

EFFECTIVENESS OF SANCTIONS IN NUCLEAR NON-PROLIFERATION: THE NORTH KOREAN CASE

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In the 21st century, North Korea and Iran have emerged as central challenges to the global struggle against nuclear proliferation. Their relentless pursuit of nuclear capabilities has escalated global tensions and underscored the challenges faced by the international community in reining in such ambitions. Sanctions have long been a cornerstone of foreign policy, employed as a strategic tool to deter and dissuade nations from advancing their nuclear programmes. Yet, the effectiveness of sanctions remains hotly debated: can they truly compel a determined state to abandon its nuclear aspirations, or do they merely push these nations to find alternative means of achieving their goals?

The roots of contemporary non-proliferation efforts can be traced back to the aftermath of World War II. The devastation of Hiroshima and Nagasaki marked the beginning of the nuclear age, wherein the potential for nuclear conflict became a defining threat to global security. The Cold War era demonstrated these fears, when the United States and Soviet

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Union teetered on the edge of a nuclear war during the Cuban Missile Crisis in 1962.¹ This near-catastrophe drew attention to the dangers of nuclear proliferation, leading to the introduction of the nuclear Non-Proliferation Treaty (NPT) in 1968, aimed at preventing the spread of nuclear weapons and promoting disarmament.² Despite these efforts, horizontal proliferation—the spread of nuclear capabilities to additional countries—

remained a significant concern. Following the end of the Cold War, concerns about North Korea's nuclear ambitions began to escalate as the regime advanced its nuclear programme. Tensions heightened further when North Korea threatened to withdraw from the NPT amid inspections of its nuclear facilities by the International Atomic Energy Agency (IAEA). Over the years, North Korea has continued to challenge the international community through its provocative missile tests, prompting the imposition of sanctions designed to deter its nuclear development. However, this approach raises a critical question: are sanctions an effective tool in addressing North Korea's persistent defiance, or must global strategies be reevaluated to meet the complexities of this enduring challenge?

The effectiveness of sanctions in altering a state's policies or behaviour has been the subject of an ongoing debate among experts. Libya is often cited as an example as it abandoned its nuclear weapons programme in 2003. The decision was widely attributed to the combined effects of international sanctions that had crippled Libya's economy and isolated it from the global community. The Libyan government, eager to end its pariah status and revive its economy, viewed the lifting of sanctions as a vital step

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1. John F. Kennedy, Presidential Library and Museum, Radio and Television Address to the American People on the Soviet Arms Build-up in Cuba, JFKWHA-142-001, 1962, <https://www.jfklibrary.org/asset-viewer/archives/jfkwha-142-001>
 2. Treaty on the Non-Proliferation of Nuclear Weapons (NPT), INFCIRC/140, International Atomic Energy Agency, 1968.

toward reintegration into the international community. Additionally, Libya sought strong assurances from Western powers, particularly the United States, to guarantee the regime's survival in exchange for abandoning its nuclear programme.³ However, the subsequent Western-backed intervention in support of the popular uprising against Gaddafi's regime in 2011 served as a stark reminder to other isolated regimes of the potential risks associated with abandoning a nuclear deterrent.⁴ Unlike Libya, North Korea has already developed nuclear weapons and views its nuclear capability as a source of its strategic strength, showing no intention of unilaterally relinquishing them.

For Pyongyang, Libya's experience reinforced the belief that nuclear weapons are the ultimate safeguard against external intervention and regime change, leading to a cautious approach to disarmament. When sanctions are used as a tool of foreign policy, especially in regimes where survival is dependent upon maintaining a strategic deterrent, their long-term implications raise doubts among other states about whether such measures can effectively ensure security and stability for compliant regimes.

In this backdrop, the paper attempts to analyse how the sanctions coupled with diplomacy (such as the Six-Party Talks) have fallen short in curbing North Korea's nuclear ambitions. How effectively have countries like China and Russia enforced the sanctions to curb the expansion of North Korea's nuclear weapons programme? What alternative strategies could effectively halt North Korea's nuclear weapons programme while preventing future

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3. Malfrid Hegghammer, "Giving Up on the Bomb: Revisiting Libya's Decision to Dismantle its Nuclear Program," Wilson Centre, 2017. Accessed on November 30, 2024.

4. Stacey Yuen, "How the Miserable Death of Moammar Gadhafi Factors into Kim Jong-Un's Nuclear Ambitions," CNBC, 2017, <https://www.cnbc.com/2017/07/30/how-the-miserable-death-of-moammar-gadhafi-factors-into-kim-jong-uns-nuclear-ambitions.html>. Accessed on November 30, 2024.

nuclear proliferation in regional states like South Korea and Japan, should they choose to pursue such a path?

WHY IS THE CASE OF NORTH KOREA CRUCIAL?

The case of the Democratic People's Republic of Korea (DPRK) is crucial to understanding the effectiveness of sanctions because of its prolonged defiance. North Korea remains one of the most heavily sanctioned countries, facing measures imposed by both the United Nations and its influential members such as the United States. Despite decades of economic restrictions, including those targeting its nuclear and missile programmes, the regime continues to develop and test nuclear weapons. While gauging the effectiveness of sanctions against North Korea, it is essential to consider their long and complex history.

