The United Nations and Ollective Security: The North Korean Saga

By

Alex, Pensive Binadeinyifa
Department of History and Diplomacy
Niger Delta University, Wilberfoce Island, Bayelsa State.
alexbinadeinyifa@ndu.edu.ng
alexefieladei@gmail.com

Abstract

The study assessed the effectiveness of the UN principle of collective security in bringing about global peace and security using the North Korea issue as a point of focus. Consequent upon the desire of nations to protect their sovereign rights and national interests, nations have become so interested in the development of sophisticated nuclear weapons without considering its impact on the global community. As they believe that being in possession of such nuclear program would consolidate their position as great power among other nations. North Korea is one of such countries. The current study has given background information about the tensed nature of the international system due to the activities of the various state actors especially the North Korea nuclear program. The study also provides information on the reaction by members of the United Nations in an attempt to ensure the denuclearization of North Korea's nuclear program with a view to addressing the seeming challenges of the UN. This Note examines the legal conflicts in the nuclear non-proliferation regime that developed due to the Agency's attempt to verify North Korea's compliance with the NPT. Nevertheless, there is an examination on the effects of sanctions imposed by the United Nations as a collective security strategy aimed as a deterrence to North Korea's nuclear acquisition and threat with a view to forestall and eliminate such nefarious ambition which threaten global peace and security. Furthermore, there is a vivid analysis on the quagmire that ensued between the UN and North Korea debacle as well as its implications on the United Nations system.

Introduction

The global community has sought a collective security' from the threatening spread of Nuclear weapons and the corresponding likelihood of nuclear war' since the Atomic Age began. The United Nations has attempted to achieve such security by making the proliferation of nuclear weapons among nations a violation of international law through the development of a nuclear weapons non proliferation regime. This regime is composed of customary international law and three sources of treaty law: the Statute of the International Atomic Energy Agency, the Nuclear Non Proliferation Treaty, and individually-negotiated bilateral safeguards agreements between the International Atomic Energy Agency and each NPT signatory state. Generally, the regime created by these international laws requires a signatory without nuclear weapons (non nuclear signatory) to relinquish its sovereign right to develop or to acquire nuclear weapons.

In addition, non-nuclear signatories must refrain from exercising certain sovereign rights that would impede the Agency's ability to verify that the non-nuclear signatory is not secretly attempting to develop nuclear weapons. In consideration of a signatory's concession of these sovereign rights, the regime allows the non-nuclear signatory to make use of the Agency's technical and financial expertise in the development of non-proscribed nuclear programs. Unfortunately, the regime's different laws, such as the NPT and IAEA Statute, do not uniformly define what sovereign rights a signatory relinquishes when it signs the regime's treaties. This lack of uniformity between the regime's laws has enabled one non-nuclear signatory, the Democratic People's Republic of Korea (DPRK or North Korea), to argue that the NPT allows the DPRK to deny the Agency's inspectors access to some suspected North Korean nuclear-weapon sites. The DPRK raised this argument after learning that the Agency had received third-party intelligence that claimed the DPRK was building nuclear weapons at a hidden and previously uninspected location.

Resort to sanctions by the United Nations to compel North Korea to compliance in conformity with the conditions stipulated or enshrined in international law have been inefficacious over the years, due to North Korea’s refusal to capitulate to the conditions laid down by the regime, leading to North Korea’s continuous

production and development of sophisticated nuclear arms which violates international law and other nuclear non proliferation regime.

Theoretical Framework

Two theories have been advanced in this work in respect to collective security and the United Nations actions towards North Korea's nuclear ambitions and threats .The both theories are Realism and Liberalism.

Realism

Drawing from the works by Thucydides, Niccolo Machiavelli, Thomas Hobbes, and Hans Morgenthau, realists believe that human nature was predominantly greedy, egoistic, rapacious, and self-seeking. The basic assumption of classical realists, Morgenthau inclusive, was that "all politics was an extension of human drives and subject to the same pathologies" (Lebow, 2013). So, naturally, humans are seen as not devoid of egoism and self-seeking impulses which dictate all political dealings as well as the drive to outwit and out-smart others. These impulses constitute the basic instincts of survival in all relations be it social, economic or political.

