

VERIFICATION RESEARCH, TRAINING AND INFORMATION CENTRE

Development House, 56–64 Leonard Street
London EC2A 4LT, United Kingdom

Tel +44 (0)20 7065 0880

Fax +44 (0)20 7065 0890

Website www.vertic.org

MULTILATERAL NUCLEAR DISARMAMENT VERIFICATION AND NORTH KOREA Kuala Lumpur, 26 November 2013

David Cliff, VERTIC Researcher

Firstly, thank you to Meena and INENS for the invitation to come and speak here this week, and for covering various costs and generally making participation as straightforward as possible.

And secondly let me introduce myself. For those of you who've not met me already, I'm David Cliff and I work at VERTIC—an NGO in London that specialises in promoting and developing methods for effective treaty verification through research and legal assistance work.

We currently work mainly on nuclear disarmament and non-proliferation, chemical and biological weapons issues and radioactive material trafficking.

I've been at VERTIC for about three years now. Since I started there I've worked on nuclear issues ranging from North Korea and Iran, to the Comprehensive Test Ban, to the verified dismantlement of nuclear warheads and other parts of states' nuclear weapon complexes, the concept of 'irreversibility' of nuclear weapons dismantlement and on a project for the UK Foreign Office, helping to extend the number of states who have enacted the IAEA Additional Protocol in their state legislation.

What I want to talk about today brings together a number of those issues: principally the nuclear 'crisis' surrounding North Korea and verified nuclear disarmament—specifically disarmament that is verified on a multilateral basis.

I've no PowerPoint, incidentally, but this talk will be going up on the VERTIC website in the next few days if anyone gets lost taking notes or just wants a record of what I've said.

I'll add also that I'm not here to provide lots of answers, and I certainly don't have any 'road-map' to success.

At the outset it's worth saying that short of North Korea's collapse or its defeat in some future conflict, verifying its nuclear disarmament would require North Korea to be on board—both with the disarmament *and* with the verification.

None of those scenarios seem likely for the moment.

But what I do want to do today is to present some ideas for consideration and discussion, based on what I know of the situation in North Korea and the work that my colleagues and I at VERTIC have been doing over the last two-to-three years.



Our work is very forward-looking. It's about laying the groundwork for actions later, and it's in that context that this presentation has been written and the ideas within it developed.

The multilateral verification of nuclear disarmament

So it's to multilateral verification that I want to turn to first.

Over the past few years VERTIC has been engaged in research to investigate the potential role of intergovernmental organisations in disarmament verification.

In particular this project is focused on the role that the International Atomic Energy Agency might be able to play in a future disarmament scenario where verification is called for.

The IAEA traditionally plays a role in non-proliferation: by applying safeguards to states' nuclear energy programmes. Its role to date with disarmament verification has been far more limited, however, though a role for the agency in disarmament verification is included in the IAEA's statute.

Verification in this context could be of the dismantlement of warheads, or of nuclear explosive devices, or it could address other aspects of nuclear disarmament: verifying that certain quantities of fissile material are put beyond military use for example, or that production and weaponisation facilities are shut down.

The impetus to set up this project came from the work of the UK-Norway Initiative, which looked at the ways in which non-nuclear-weapon states could be involved in verifying the dismantlement of nuclear warheads.

This is difficult, of course, because taking apart nuclear warheads can expose their inner workings—which presents risks of violations of the Non-Proliferation Treaty if non-nuclear-weapon are exposed to such information.

Nonetheless, the Norwegians in particular felt strongly that non-nuclear-weapon states should not be restricted from getting involved if their involvement could be properly managed.

From that sentiment the UK-Norway Initiative was born.

And from the UK-Norway Initiative was born VERTIC's own project on multilateral verification.

VERTIC's project expands on the work being conducted by the UK and Norway in two respects, however.

Firstly, it is focused on the role of inter-governmental organisations in verification, not individual non-nuclear-weapon states.

And secondly, it is focused not just on warhead dismantlement but on nuclear *disarmament*, which as I've noted can involve a whole range of different activities—including, but going far beyond, dismantling nuclear devices.

The situation in North Korea

From that, I want to jump to the North Korean issue, and I'm going to jump back to multilateral verification in a moment.

First of all, nuclear verification activities inside North Korea over recent years have been minimal.

The IAEA have been in and out of North Korea over the last two decades, most recently in connection with a 'disablement' deal reached in 2007.

But that plan broke down in 2009; and, except for a trip to North Korea's Yongbyon site in late 2010 by the senior US nuclear scientist Siegfried Hecker, there isn't much information beyond hearsay as to what facilities North Korea has at the moment and what condition they are in.

It was Professor Hecker's 2010 report on Yongbyon, which some of you will probably know, that revealed the existence of a centrifuge enrichment plant at Yongbyon.

As the sub-heading to an article he wrote in *Foreign Affairs* noted: 'Pyongyang's plutonium is no longer the only problem.'

The centrifuge facility was described as being remarkably advanced, though since then little new information has emerged.

Remember also that there remain a host of unanswered questions in connection with North Korea's initial declaration of nuclear material that it provided in the 1990s.