The DPRK began the development of its civilian nuclear programme with the assistance of China and Russia in the 1960s, while the seeds were sown in the late 1950s with the signing of two atomic energy agreements with the USSR.⁵ In the 1980s, North Korea initiated the construction of a small Magnox nuclear reactor at Yongbyon.⁶ The estimated output of this reactor was 20 to 30 megawatt-thermal (MWt), and it used gas cooling and graphite moderation. The design of this reactor was particularly suited for the production of weapons-grade plutonium, making it a strategic asset for North Korea's nuclear ambitions. As Western concerns about the reactor grew, Russia successfully persuaded North Korea to sign the NPT. On December 12, 1985, the DPRK acceded to the treaty, with the NPT Safeguards Agreement (INFCIRC/403) entering into force on April 10, 1992.⁷ The safeguards agreement obligated the DPRK to submit a comprehensive

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5. The Nuclear Threat Initiative, "Yongbyon Nuclear Research Center," <https://www.nti.org/education-center/facilities/yongbyon-nuclear-research-center/#:~:text=The%20Yongbyon%20Nuclear%20Research%20Center,and%20was%20completed%20in%201964.> Accessed on December 1, 2024.
 6. David Albright, "North Korean Plutonium Production", *Science & Global Security*, vol. 5, 1994, pp. 63–87.
 7. International Atomic Energy Agency, Fact Sheet on DPRK Nuclear Safeguards, [https://www.iaea.org/newscenter/focus/dprk/fact-sheet-on-dprk-nuclear-safeguards#:~:text=On%2012%20December%201985%20the,force%20\(INFCIRC%2F403\).](https://www.iaea.org/newscenter/focus/dprk/fact-sheet-on-dprk-nuclear-safeguards#:~:text=On%2012%20December%201985%20the,force%20(INFCIRC%2F403).) Accessed on December 1, 2024.

report to the IAEA detailing all nuclear materials that would be subject to safeguards. However, after conducting several inspections in the latter half of 1992, the IAEA identified significant discrepancies in the information provided by North Korea. In February 1993, the agency called for special inspections at two plutonium storage facilities within the Yongbyon nuclear complex. North Korea promptly dismissed the request and subsequently declared its intention to withdraw from the NPT in March.⁸

The situation escalated in 1994 when the United States proposed that the Security Council impose stringent sanctions on the DPRK. This was the critical turning point in US-DPRK relations as the DPRK had issued a warning that if sanctions were imposed, it would mean war. As the stakes were high for a military conflict, then US President Jimmy Carter travelled to North Korea in June to negotiate a peace deal with the then leader Kim Il-Sung.⁹ Carter's visit temporarily diffused the tensions and the United States subsequently entered into negotiations with the DPRK and these talks eventually led to the signing of the Agreed Framework on October 21, 1994.¹⁰ Under the Agreed Framework, the DPRK committed to freezing and eventually dismantling its graphite-moderated nuclear reactors and related facilities at Yongbyon and Taechon. The DPRK also reaffirmed its status as a member of the NPT, pledged to comply with its IAEA safeguards agreement at a later date, agreed to implement the North-South Denuclearisation Agreement, and committed to working with the United States to safely store and dispose of spent fuel from the 5-megawatt (MW) reactor.¹¹ Amid the longstanding mutual enmity and distrust between the US and DPRK, the Agreed Framework offered a

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8. David Fischer, "The DPRK's Violation of its NPT Safeguards Agreement with the IAEA," International Atomic Energy Agency, 1997, <https://www.iaea.org/sites/default/files/dprk.pdf>
 9. Jimmy Carter (39th US president) in discussion with *Frontline*, March 21, 2003, <https://www.pbs.org/wgbh/pages/frontline/shows/kim/interviews/carter.html>. Accessed on December 15, 2024.
 10. US Department of State, U.S.-DPRK Agreed Framework, Bureau of Nonproliferation (2001), <https://2001-2009.state.gov/t/isn/rls/fs/2001/5284.htm>. Accessed on December 15, 2024.
 11. Eunyoung Ha and Christopher Hwang, "The U.S.-North Korea Geneva Agreed Framework: Strategic Choices and Credible Commitments," *North Korean Review*, vol. 11, no. 1, Spring 2015, pp. 7-23.

diplomatic solution that prevented further escalation of the North Korean nuclear advancements. Throughout the latter half of the 1990s, both the US and DPRK continued engagement under the provisions and guidelines of the 1994 Agreed Framework. However, the Agreed Framework failed to achieve its objective of improving trust and mutual cooperation between the two sides, which resulted in the collapse of the agreement in the early 2000s. Carter's diplomatic initiative successfully de-escalated the crisis, but, eventually, sustained commitments were required from all parties to ensure the longevity of the agreement.

NORTH KOREA'S WITHDRAWAL FROM THE NPT IN 2003

With a clear shift in the priorities of the new Administration, the US conducted a comprehensive reassessment of its policy towards North Korea. The new leadership sought to break from the strategies of the previous Administration such as the Agreed Framework, which added to Pyongyang's frustrations.¹² The situation escalated after the collapse of the Agreed Framework in 2002, prompting North Korea to take provocative actions. North Korea expelled the international inspectors, resumed operations at its nuclear facility, and initiated the reprocessing of plutonium.¹³

The US, under the Bush Administration, imposed strict preconditions for resuming conversations, requiring the North to address a wide range of US concerns, including its nuclear weapons programme, missile development, and human rights violations. Moreover, any potential agreement with Pyongyang had to include rigorous provisions for compliance verification.¹⁴ The Bush Administration's strategy aggravated concerns in North Korea, where the leaders grew increasingly wary of the possibility that US actions could be interpreted as a sign of a broader strategy for regime change and

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12. Walter C. Clemens, Jr., "Negotiation with North Korea: Clinton vs Bush," *Global Asia*, vol. 3 no. 2, 2008, https://www.globalasia.org/v3no2/feature/negotiation-with-north-korea-clinton-vs-bush_walter-c-clemens-jr
 13. Joel S. Wit, *U.S. Strategy Towards North Korea: Rebuilding Dialogue and Engagement*, October 2009. A report by the U.S.-Korea Institute at SAIS and the Weatherhead East Asian Institute at Columbia University.
 14. James I. Matray, "The Failure of the Bush Administration's North Korea Policy: A Critical Analysis", *International Journal of Korean Studies*, vol. 17, no. 1, Spring 2013, pp. 140-177.

these fears were exacerbated by the prospect of a military strike, adding to the already tense relations between the two nations.