Realism explains international relations with recourse to power. Realism as a theory happens to be among the foremost and leading theories in international relations. When talking about reality in international community, realism is what gives us a simple view of this notion. The picture of the global system which the theory has is one where every nation only worries about how to help itself. Here no one is placed in charge giving rise to anarchy and brutality as states seek opportunities to undo one another (Mearsheimer, 1994).

Nations just go for that which is of national interest to them, regardless of its effect/impact on others that is, with little or no recourse to the well-being of other states. The understanding of the realists is that this is the result of the anarchy embedded in the global space which lacks sovereign, enforcing international laws and moralities. For stability and order, the realists see power which is defined mainly as military might and capabilities as the saving grace.

Premised on the above understanding, this study employs realism to examine the increasing phenomenon of military armament and the quest for nuclear acquisition amongst states.

Realism was adopted for an effective investigation of the contestation for nuclear enrichment amongst state actors and its implication for peace and security in an international system whose order and stability relies on state actors who were not devoid of personal interests, or better put, national interests. The study thus relies on how the realists construe the global arena to offer explanations concerning how the desire of North Korea's quest to attain nuclear enrichment was considered and construed as a global threat.

Liberalism

Liberalism is a reaction to and rejection of the predominantly egoistic and nihilistic (international) nature of humans, and by extension the international system, expounded by the realists. It argues that other than egoism and anarchical tendencies, humans are equally imbued with faculty which predisposes them to resort to reason and rational deliberations for possible resolution of challenging situations most times. A key assumption of liberalism is its faith in human rationality and belief that through deliberate human actions coupled with institutional assistance, a balance can be achieved between self-regarding impulse and others-regarding consideration.

As a body of knowledge liberalism draws heavily from the classical works of scholars such as John Locke, Hugo Grotius, and Immanuel Kant. They suggested initiatives that can engender peace that will last. Russet (2013) observes that a "key 'liberal' assumptions in Kant's framework include the belief in rational qualities of individuals, faith in the feasibility of progress in social life, and the conviction that humans, despite their self-interest, were able to cooperate and construct a more peaceful and harmonious society"(Kant cited in Russet, 2013).Contrary to realist's assumption that human nature breeds disorder and conflict in the global space given the no-sovereign-ruler issue, liberalism places conflicts and wars as events and not trends in the international arena and, as such, resort to human faculty, rational institutions, predominates states interaction at the international arena.

The study assessed the effectiveness of the UN principle of collective security in bringing about global peace and security using the North Korea issue as a point of focus. Consequent upon the desire of nations to protect their sovereign rights and national interests, nations have become so interested in the development of sophisticated nuclear weapons without considering its impact on the global community. As they believe that being in possession of such nuclear program would consolidate their position as great power among other nations. North Korea is one of such countries.

The current study has given background information about the tensed nature of the international system due to the activities of the various state actors especially the North Korea nuclear program. The study also provides information on the reaction by members of the United Nations in an attempt to ensure the denuclearization of North Korea's nuclear program with a view to addressing the seeming challenges Liberalism believes that a more peaceful and harmonious society was obtainable through the deliberate creation of institutions, establishment of international laws and morality, and respect for domestic democratic institutions as check on the egoistic tendencies of political actors. The theory does not support realism ideas about the global system. Realism and liberalism have different but analytical insights to understanding the works of systems like that of UN. But both theories give better understanding of issues that are the research's concern (North Korea case and UN's role through 'collective security' principle.

North Korea and her Nuclear Ambition

One of the most discussed issues in global politics currently is the nuclear issue in North Korea. It has also become a reference point in Northeast Asian continent, the Asian Pacific and entire globe to a large extent. There are propelling reasons responsible for this. The fact that every action or inaction by nations is geared towards fulfilling a specific objective or desire is a well known one. Motives for the nuclear program of North Korea may not be far from economic and socio-political considerations.

A 2008 article in Korean Central News Agency (KCNA) stated that pre-emptive strikes are not the exclusive reserve of the U S. This leaves North Korea the option

of undertaking such strikes (Allard, Duchatel and Godement, 2017). This exposes that truely North Korea's nuclear ambition was borne out of fears that its country may possibly be attacked. This fear is also tied to the previous challenges (political and economic) faced by North Korea. This must have infused in them the fear that they can only be safe and probably enjoy certain political and economic concessions if they acquire nuclear weapons.

