Committee On North Korea, August 2016, https://www.ncnk.org/sites/default/files/content/resources/publications/NCNK_Issue_Brief_DPRK_Diplomatic_Relations.pdf, (accessed April 10, 2023).

¹⁶ Daniel Wertz, JJ Oh, and Kim Insung, "DPRK Diplomatic Relations."

¹⁷ Eleanor Albert, "Understanding the China-North Korea Relationship," Council on Foreign Relations, June 25, 2019, <https://www.cfr.org/background/china-north-korea-relationship>, (accessed April 10, 2023).

¹⁸ Daniel Wertz, JJ Oh, and Kim Insung, "DPRK Diplomatic Relations."

Friendship, Cooperation, and Mutual Assurance, a security treaty setting military responses on behalf of each other.¹⁹ Despite disagreements with the PRC on specific aid agreements in 2017 as a result of the PRC upholding sanctions on the DPRK for its nuclear and missile testing program, the Treaty was renewed in 2021.²⁰ During that time, the PRC reaffirmed it would only defend the DPRK if it were attacked first, making this alliance the only one of its kind for the PRC.²¹ The relationship between the DPRK and the PRC remains a prominent and developing one economically and militarily.²²

Relations between the DPRK, the UN, and human rights organizations are historically contentious. Since 2003, the UN General Assembly has adopted an annual resolution condemning the human rights atrocities occurring in the DPRK.²³ Nongovernmental advocacy groups have reported continued abuses against citizens by the government, extrajudicial executions, disappearances, labor camps, and other various civil human rights abuses.²⁴ The government has also banned independent media, trade unions, and the freedoms of expression, peaceful assembly, and religion.²⁵ Since 2006, the UNSC has placed nine major sanctions on the DPRK.²⁶ Many sanctions against the DPRK stem from its nuclear and missile testing activities, all of which were in violation of previous UNSC resolutions.²⁷ As the UN imposes sanctions, Member States are granted the authority to interdict and inspect cargo from the DPRK that enters the domestic territory.²⁸ Additionally, the DPRK is not a member of several international treaties, most notably the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), having withdrawn in 2003.²⁹ The NPT is the landmark treaty on the prevention of the creation and spread of nuclear weapons and weapons technology.³⁰

Nuclear Proliferation and Testing

The DPRK is most internationally known for its nuclear weapons program.³¹ The DPRK started its nuclear research in the late 1960s to be a source of generating nuclear energy domestically for the DPRK, in cooperation with the Soviet Union.³² By the late 1970s and early 1980s, the Kim regime developed an interest in nuclear weapons capabilities.³³ In 1985, foreign intelligence confirmed the DPRK had a nuclear weapons program and testing facilities.³⁴ The DPRK denied the nuclear weapons allegations, claiming nuclear facilities were for civilian energy research purposes.³⁵ By the 1990s, when the international community began to take notice of the DPRK's increasing weapons capability, the DPRK established being a nuclear state into the identity of their national political system

¹⁹ Victor Cha, "Chapter 8. Neighbors," In *The Impossible State: North Korea, Past and Future*, 3rd ed., 315–85, HarperCollins, 2018.

²⁰ Khang Vu, "Why China and North Korea decided to renew a 60-year-old treaty," *The Interpreter*, July 30, 2021, <https://www.lowyinstitute.org/the-interpreter/why-china-north-korea-decided-renew-60-year-old-treaty>, (accessed April 10, 2023).

²¹ Khang Vu, "Why China and North Korea decided to renew a 60-year-old treaty."

²² Albert, Eleanor. "Understanding the China-North Korea Relationship." Council on Foreign Relations, June 25, 2019. <https://www.cfr.org/background/china-north-korea-relationship>. (accessed June 20, 2023).

²³ Korea JoongAng Daily, "UN General Assembly passes North Korean human rights resolution for 18th consecutive year," December 16, 2022, <https://koreajoongangdaily.joins.com/2022/12/16/national/northKorea/north-korea-korea-united-nations/20221216092201128.html>, (accessed April 10, 2023).

²⁴ Human Rights Watch, "North Korea: Events of 2022," 2023, <https://www.hrw.org/world-report/2023/country-chapters/north-korea>, (accessed April 10, 2023).