North Korea became the first state to proclaim its intention to withdraw from the nuclear NPT on January 10, 2003.¹⁵ North Korea's decision to leave the NPT and its disregard for international monitoring regulations for its nuclear programmes were discussed by experts from the permanent members of the UN Security Council, including the US, UK, Russia, France, and China. Nonetheless, Russia and China, which voiced reservations about the Council's participation. China and Russia called on the US to shift its rhetoric away from conflict and toward communication and cooperation.¹⁶ The US, South Korea, Japan, China, and Russia stepped up their coordinated multilateral efforts to address the nuclear issue after North Korea's alarming statement, which triggered back-and-forth negotiations.

BALANCING SANCTIONS AND DIPLOMACY: THE ROLE OF MULTILATERAL EFFORTS IN ADDRESSING NORTH KOREA'S NUCLEAR THREAT

The verified denuclearisation of the Korean Peninsula through cooperation with the DPRK has been the United States' shared objective since 2003, along with that of South Korea and Japan. In a multilateral endeavour known as the Six-Party Talks (SPT), major parties like the US, Russia, and China joined forces with the regional parties, South Korea and Japan, to develop a comprehensive plan to dismantle the DPRK's nuclear programme while protecting the security interests of all the parties. The Six-Party Talks, which China initially hosted in August 2003, made little progress toward settling the conflict, though they were able to get all six parties to the bargaining table. With a joint declaration pledging to move toward the verified denuclearisation of the Korean Peninsula, the fourth round—which

15. Text of North Korea's Statement on NPT Withdrawal, *Atomic Archive*, January 10, 2003, <https://www.atomicarchive.com/resources/documents/deterrence/dprk-npt-statement.html>. Accessed on December 16, 2024.

16. Jean du Preez and William Potter, "North Korea's Withdrawal From the NPT: A Reality Check", April 8, 2003, <https://nonproliferation.org/north-koreas-withdrawal-from-the-npt-a-reality-check/>. Accessed on December 16, 2024.

Verified denuclearisation aims to guarantee the irreversible dismantling of the DPRK's nuclear programme while facilitating the early identification of any attempts at reconstruction. took place in phases during the months of July, August, and September 2005—marked an important diplomatic turning point.¹⁷ Verified denuclearisation aims to guarantee the irreversible dismantling of the DPRK's nuclear programme while facilitating the early identification of any attempts at reconstruction. The DPRK is in charge of dismantling its programme under this arrangement, and compliance is guaranteed by a verification authority.

However, the negotiations stagnated because of mistrust between the parties. The United States promoted the Complete, Verifiable, and Irreversible Dismantlement (CVID) programme, which calls for complete disarmament and close monitoring in return for financial assistance, energy advantages, and security assurances.¹⁸ The DPRK, on the other hand, favoured a gradual disarmament approach and demanded upfront significant economic and energy rewards as well as comprehensive security guarantees. Furthermore, the DPRK insisted on finishing a significant nuclear reactor that could generate energy—a claim that the US vehemently contested—and refused to completely give up its civilian nuclear activities. This made it more difficult to reach an agreement since the US began to suspect that the DPRK would hide important nuclear facilities or materials.¹⁹

At nearly the same time, the US Treasury Department quickly identified Banco Delta Asia (BDA), a bank based in Macau, as a primary money laundering concern under Section 311 of the Patriot Act, indicating that the bank might be removed from the US financial system.²⁰ The Macau Monetary Authority froze \$25 million in North Korean-affiliated accounts as

17. Gregory J. Moore, "America's Failed North Korea Nuclear Policy: A New Approach," *Asian Perspective*, 32, no. 4, 2008, pp. 9–27, <http://www.jstor.org/stable/42704651>.

18. David Albright and Corey Hinderstein, *Dismantling the DPRK's Nuclear Weapons Program*, Peaceworks No. 54, Library of Congress Control Number: 200591665, January 2006.

19. Leszek Buszynski, "Russia and North Korea: Dilemmas and Interests," *Asian Survey*, vol. 49, no. 5, 2009, pp. 809–30. *JSTOR*, <https://doi.org/10.1525/as.2009.49.5.809>

20. US Department of Treasury, *Treasury Designates Banco Delta Asia as Primary Money Laundering Concern under USA PATRIOT Act*, Press Release (2005). Accessed on December 17, 2024.

a result of this action, which rocked the global financial sector. The timing was crucial since the subsequent round of the Six-Party Talks in November was marred by controversial topics such as the consequences of the BDA designation. In addition to targeting North Korea's illegal financial activities, the US unilaterally implemented Executive Order 13382 to sanction a number of DPRK businesses implicated in nuclear proliferation.²¹ The combination of the BDA sanctions and later UN resolutions sent a strong message to international banks: stay away from doing business with these sanctioned North Korean entities or risk facing possible international repercussions, even though these sanctions were mainly symbolic because the entities in question probably had no assets based in the US.²² North Korea remained defiant, warning that any further pressure on its regime would be seen as an act of war. After the US threatened financial sanctions against banks doing business with North Korea in September 2005, Pyongyang pulled out of the Six-Party Talks. At the United Nations, the US spearheaded efforts for punitive sanctions, drafting a resolution that was unanimously adopted.²³