Vipin Narang, a nuclear scholar, explained that North Korea was adopting an "asymmetric escalation model", a model which was mostly adopted by states trying to deter more powerful enemies from launching conventional or nuclear attacks by issuing threats of using nuclear weapons first. She needed a nuclear program as a necessary deterrence, after careful assessment of what befell Iran and Libya. To North Korea, if her nuclear program or weapons should be limited; it is most likely that what happened to Libya may repeat itself in her country (Allard; Duchatel and Godement, 2017).

In other words, North Korea's nuclear program was a deliberate national policy as far as global politics is concern. It is most likely that she nurtured the idea of nuclear program right from when she was under the influence and protection of the then USSR and China. Besides the strong interest in the development and possession of nuclear program, North Korea was guided by strategic principles such as the principle of survival through the Determents of the United States and its allies; the continuous holding onto power of the Kim's family; elimination of internal threats; economic development of the nations; and above all, the reunification of the fatherland (Cornell, 2002).According to Ri Yong Ho (Minister for Foreign Affairs of the Democratic People's Republic of Korea at the General Debate of the72nd Session of the United Nations General Assembly New York, 23rd September 2017), North Korea's national nuclear force was, to all intents and purposes, a war deterrent for putting an end to nuclear threat of the U.S and for preventing its military invasion; and their ultimate goal was to establish the balance of power with the U.S. This explains why the various North Korea leaderships adopt an authoritarian leadership style and are always suspicious of the United States and its allies. She feels insecure in America's possession of nuclear weapon and always wants safety assurances. Besides, she does not trust Russia or China either although the Soviet Union was so instrumental to its nuclear program. The Soviet Union played the foundational role by accepting to

train North Korea's scientists and engineers to acquire the basic knowledge on the fundamentals in the development of a nuclear program (Waxman, 2017).

North Korea also felt deeply threatened by South Korea, being supported by the United States.

She has this strong sentiment that she was being surrounded by people whose intentions do not mean well for her national development. Therefore, in her thought, the development or acquisition of nuclear weapons was a safe landing for her survival and at the same time will enable her command respect as a sovereign nation.

A similar line of reasoning that North Korea's national nuclear force was, to all intents and purposes, a war deterrent for putting an end to nuclear threat of the U.S and for preventing its military invasion, was expressed by the North Korean foreign minister in his remarks at the United Nations General Assembly in September 2017. The minister stated that Pyongyang's ultimate goal was to establish the balance of power with the U.S. Furthermore, Kim Jong Un, in his New Year address said; North Korea as a peace-loving nuclear power would not use a nuclear weapon as long as the aggressive hostile forces do not infringe upon their country's sovereignty and interests, and would not threaten any country or region with nuclear (weapons). However, they would resolutely respond to any act targeted at destroying peace and security on the Korean peninsula (Pak, 2017).
To tell how determined the Kim Jong-Un regime was with respect to the development of its nuclear capabilities, he further stated that a nuclear button was always on his office desk to remind Washington and the North Korean people that he alone has the power to deter a potential U.S. invasion and protect his people (Pak, 2017).The fears of North Korea was even heightened, following the repeated pronouncement by Donald Trump in his September 2017 speech at the UN General Assembly, that the US military has the capacity to completely destroy North Korea (Allard, Duchatel and Godement, 2017).

In the words of Senator Lindsay Graham, Trump was ready, if necessary, to destroy the (North Korean) regime to protect America and would not let the present regime in North Korea have the capability to hit the homeland of the U. S

(Pak, 2017). Hence, it would be very difficult for North Korea to do away with nuclear program, as it forms a central part of the regime's survival strategy (Allard; Duchatel and Godement, 2017).

How the United Nations Notion of Collective Security Addresses Security Challenges in Contemporary Times (the North Korea Issue)

The UN Charter gives the Security Council the liberty to adopt measures under chapter VII, that is "action with respect to threats to the peace, breaches of the peace and acts of aggression" as well as take enforcement action for the sake of security and peace worldwide. Such measures range from economic sanctions to military interventions especially where a clear case of threat to peace, violation of peace or act of aggression exist as contained in Article 39 of the charter.