²⁵ Human Rights Watch, "North Korea: Events of 2022."

²⁶ Arms Control Association, "UN Security Council Resolutions on North Korea," April 2018, <https://www.armscontrol.org/factsheets/UN-Security-Council-Resolutions-on-North-Korea>, (accessed April 10, 2023).

²⁷ Arms Control Association, "UN Security Council Resolutions on North Korea."

²⁸ Arms Control Association, "UN Security Council Resolutions on North Korea."

²⁹ Arms Control Association, "UN Security Council Resolutions on North Korea."

³⁰ United Nations Office for Disarmament Affairs, "Treaty on the Non-Proliferation of Nuclear Weapons (NPT)," 2023, <https://www.un.org/disarmament/wmd/nuclear/npt/>, (accessed April 10, 2023).

³¹ Victor Cha, "Chapter 1. Contradictions."

³² Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

³³ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

³⁴ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

³⁵ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

and could not be deterred towards nonproliferation.³⁶ Nuclear weapons capabilities have become increasingly important due to increased economic prosperity in the ROK since both countries gained independence and the desire to regain independence from China.³⁷ The DPRK has used these weapons capabilities to gain leverage over the ROK, prompting diplomatic talks resulting in a decrease in tensions and an easing of long-standing hostilities.³⁸

The UN and numerous Member States have been involved in nuclear crises regarding the DPRK since the mid-1990s.³⁹ Member States have attempted bilateral and multilateral negotiations with the DPRK to deescalate the DPRK's nuclear proliferation in exchange for needed food and energy assistance.⁴⁰ Most notable of these attempts was the Six-Party Talks.⁴¹ The Six-Party Talks was a multilateral negotiation between the DPRK, the PRC, the Russian Federation, the ROK, Japan, and the United States, following the collapse of the 1994 Agreed Framework on DPRK nuclear capability.⁴² The goal of the Talks was to dismantle the DPRK's growing nuclear program and stop future construction of nuclear reactors in the Member State.⁴³ Between 2002 and 2009, the six parties held six rounds of negotiations, with the key agreement being the September 2005 Six-Party Joint Statement.⁴⁴ Taking place during the Fourth Round of negotiations, the September 2005 Six-Party Joint Statement affirmed the goal of the Talks was the verifiable denuclearization of the Korean peninsula, to which the DPRK committed to abandoning its nuclear weapons and existing nuclear programs per the NPT in exchange for energy assistance from the other five Party members.⁴⁵ The September 2005 Six-Party Joint Statement was at the time considered to be an important breakthrough in addressing nuclear proliferation.⁴⁶ However, after the statement was announced, the DPRK backed out of the agreement, claiming the other parties were not fulfilling their commitments to the statement and boycotted all further negotiations.⁴⁷ Following the boycott, the DPRK launched a ballistic missile test and, more notably, its first nuclear test in July 2006.⁴⁸ The UNSC issued resolutions condemning the test and applying sanctions on the DPRK.⁴⁹ The DPRK continued missile and nuclear testing into 2009, when it formally left the Six-Party Talks.⁵⁰

Recent Developments and Conclusion

Since the end of the Six-Party Talks, the DPRK has consistently made efforts to test and strengthen its missile and nuclear programs.⁵¹ The DPRK has conducted six underground nuclear tests since 2006, with the most recent in September 2017.⁵² In April 2018, the DPRK announced the closure of its nuclear testing program, having achieved its goal of creating a hydrogen bomb.⁵³ As of June 2023, the DPRK has tested almost 250 missiles capable of

³⁶ "Revisiting History: North Korea and Nuclear Weapons," Wilson Center, November 3, 2010, <https://www.wilsoncenter.org/event/revisiting-history-north-korea-and-nuclear-weapons>, (accessed April 11, 2023).

³⁷ "Revisiting History: North Korea and Nuclear Weapons," Wilson Center, November 3, 2010, <https://www.wilsoncenter.org/event/revisiting-history-north-korea-and-nuclear-weapons>, (accessed June 29, 2023).