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NORTH'S NUCLEAR TESTS: PROVOCATIONS AND SANCTIONS

In October 2006, North Korea carried out its first nuclear weapons test after refusing to engage in international talks to end its nuclear programme for a year. The Communist government proclaimed the underground explosion, which Pyongyang had forewarned about a week earlier, a total success

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21. US Department of the Treasury, Office of Foreign Assets Control, *Executive Order 13382: Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters; the Weapons of Mass Destruction Trade Control Regulations* (2005), <https://ofac.treasury.gov/media/8581/download?inline>. Accessed on December 20, 2024.
 22. Daniel Wertz, "The Evolution of Financial Sanctions on North Korea," *North Korean Review*, 9, no. 2, 2013, pp. 69–82, <http://www.jstor.org/stable/43908921>.
 23. Emma Chanlett and Sharon Squassoni. *North Korea's Nuclear Test: Motivations, Implications, and U.S. Options*, CRS Report for Congress, Washington, DC, The Library of Congress, October 24, 2006, <https://sgp.fas.org/crs/nuke/RL33709.pdf>. Accessed on December 20, 2024.

and a great leap forward.²⁴ The test triggered a surge of international condemnation, leading the United Nations Security Council to adopt a resolution designed to strengthen measures to block financial, technological, and material resources that could further support the regime's nuclear ambitions. According to US officials, another nuclear test by North Korea would only serve to further isolate the country and strengthen international pressure to maintain safety on the Korean Peninsula.²⁵ While Russian officials stated that though North Korea's nuclear test was a significant blow to the NPT, the issue should be addressed through the Six-Party Talks. In spite of this, Russia, along with China, persisted in opposing US calls for stringent penalties in the Security Council.²⁶

The UN Security Council condemned the nuclear weapon test, expressing the gravest concern and called on the DPRK to return to the multilateral talks on the issue. Consequently, the Council unanimously adopted Resolution 1718 (2006), which imposed targeted sanctions on Pyongyang. The resolution prohibited the provision of large-scale arms, nuclear technology and related training to the DPRK, as well as luxury goods, and called upon all states to take cooperative action, including through inspection of cargo, in accordance with their respective national laws.²⁷ President George W. Bush underlined that North Korea continued to be a major global proliferator of missile technology, including transfers to nations like Iran and Syria, and reaffirmed the United States' commitment to attaining a nuclear-free Korean Peninsula.²⁸ In an effort to persuade North Korea to change its course, and reenter the

24. "North Korea Claims First Nuclear Test", 2006, *The Guardian*, <https://www.theguardian.com/world/2006/oct/09/northkorea>. Accessed on December 25, 2024.

25. Jane Morse, "Another Nuclear Test Would Further Isolate North Korea, U.S. Says", US Embassy and Consulates in Japan (2006), <https://japan2.usembassy.gov/e/p/2006/tp-20061018-05.html>. Accessed on December 25, 2024.

26. Leszek Buszynski. "Russia and North Korea: Dilemmas and Interests", *Asian Survey*, vol. 49, no. 5, 2009, pp. 809–30, *JSTOR*, <https://doi.org/10.1525/as.2009.49.5.809>

27. United Nations, "Security Council Condemns Nuclear Test by Democratic People's Republic Of Korea, Unanimously Adopting Resolution 1718, Meetings Coverage and Press Release", 2006, <https://press.un.org/en/2006/sc8853.doc.htm>

28. George W. Bush, "President Bush's Statement on North Korea Nuclear Test," Office of the Press Secretary, The White House, October 9, 2006, <https://georgewbush-whitehouse.archives.gov/news/releases/2006/10/20061009.html>. Accessed on December 25, 2024.

NPT, and the six-party negotiations, Russia's delegate emphasised the resolution's precisely targeted provisions. China's delegate acknowledged the significance of the Council's tough posture but underlined that sanctions were not enough on their own. China strongly rejected the use of force, advised prudence, and opposed inspection of North Korean goods. It also urged the resumption of the Six-Party Talks as a diplomatic option. The North Korean representative, however, categorically rejected the resolution, describing it as being gangster-like and accusing the Security Council of bias. He argued that the Council was ignoring the nuclear threat posed by the United States while unfairly targeting North Korea, showing a clear double standard and lack of impartiality.²⁹ Resolution 1718 (2006) was an important turning point in international attempts to stop North Korea from developing nuclear weapons. Although the resolution's unanimous passage represented widespread international agreement, disagreements persisted over the enforcement strategies and how to strike a balance between diplomacy and sanctions. The complexity of the geopolitical environment was demonstrated by the divergent strategies of the major players. The success of the resolution going forward depended on global cooperation and North Korea's readiness to resume multilateral talks.

Their divergent stances on denuclearisation represent the core disagreement between the US and North Korea. Before any substantial benefits are given, the United States insists that North Korea eliminate its nuclear arsenal in a thorough, verifiable, and irreversible manner. On the other hand, Pyongyang is adamant that the US provide security assurances and economic support as a condition of gradually dismantling its nuclear weapons development. On February 13, 2007, the six parties came to an agreement known as the Denuclearisation Action Plan, which was a significant first step toward the objectives of a more secure and stable Northeast Asia and a denuclearised Korean Peninsula.³⁰ The agreement

29. n. 27.