The Article states that the Security Council shall determine the existence of any threat to peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Article 41 and 42, to maintain or restore international peace and security When these measures have been decided, it is expected that all members of the United Nations agree and accept to carry out the decisions of the Security Council according to Article 25 of the UN Charter which states that "The members of the united nations agree to accept and carry out the decisions of the security council in accordance with the present Charter" (Rourke and Boyer, 2002).

However, this is not the case in the UN handling of the North Korea nuclear issue. Reasons for these are not farfetched. Members of the United Nations are so reluctant in subordinating their sovereign interest to collective action. Member governments see collective security from their nationalistic point of view. In other words, they choose to support or oppose UN action based on their national interest other than the collective interest of all member states. Hence, collective security under this circumstance, serves as a means to achieving the respective nation's nationalistic goals other than the general interest of all member states (Benjamin, 2016) Although the enforcement action undertaken by the United Nations against North Korea following the invasion of South Korea in 1950 shows that the UN collective system was not totally weak in the face of aggression. However, assessing the actions and inactions of the permanent five of the Security Council

will reveal that the said enforcement would not have been possible if not for the fact that the Soviet delegate or representative at the time was not in the meetings of the Security Council. It would have been very possible that the soviet representative might have objected such decision or action to North Korea (Wolfers cited in Ebegbulem, 2011).

Besides, the reaction of China after the bombardment of Yeonpyeong was another pointer to the fact that China has vested interest in North Korea. China's reaction to the aforementioned bombardment did not show any sign of determination to deter North Korea from engaging in such acts as she only persuaded members of the Six Party Talk to return to the negotiation table. She was more concerned about reconciling them other than condemning the act.

Although, we cannot dispute the fact that they desired the maintenance of international peace and security, but no one is willing or ready to make necessary sacrifice where it's national, political and economic interest is not being projected. It is obvious therefore that the cooperating members, instead of projecting the general interest of members, rather choose to compete for relevance and dominance. For instance, China being one of the closest and largest providers of food, fuel, and industrial machinery to North Korea has never involved fully in the implementation of UN sanctions on North Korea. She rather sees North Korea as a buffer state between the borders of the People's Republic of China and the United States military forces that are stationed in South Korea (Marcus, 2009).

Similarly, on June 25, 1950, the territory of South Korea was invaded by their Northern counterpart, resulting in the United Nations coalition of about 16 nations, led by the United States. However, following China's interest in North Korea, she rather intervened in the interest of North Korea rather than joining force with the United Nations coalition led by the United States until a ceasefire agreement was reached on July 27, 1953.The peace agreement however, as a necessary condition for both parties to the truce, admonished both parties not to introduce new types of weapons and missiles into the conflict region (Jeffries, 2006).

Again, the United States which plays a leading role in the crusade against North Korea possession of nuclear weapons have played down North Korea's consistent demand for security assurances. On several occasions, North Korea had preferred bilateral talks with the United States instead of multilateral talks. North Korea believes that the only threat to her nation is the United States and as such wanted some security assurances to enable her have a rethink of her nuclear program. On the contrary, the united states have preferred multilateral talks since the handling of the North Korea's nuclear threat. The United States is very much aware that accepting North Korea's offer of non-aggression pact would impact negatively on her national policies and would automatically affect her already established relationship with South Korea and Japan which she considers highly strategic (Kurata, 2018).

Besides, the attitude of the permanent members of the U.N Security Council has called for a serious concern. It has become almost impossible for members of Council to unanimously agree on cases brought before it. Even the few instances where council members agree, implementing it by members has become a very serious task especially among the veto wielding powers. The permanent members of the Security Council (USA, Russia, France, UK, and China) have at different occasions, as it pleases them, vetoed council decisions in line with their national interests. So at some point one becomes doubtful if the major powers were accorded that special privilege for the interest of global peace and security or to promote their respective national interests.

Although, it was a common knowledge that the introduction of the veto clause was aimed at promoting peaceful and cordial relationship among the core five permanent members (Butter, 1999). The big five were expected to see the maintenance of global peace and security as a collective task among them, being the most powerful states. It has been observed over the years that the special privileges granted to few members to the exclusion of other member states have not in any way contributed to the smooth and effective functioning of the system in general.