So there is also no firm baseline against which, say, calculations of how much nuclear material might've been used up in its various test explosions can be pegged.

By comparison to all this, by virtue of its Comprehensive Safeguards Agreement and the regular IAEA inspections that agreement permits, *vastly* more information is known about the Iranian nuclear programme.

Iran is like an open book compared to North Korea.

But similar to many other respects of North Korean life, North Korea's nuclear activities are more or less entirely closed-off to the world.

And that of course leads to the danger that situations can spiral out of control on the basis of guesswork in the place of hard information.

The benefits of multilateralism

Okay, back to multilateralism.

A year ago, in London, I gave a presentation in which I set out a number of benefits of multilateral involvement in a verification mission.

And by multilateral I refer both to collections of individual countries and to international organisations—

just one of which can be taken to be equally multilateral by virtue of the number of countries such organisations represent.

The first and most central of those benefits was what I called 'increased international validity in the outcome', especially if an organisation such as the IAEA was involved, with its good-standing and decades of nuclear verification expertise.

That the IAEA also has a past and ongoing experience with disarmament verification should also not be forgotten. Most people, when they think of the IAEA at all, associate its verification role with the implementation of safeguards around the world; its non-proliferation role.

And in many ways that's correct. Safeguards is the agency's primary verification role.

But over the past two decades it has played a role in disarmament verification on several occasions.

The IAEA, for instance, verified that South Africa's nuclear disarmament had been carried out fully. It worked with the US and Russia for a number of years also on working out the various issues involved in verifying the disposition of excess fissile material from weapons. And more recently, and similarly, the IAEA is the verification authority for the US-Russian agreement to dispose of more than 30 tons each of surplus plutonium: the so-called Plutonium Management and Disposition Agreement.

What's more, its possible to detect a shift of feeling among the membership of the IAEA to this role.

For the first time, the safeguards resolution debated—and passed—at the IAEA General Conference this year saw the matter included in a paragraph that recalls the agency's statutory role in 'furthering the establishment of safeguarded worldwide disarmament'.

It should be noted that fierce disagreements over whether or not to include disarmament language in this resolution have previously prevented its adoption.

How entrenched this language becomes remains to be seen.

But at least for now it's possible to say that the current of opinion may be shifting within the agency in favour of an enhanced verification role in disarmament.

The role of multilateralism in North Korea

In the presentation I just referred to I also set out a number of possible scenarios in which multilateral verification could be applied.

One of these was North Korea.

For years North Korea's nuclear crisis has been the focus of the so-called six-party talks.

I often hear or read about the 'death' of the six-party process, but whether or not that particular grouping is re-established and begins work again doesn't change the fact that the concern of those other five countries—let's call them the 'six-party five'—will not have altered as they assess goings-on in North

Korea.

The North Korean crisis, if some kind of breakthrough can be reached, presents an ideal candidate for the application of multilateral verification processes because it's hard to see how the six-party five would not all want to be involved in verifying some kind of disarmament deal.

Likewise in the event of disarmament in the absence of a deal (following the collapse of the regime, for instance).

That, of course, raises equality as an issue.

Specifically: how can countries of differing nuclear weapon status and with differing resources be involved on an equitable basis in a verification mission of such kind?

One possible solution to consider is to have verification carried out by the IAEA.

That's no perfect solution as it raises a host of questions about which countries' personnel make up inspection teams, who does what, and how potentially proliferative is data handled, analysed and distributed—but it presents an attractive option for three reasons.

And it's with these three reasons that I'll draw to a close.

In short, they're about impartiality, expertise and acceptance.

One: while I accept that the IAEA is a forum in which the politics of dozens of countries interact and compete, those very same factors ensure that its work must be rigorous and carried out impartially—or its findings will not be accepted by many among its membership. *More of which in a moment.*

Two: the IAEA is an expert body in the field of nuclear verification. It is, in fact, the world's foremost nuclear verification body with rosters of experts on which to draw. The IAEA has, as I mentioned before, decades of safeguards experience, a wealth of expertise regarding decommissioning and nuclear safety, and work on nuclear disarmament would also not set a new precedent for it.

In this regard, VERTIC's project sets out to investigate the political, technical and procedural issues associated with enhancing multilateral involvement in disarmament verification, with a view to future scenarios where such verification might be called for.

And third, finally from me, acceptance.

I alluded to this just now, and earlier on in my talk also.

If an international body such as the IAEA was to carry out—or play a major role—in the verification of disarmament in a place such as North Korea then the case can be made that the world will be more accepting of its findings than if a small collection of states were to do so.

Take as an example the positive global reaction to the agency's verdict on the fullness of South Africa's

nuclear disarmament.

North Korea is very different, yes. South Africa was very cooperative, and it may not be the case that North Korea will be, but that doesn't change the underlying premise I don't think.

North Korea agreeing to disarmament in the first place would be a huge development of course.

I said at the beginning that I didn't necessarily have any answers, just ideas for discussion, and one of the biggest of course—where I want to leave today—is how to get North Korea to that point.