30. Office of the Spokesman, US Department of State, *Initial Actions To Implement Six-Party Joint Statement*, 2007, <https://2001-2009.state.gov/r/pa/prs/ps/2007/february/80508.htm>. Accessed on December 26, 2024.

required North Korea to abandon all its existing nuclear stockpiles within 60 days and return to the NPT and the IAEA safeguards. Under the agreement, North Korea was obligated to shut down the Yongbyon nuclear facility, invite the IAEA to conduct monitoring and verification, and disclose all its nuclear programmes and materials.³¹ The agreement laid the groundwork for continued dialogue, suggesting a hopeful outlook that North Korea's nuclear issue could be addressed through sustained diplomatic engagement. Initially, there was a sense of unity among the members of the Six-Party Talks to bring North Korea to the negotiating table. But, despite the early hopes, soon there were challenges in putting the agreement into practice. As competing national interests among the six parties surfaced, the momentum behind the diplomatic progress started to wane. While the United States and its allies began to doubt Pyongyang's commitment to denuclearisation, North Korea resisted complete disclosure of its nuclear activities. Trust between the parties was further damaged by disagreements over verification processes and delays in delivering financial assistance.

On May 25, 2009, North Korea carried out its second nuclear test, asserting that it was just as potent as the bomb that devastated Hiroshima.³² The first test by North Korea changed the Six-Party Talks' focus from stopping Pyongyang's nuclear ambitions to convincing it to completely give up its weapons programme. However, the second test further stalled progress, leaving the talks in a state of uncertainty for an extended period of time and undermining disarmament efforts. The likelihood of the talks resuming decreased by July 2009, when North Korea announced that they were permanently over.

On June 12, following two weeks of deliberations, the Security Council passed Resolution 1874, denouncing the nuclear test and restating Resolution

31. "Six-Party Talks Resume Today Amid Cautious Optimism", *China Daily*, 2007, http://www.china.org.cn/international/photos/2007-09/28/content_1225973.htm. Accessed on December 26, 2024.

32. Justin McCurry, and Tania Branigan. "North Korea Tests Nuclear Weapon 'as Powerful as Hiroshima Bomb,'" *The Guardian*, May 25, 2009, <https://www.theguardian.com/world/2009/may/25/north-korea-hiroshima-nuclear-test>.

1718's ban on North Korea's import and export of weapons and related equipment. The resolution sought to tighten restrictions on North Korea's weapons trade. The fact that compliance with the resolution was made voluntary indicated that it was essentially toothless and that once more, American demands for a tough response had been diluted by Russian and Chinese resistance. The Russian Foreign Ministry declared that Resolution 1874 was an "adequate response" to the North's infringement of Resolution 1718 and was pleased that the resolution ruled out the use of force; it claimed that the restrictive measures in the resolution were balanced by the need to protect the urgent needs of the people in the North for economic and humanitarian aid. Russia's position suggested that the sanctions should not completely isolate Pyongyang; instead, they should allow for the prospect of resuming diplomatic relations, especially through the Six-Party Talks.³³

All existing negotiations with North Korea were halted due to the abrupt death of Kim Jong-il in late 2011, leaving a diplomatic void. The United States, South Korea, and Japan confirmed in a high-level meeting in Washington in January 2012 that Pyongyang had an open road to reenter the Six-Party Talks, which had been suspended.³⁴ The sudden transition of power to the young and inexperienced Kim Jong-Un, however, posed serious obstacles to North Korea's stability and relations with the UN. Two crucial choices were made by Kim Jong-Un in his first 100 days in office. In a deal mediated with the United States on February 29, 2012, North Korea consented to halt its long-range ballistic missile tests in return for assistance. However, North Korea launched a satellite in April, which is generally considered to be a clandestine long-range missile test and a breach of the UN Security Council Resolutions.³⁵ This demonstrated the complicated strategic calculus under its new leadership.

33. Leszek Buszynski, "Russia and North Korea: Dilemmas and Interests", *Asian Survey*, vol. 49, no. 5, 2009, pp. 809–30. *JSTOR*, <https://doi.org/10.1525/as.2009.49.5.809>

34. Ki-Joon Hong, "The Six-Party Talks in the Post-Kim Jong-il Era: An Emergent Path Toward a Northeast Asian Security Mechanism", *North Korean Review*, 8, no. 2, 2012, pp. 111–26, <http://www.jstor.org/stable/43910316>.

35. "North Korea Rocket Launch Fails," BBC News, 2012, <https://www.bbc.com/news/world-asia-17698438>. Accessed on January 9, 2025.

By establishing nuclear capabilities as a permanent pillar of national security, Kim Jong-Un's Nuclear First strategy marked a departure from the earlier tactics that employed them as a negotiating chip.

As Kim Jong-Un followed in his father's footsteps along the line of Juche and Shongun, he apparently developed his own pursuit, specifically of the Nuclear First strategy. With its amended Constitution, North Korea declared itself a nuclear state in April 2012.³⁶ Following the unsuccessful satellite launch, North Korea affirmed its sovereign right to launch satellites and vowed to expand its nuclear deterrence as long as the US' hostile policies continued. While officials maintained that the satellite launch was intended for peaceful scientific purposes, they warned that continued US sanctions and pressure would leave the regime no choice but to adopt self-defensive counter-measures, including potential nuclear testing.³⁷ North Korea had progressed toward institutionalising its nuclear weapons programme, beyond strategic leverage and ambiguity. Threats to increase deterrence and the constitutional acknowledgment of nuclear status indicated that diplomatic attempts to denuclearise would encounter even more challenges. By establishing nuclear capabilities as a permanent pillar of national security, Kim Jong-Un's Nuclear First strategy marked a departure from the earlier tactics that employed them as a negotiating chip.