³⁸ "Revisiting History: North Korea and Nuclear Weapons," Wilson Center, November 3, 2010, <https://www.wilsoncenter.org/event/revisiting-history-north-korea-and-nuclear-weapons>, (accessed April 11, 2023).

³⁹ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

⁴⁰ Markus Bell and Geoffrey Fattig, "Socializing a Nuclear North Korea: Human Security in Northeast Asia," *North Korean Review* 14, no. 1 (Spring 2018): 30–48, <https://www.jstor.org/stable/26396132>.

⁴¹ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)," In *The Impossible State: North Korea, Past and Future*, 3rd ed., 315–85, HarperCollins, 2018.

⁴² Kelsey Davenport, "The Six-Party Talks at a Glance," Arms Control Association, January 2022, <https://www.armscontrol.org/factsheets/6partytalks>, (accessed April 11, 2023).

⁴³ Kelsey Davenport, "The Six-Party Talks at a Glance."

⁴⁴ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

⁴⁵ "Joint Statement of the Fourth Round of the Six-Party Talks Beijing, September 19, 2005," US Department of State, September 19, 2005, <https://2001-2009.state.gov/r/pa/prs/ps/2005/53490.htm>.

⁴⁶ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

⁴⁷ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

⁴⁸ Victor Cha, "Chapter 7. Complete, Verifiable, and Irreversible Dismantlement (CVID)."

⁴⁹ United Nations Security Council, *Resolution 1695 (2006)*, S/RES/1695, July 15, 2006, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/431/64/PDF/N0643164.pdf?OpenElement>; United Nations Security Council, *Resolution 1718 (2006)*, S/RES/1718, October 14, 2006, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/572/07/PDF/N0657207.pdf?OpenElement>.

⁵⁰ Kelsey Davenport, "The Six-Party Talks at a Glance."

⁵¹ Mary Beth D. Nikitin, "North Korea's Nuclear Weapons and Missile Programs," Congressional Research Service, March 29, 2023, <https://sgp.fas.org/crs/nuke/IF10472.pdf>, (accessed April 11, 2023).

⁵² Mary Beth D. Nikitin, "North Korea's Nuclear Weapons and Missile Programs."

⁵³ Mary Beth D. Nikitin, "North Korea's Nuclear Weapons and Missile Programs."

delivering payloads of 1100 pounds over 300 kilometers.⁵⁴ In June, the DPRK continued to fire missiles toward the East Sea and over Japan.⁵⁵ Due to their close geographical proximity, most missile tests take place over the ROK and Japan, creating security tensions in the East Asia region.⁵⁶ Recent tests over the ROK and Japan can also be attributed as responses to the political alliance between the ROK, Japan, and the U.S.⁵⁷ The DPRK has also tested intercontinental ballistic missiles with the capability of reaching North America.⁵⁸ As of late 2022, the DPRK holds an estimated 20-60 warheads based on fissile material production, with an estimated stockpile of 20-48 kilograms of weapons-grade plutonium and 600-950 kilograms of highlight enriched uranium.⁵⁹

In 2022, the DPRK recorded more missile tests and launches than any year previous, almost a quarter of all missiles ever launched by the Member State.⁶⁰ Most notably, the DPRK tested the Hwasong-17, believed to be the most powerful intercontinental ballistic missile launched by the Member State, with the potential capability to reach the continental United States.⁶¹ Leader Kim Jong-un also declared the DPRK a nuclear weapons state in 2022, raising international tensions to their highest in years.⁶² The UN Secretary-General has condemned the missile tests.⁶³ The UNSC extended the mandate for the expert panel of DPRK sanctions but has not released a resolution on the missile testing as of September 2023.⁶⁴ Between June 15 and August 30, 2023, the DPRK tested seven short-range and intercontinental ballistic missiles.⁶⁵ UN officials reported the DPRK has publicly stated it would exponentially increase its nuclear arsenal, continue to develop further missile systems, and launch its first military satellite.⁶⁶ Despite facing ongoing sanctions from the United Nations and having a significant military arsenal, understanding the DPRK's nuclear and missile capabilities are crucial to the UNSC in maintaining global peace and security.⁶⁷

⁵⁴ James Martin Center for Nonproliferation Studies, "The CNS North Korea Missile Test Database," NTI, March 24, 2023, <https://www.nti.org/analysis/articles/cns-north-korea-missile-test-database/>, (accessed April 11, 2023).