In 2013, North Korea carried out its third nuclear test, using a lighter, more compact nuclear bomb, with higher explosive power than before. This was the first under the country's new leader, Kim Jong-Un, and an open act of defiance against the Chinese, who advised the young leader not to risk open conflict by detonating the device.³⁸ The third nuclear test

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36. K.J. Kwon, "North Korea Proclaims Itself a Nuclear State in New Constitution," *CNN*, 2012, <https://edition.cnn.com/2012/05/31/world/asia/north-korea-nuclear-constitution/index.html>. Accessed on January 9, 2025.
37. Paula Hancocks, "North Korea Says It Will 'Expand' Nuclear Program in Face of U.S. 'Hostility,'" *CNN*, 2012, <https://edition.cnn.com/2012/05/23/world/asia/north-korea-nuclear/index.html>. Accessed on January 10, 2025.
38. David E. Sanger and Choe Sang-Hun, "North Korea Confirms It Conducted 3rd Nuclear Test," *New York Times*, 2013, <https://www.nytimes.com/2013/02/12/world/asia/north-korea-nuclear-test.html>. Accessed on January 10, 2025.

was, however, “a firm self-defensive measure against the hostile actions of the US” and “a first responsive measure that has been taken with utmost self-restraint,” according to a statement released by the North Korean Foreign Ministry spokesperson on the day of the test.³⁹ Also, the North warned that if the US’ hostile policy continues, “it has no choice but to take consecutive responsive measures with higher intensity,” showing its determination to respond to any additional sanctions to be imposed by the UN. North Korea’s prompt rejection of the agreement with the US signalled its prioritisation of long-range missile technology and nuclear integration. North Korea strengthened its position against outside pressure and advanced its nuclear deterrence strategy by defying the UN Security Council (UNSC) and the US while simultaneously improving its long-range ballistic missile technology. These tests provided Kim Jong-Un with an opportunity to consolidate power and strengthen domestic support, countering concerns over his inexperience.

North Korea conducted its fourth and fifth nuclear tests in 2016, and the sixth in 2017. North Korea’s tests demonstrated its capacity to circumvent international sanctions aimed at curbing its missile and weapons programs.⁴⁰ Despite UN Security Council measures explicitly prohibiting nuclear and ballistic missile testing, the regime has persistently conducted nuclear detonations and launched numerous ballistic missiles over the past decade. Under Kim Jong-Un’s leadership, North Korea has systematically defied multiple rounds of UN sanctions, channelling significant resources into the development of operational nuclear weapons and long-range missile

Under Kim Jong-Un’s leadership, North Korea has systematically defied multiple rounds of UN sanctions, channelling significant resources into the development of operational nuclear weapons and long-range missile systems.

39. Seong Whun Cheon, *North Korea’s Nuclear Policy after Its Third Nuclear Test: Analysis and Forecast*, Korea Institute for National Unification, 2013, <https://repo.kinu.or.kr/retrieve/2006>.

40. Justin McCurry, “North Korean Nuclear Test Confirmed in Major Escalation by Kim Jong-Un,” *The Guardian*, September 3, 2017, <https://www.theguardian.com/world/2017/sep/03/north-korean-nuclear-test-confirmed-in-major-escalation-by-kim-jong-un>. Accessed on January 25, 2025.

systems. The ability to strike as far as the US mainland not only enhances Pyongyang's strategic deterrence but also bolsters its leverage in any future negotiations with Washington.

A COMPREHENSIVE APPROACH TO DENUCLEARISATION

North Korea has consistently stressed a comprehensive strategy that encompasses the whole Korean Peninsula in its disarmament proposal, as opposed to a unilateral dismantling of its own nuclear arsenal. The North Korean proposal of the denuclearisation considers the dismantlement of US missiles and troops deployed in South Korea as the priority.⁴¹ The US military and strategic assets in the region have long been seen by Pyongyang as a direct threat, and disarmament is seen as inextricably linked to more comprehensive security guarantees. The United States, along with South Korea and Japan, insists that before any more diplomatic or economic concessions can be made, North Korea must pledge to fully dismantle its nuclear weapons development. North Korea has a history of making promises for denuclearisation but failing to follow through. Washington is still doubtful of any plan that does not call for Pyongyang to immediately and verifiably disarm.

In 2018, North and South Korea signed the Panmunjom Declaration, which committed both countries to peace and disarmament, marking an important milestone in inter-Korean ties.⁴² Even so, the announcement only offered vague promises regarding the details of denuclearisation. The agreement failed to clarify the critical issue of denuclearisation, leaving ambiguous whether the process would apply to the entire Korean Peninsula or solely to North Korea. In yet another meeting in 2018, both North and South Korea their shared commitment to a nuclear weapons-free Korean Peninsula, emphasising the

41. Kelsey Davenport, "North Korea Shifts on Denuclearization," Arms Control Association, 2016, <https://www.armscontrol.org/act/2016-09/news/north-korea-shifts-denuclearization>.

42. United Nations, Letter Dated 6 September 2018 from the Representatives of the Democratic People's Republic of Korea and the Republic of Korea to the United Nations Addressed to the Secretary-General, A/72/109-S/2018/820, United Nations Security Council. Accessed on January 28, 2025.

need to transform the region into a land of peace.⁴³ Towards that end, North Korea agreed to permanently dismantle the Dongchang-ri missile engine test site and launch platform under the observation of international experts, and to take additional measures, conditional upon the US taking corresponding measures. This conditional willingness was contingent upon mutually reinforcing measures that address security concerns, economic incentives and diplomatic assurance for both parties.

While efforts were made to negotiate an agreement between the United States and North Korea during the Hanoi Summit in 2019, it ended in failure as both sides were unable to bridge their fundamental differences. North Korea's Foreign Minister Ri Yong-ho claimed that Pyongyang sought targeted sanctions relief rather than complete removal, specifically requesting the lifting of five UN sanctions imposed between 2016 and 2017 that had adversely affected its civilian economy.⁴⁴ In return, North Korea agreed to dismantle all nuclear material production facilities in Yongbyon under US supervision and commit to halting the nuclear and long-range missile tests. The 2016–17 sanctions, among the toughest ever, severely restricted trade in coal, iron, lead, seafood, textiles as well as foreign labour, intensifying economic pressure but failing to curb North Korea's nuclear ambitions. Ri's statement indicated the corresponding measures that North Korea expected in exchange for dismantling its nuclear facilities in Yongbyon. Whereas the United States suspected that North Korea had no intention to abolish its nuclear programme but was simply attempting to get the sanctions lifted. While North Korea has consistently signalled that economic incentives alone are insufficient to compel nuclear disarmament, its strategic calculus prioritises security guarantees over sanctions relief.⁴⁵ Ri emphasised that the proposal represented the most substantial disarmament measure North

43. Jae-in Moon and Kim Jong-Un, "Pyongyang Joint Declaration of September 2018", 2018, <https://www.ncnk.org/node/1633>. Accessed on January 28, 2025.

44. Leo Byrne, "North Korean FM Says Pyongyang Asked for 'Partial' Sanctions Relief," *NK News*, February 28, 2019, <https://www.nknews.org/2019/02/north-korean-fm-says-pyongyang-asked-for-partial-sanctions-relief/>. Accessed on February 1, 2025.

45. Ankit Panda, "North Korea: 'Strategic Security' Can't Be Given Away for Sanctions Relief." *The Diplomat*, 2019, <https://thediplomat.com/2019/08/north-korea-strategic-security-cant-be-given-away-for-sanctions-relief/>. Accessed on February 2025.

Korea could offer, given its strategic considerations. He reiterated that its position and proposals would remain unchanged regardless of future US negotiation efforts. North Korea made a decisive shift away from diplomatic engagement towards strategic deterrence in 2021 when it reaffirmed its commitment to nuclear and military advancements at the Eighth Congress of the Workers' Party of Korea. Since then, Pyongyang has aggressively pursued the development of advanced missile technology, including in Hypersonic Glide Vehicles (HGVs) and Submarine-Launched Ballistic Missiles (SLBMs), confirming its goal of obtaining a credible second-strike capability.⁴⁶

WHY HAVE SANCTIONS FAILED IN NORTH KOREA'S CASE?

The economic sanctions have been successful in isolating North Korea, but they have failed in achieving their stated goals, which include denuclearisation, preventing the development of ballistic missiles, and deteriorating the military preparedness. Denuclearisation is affected by how North Korean trade networks have responded to the sanctions. Even if the sanctions are lifted, North Korea's methods of circumventing them are likely to persist because they are largely a result of the economic transformations that have taken place in the country since the 1990s.⁴⁷ While North Korea's trade networks have adapted to the sanctions, economic growth remains constrained. Eric Fish references the views of John Park, a researcher at the Massachusetts Institute of Technology (MIT) who emphasises the limitations of financial and targeted sanctions as the primary foreign policy tool against North Korea.⁴⁸ Park mentions that the recovered North Korean rocket components from the debris of the failed tests show sophisticated technology from Western sources, which raises questions about how such

46. Ministry of Foreign Affairs, Republic of Korea, "North Korean Nuclear Issue", https://www.mofa.go.kr/eng/wpge/m_5474/contents.do. Accessed on February 2, 2025.

47. Justin V. Hastings, "North Korean Trade Network Adaptation Strategies under Sanctions: Implications for Denuclearization", *Asia and the Global Economy*, 2(1), 2022, <https://www.sciencedirect.com/science/article/pii/S2667111522000081>.

48. Eric Fish, "How North Korea Is 'Evolving' to Dodge Sanctions", *Asia Society*, 2016, <https://asiasociety.org/blog/asia/how-north-korea-evolving-dodge-sanctions>. Accessed on February 2, 2025.

items pass through international export regulations. He attributes this to private Chinese companies acting as intermediaries, procuring dual-use equipment and facilitating its transfer to North Korea. China appears to be pursuing a strategy that consolidates all trade with North Korea, both legal and illicit, into channels it can monitor and control. This enables China to retain significant leverage over North Korea, allowing it to cut off trade selectively when deemed necessary.⁴⁹ For over two decades, Beijing has been Pyongyang's largest trading partner, accounting for approximately 98 per cent of North Korea's official imports and exports.⁵⁰ Importantly, China's objective is not to destabilise North Korea or push it toward collapse but rather to use the sanctions as a means of expressing dissatisfaction without endangering the regime's survival. While for the US, the sanctions are a means to exert maximum pressure on Pyongyang to abandon its nuclear ambitions. Therefore, in order to maintain the stability and survival of the regime, China may selectively implement the sanctions, allowing some North Korean activity while providing humanitarian supplies.

According to a United Nations sanctions committee assessment, North Korea is able to avoid international restrictions, producing an estimated \$200 million in revenue from illicit operations.⁵¹ Coal supplies to China, Malaysia, Russia, and Vietnam have continued in spite of strict restrictions, indicating systemic enforcement issues and possible collusion among the recipient countries. The report additionally discusses how, during the past five years, Syria and Myanmar have received weapons and supplies used in their manufacture. The effectiveness of the current sanction systems and the ability of the larger international community to confront such breaches

49. Justin V. Hastings, "Sanction Busting, North Korea-Style", *The Interpreter*, 2018, <https://www.lowyinstitute.org/the-interpreter/sanction-busting-north-korea-style>. Accessed on February 2, 2025.

50. Clara Fong, "The China-North Korea Relationship", Council on Foreign Relations, November 21, 2024, <https://www.cfr.org/backgrounder/china-north-korea-relationship>.