⁵⁵ Shinkman, Paul. "North Korea Launches Ballistic Missiles toward Japan in Defiance of U.S. Military Drills." US News and World Report, June 15, 2023. <https://www.usnews.com/news/world-report/articles/2023-06-15/north-korea-launches-ballistic-missiles-toward-japan-in-defiance-of-u-s-military-drills#:~:text=June%2015%2C%202023%2C%20at%2011%3A18%20a.m.&text=North%20Korea%20fired%20two%20ballistic,what%20Pyongyang%20considers%20provocative%20behavior.> (accessed June 16, 2023).

⁵⁶ Ankit Panda, "How Some U.S. Satellite Data Could Aid Japan and South Korea Against North Korea," Carnegie Endowment for International Peace, March 14, 2023, <https://carnegieendowment.org/2023/03/14/how-some-u.s.-satellite-data-could-aid-japan-and-south-korea-against-north-korea-pub-89264>, (accessed April 11, 2023).

⁵⁷ Ankit Panda, "How Some U.S. Satellite Data Could Aid Japan and South Korea Against North Korea," Carnegie Endowment for International Peace, March 14, 2023, <https://carnegieendowment.org/2023/03/14/how-some-u.s.-satellite-data-could-aid-japan-and-south-korea-against-north-korea-pub-89264>, (accessed April 11, 2023).

⁵⁸ Ellen Kim, "North Korea's Ballistic Missile Campaign," Center for Strategic & International Studies, March 20, 2023, <https://www.csis.org/analysis/north-koreas-ballistic-missile-campaign>, (accessed April 11, 2023).

⁵⁹ "Nuclear Disarmament North Korea," NTI, October 20, 2022, <https://www.nti.org/analysis/articles/north-korea-nuclear-disarmament/>, (accessed April 11, 2023).

⁶⁰ Jean Mackenzie, "North Korea: What we can expect from Kim Jong-un in 2023," BBC News, January 3, 2023, <https://www.bbc.com/news/world-asia-64123657>, (accessed April 11, 2023).

⁶¹ Jean Mackenzie, "North Korea: What we can expect from Kim Jong-un in 2023."

⁶² Jean Mackenzie, "North Korea: What we can expect from Kim Jong-un in 2023."

⁶³ "Condemning Ballistic Missile Launch, Secretary-General Call on Democratic People's Republic of Korea to Cease Destabilizing Actions, Resume Dialogue," *Meetings Coverage and Press Releases*, UN News, March 17, 2023, <https://press.un.org/en/2023/sgsm21728.doc.htm>, (accessed April 11, 2023).

⁶⁴ "Security Council Extends Mandate of Expert Panel Overseeing Sanctions against Democratic People's Republic of Korea until 30 April 2024," *Meetings Coverage and Press Releases*, UN News, March 23, 2023, <https://press.un.org/en/2023/sc15240.doc.htm>, (accessed September 27, 2023).

⁶⁵ Reuters, "North Korea Conducts Missile Launch into Sea after US Bomber Drills," August 30, 2023, <https://www.reuters.com/world/asia-pacific/north-korea-fired-what-could-be-ballistic-missile-japan-government-2023-08-30/>, (accessed September 19, 2023).

⁶⁶ Democratic People's Republic of Korea's New Ballistic-Missile Launch Dangerously Raising Tensions, Senior Official Warns Security Council, Urging Unity, Dialogue," *Meetings Coverage and Press Releases*, UN News, February 20, 2023, <https://press.un.org/en/2023/sc15204.doc.htm>, (accessed April 11, 2023).

⁶⁷ United Nations Security Council, *Resolution 1695 (2006)*, S/RES/1695, July 15, 2006, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/43/1/64/PDF/N0643164.pdf?OpenElement>; United Nations Security Council, *Resolution 1718 (2006)*, S/RES/1718, October 14, 2006, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/57/2/07/PDF/N0657207.pdf?OpenElement>.