51. Michelle Nichols, "North Korea Earned \$200 Million from Banned Exports, Sends Arms to Syria, Myanmar: U.N. Report," Reuters, February 2, 2018, <https://www.reuters.com/article/us-northkorea-missiles-un-exclusive/exclusive-north-korea-earned-200-million-from-banned-exports-sends-arms-to-syria-myanmar-u-n-report-idUSKBN1FM2NB/>

Effective enforcement, along with diplomatic efforts to highlight the benefits of international integration, are essential to achieving meaningful change.

are also called into doubt by this pattern of infractions, which, therefore, jeopardises global non-proliferation efforts.

Mere imposing of sanctions is insufficient to achieve the broader goal of denuclearisation. Instead, rigorous enforcement of these measures is essential. Without consistent monitoring and accountability, sanctions risk

being undermined, allowing North Korea to exploit loopholes and continue its prohibited activities. Effective enforcement, along with diplomatic efforts to highlight the benefits of international integration, are essential to achieving meaningful change.

North Korea avoids sanctions by trading with countries that do not regularly implement restrictions or refuse to comply, such as China and Russia.⁵² Despite publicly supporting the UN sanctions, both these countries undermine their implementation, enabling North Korean labourers to work abroad and generate revenue for Pyongyang. This demonstrates the limits of economic penalties when significant states fail to participate. In order to strike a balance between engagement and pressure, sanctions must be used in conjunction with diplomacy. Furthermore, the United States lacks the economic and diplomatic muscle required to compel North Korea's compliance, especially when third-party states offer options. The United Nations Panel of Experts on North Korea has documented over 250 alleged sanctions violations involving 62 nations, underlining the scale and complexity of global enforcement issues.⁵³ Sanctions are unlikely to result in any significant policy change in the absence of concerted enforcement and diplomatic measures.

52. Keith A. Preble, and Charmaine N. Willis. "Trading with Pariahs: North Korean Sanctions and the Challenge of Weaponized Interdependence," *Global Studies Quarterly*, 2024.

53. David Albright, Sarah Burkhard, and Spencer Faragasso, *Alleged Sanctions Violations of UNSC Resolutions on North Korea for 2019/2020: The Number Is Increasing* (Institute for Science and International Security, 2020).

According to several foreign policy analysts, the UN sanctions against North Korea are often watered down in order to obtain the support of China and Russia, the permanent members of the UN Security Council with veto power. The two nations for the first time blocked a US-initiated plan to increase restrictions on North Korea in 2022, arguing that previous measures had not been effective.⁵⁴ Both countries fear the possible outcomes of regime change in Pyongyang.

North Korea has sent millions of shells to Russia since the beginning of 2023, generating an estimated \$540 million and greatly increasing its trade volume.

North Korea profited from Russia's war in Ukraine, which has made Pyongyang a major supply of troops and artillery ammunition. North Korea has sent millions of shells to Russia since the beginning of 2023, generating an estimated \$540 million and greatly increasing its trade volume. Due to Russia's shortage of troops in 2024, Pyongyang consented to deploy 11,000 troops in return for cash, food, and cutting-edge military equipment.⁵⁵ In addition to giving North Korea strategic resources, military experience, and more robust diplomatic support from Moscow, this partnership enables Russia to continue its campaign at a reduced cost. Russian President Vladimir Putin and his counterpart, North Korean Supreme Leader Kim Jong-Un signed the Treaty on Comprehensive Strategic Partnership (CSP) between the DPRK and the Russian Federation. The treaty commits Russia and North Korea to increase cooperation across the security, political and economic domains.⁵⁶ For North Korea, the treaty's signature represents a major strategic advantage. North Korea is now protected by Russia's nuclear umbrella in addition to its long-standing security alliance with China and its current nuclear arsenal. According to the pact, Russia is required to defend

54. Council on Foreign Relations, "What to Know About Sanctions on North Korea", 2022, <https://www.cfr.org/backgrounder/north-korea-sanctions-un-nuclear-weapons>.

55. Andrei Lankov, "The Strange Success of North Korea," *Foreign Affairs*, December 18, 2024, <https://www.foreignaffairs.com/china/strange-success-north-korea>.

56. DPRK-Russia Treaty on Comprehensive Strategic Partnership, *Korea News Service*, 2024, <http://www.kcna.co.jp/item/2024/202406/news20/20240620-04ee.html>. Accessed on February 4, 2025.

North Korean territory in line with the UN Charter and its own domestic laws in the event that foreign forces or weapons attack it. Particularly, the pact contains clauses pertaining to tactical and strategic cooperation aimed at global strategic stability and a new just and equal international order as well as joint activities to strengthen defence capabilities. North Korea's nuclear capabilities could be further increased if these provisions result in the transfer of cutting-edge military equipment, such as nuclear submarines or intercontinental ballistic missiles, further shifting the balance of regional security.

CONCLUSION

With each nuclear test, North Korea has steadily advanced its weapons capabilities, turning its nuclear programme into a major source of instability in the region. Despite years of sanctions and diplomatic pressure, Pyongyang remains steadfast in its pursuit of a nuclear arsenal, viewing it as essential to its survival. The recurring cycle of United Nations sanctions and international condemnation has done little to curb its ambitions or weaken its ability to evade economic restrictions. Instead, North Korea has adapted, rendering the sanctions increasingly ineffective while deepening the humanitarian crisis for its people.

Restoring direct negotiations between the United States and North Korea, alongside a revitalised Six-Party Talks framework, offers a viable path forward. A phased diplomatic process should begin with freezing of North Korea's ballistic missile and nuclear testing, followed by structured discussions on denuclearisation and security guarantees. As Pyongyang's most influential ally, China must take a central role in guiding North Korea toward meaningful diplomatic engagement. A comprehensive approach should address the broader security concerns of all the parties while laying the groundwork for normalised relations and, ultimately, a denuclearised Korean Peninsula. Lasting progress will require both direct engagement and sustained multilateral cooperation.