It is quit unfortunate that the much anticipated cooperation among members is only felt where such action to be taken does not affect the interest of a core or major

player in the system. In other words, an understanding among the cooperating members could only be reached if it does not affect the interest of any of the veto wielding or the most influential members of the collective system. The reality is that much has not been felt due to the lack of commitment by the cooperating member states (Schwarzeberger, cited in Ebegbulem, 2011)

Nations are constrained to maintain their identity with regards to its culture, domestic laws and perspective on international affairs. As such, it would be difficult for members to subordinate their sovereign interest to collective action due to the divergent historical, socio-cultural and political developments of member states and the need to maintain their core values. Consequently, some of the phenomena negate the principles of the United Nations and adversely affect collective decision making processes at the UN.

Besides, major diplomatic efforts have been made as well to peacefully resolve some of the burning issues that called for international concern through the Agreed Framework of 1994 2002 and the Six Party Talks among key and strategic nations (North Korea, China, Japan, Russia, South Korea and the United States) in the spirit of promoting global peace (Carmody, 1994). However, the reality of the situations shows that much has not been felt due to the lack of commitment by the cooperating member states, which has continued to encourage most of the aggressor states to continue such acts that threatens global peace and security.
As a result of the different value systems (cultural and political) of the cooperating member nations, the task of reconciling the different perspectives for the sake of addressing security challenges has become more difficult. Consequently, ending tyrannies and oppressive regimes requires serious commitment and sacrifice by all member states.

The Effect of Sanctions as an Instrument of Collective Security in North Korea
The general theory of economic sanctions expects that sanctions bring about economic hardship that would metamorphose to political instability and possibly compel the target country's government to comply with the sender government's position (Galtung, cited in Anguelov, 2015). The power of the giver of the sanctions therefore matters if the sanction is to be effective. If the postulation of the general theory on economics fails and the country that is being sanctioned fails to stop its

aggressive activities, the sanction then becomes ineffective (Dashti, Davis, Radcliff, Pape, Drury, Hart, cited in Anguelov, 2015).

There are however situations that contributes to the effectiveness of sanctions. An example is a situation where the sending and receiving countries have an economic (or financial) kind of relationship (prior to the sanction). The need for this kind of relations is paramount due to the effect it is capable of creating (Eyler, cited in Benjamin, 2016). The effect will be more if the receiving country was benefiting more from such economic or financial relationship.

North Korea had received economic sanctions meted on it by the UN Security Council. By the sanction (Resolution 1718), no country was to send specific products to North Korea. The banned products included technology-related products, luxurious products, arm-related products (of large scale quantity). The sanction also stood against any country bringing in heavy arms made in North Korea. This sanction became necessary due to the underground nuclear test done by North Korea in 2006 (Marcus, 2009). Consequently, the then North Korean UN ambassador, Park Gil-yon called the resolution "gangster-like". The Ministry of Foreign Affairs released a statement, condemning the resolution, reiterating that such sanctions were an act of war and went further to threaten a merciless strike against any state that implemented the UN resolution. A similar view was expressed by Marinov (2005) where he stated that while economic sanctions had landmark achievements in destabilizing rulers of targeted countries, in North Korea that has not been the case. It was most likely that the current regime enjoys some level of local support by the effectiveness of its propaganda mechanism coupled with the influence of geo-politics that seems to undermine the interest of the United Nations.

However, in an attempt to ascertain the level of compliance of members with regards to their enforcement obligations under the United Nations Charter, the chair of the UN Sanctions Committee, Italian ambassador, Marcello Spatafora, gave a formal report to that effect. The speech shows that 71 countries as at then did submit reports on their implementation activities but indicated that China's report was not comprehensive as it did not show a breakdown of their implementation activities. Also, countries like Iran and Ethiopia who hold a

history of weapons procurement from North Korea did not submit their reports at all (Marcus, 2009).

Therefore, it is worthy of note that the pronouncement of sanctions against a nation that breaches international peace and security was only a step in compelling such state to refrain from such conduct. The bulk of the task lies in the ability of the cooperating members to effectively bring to bear necessary measures such as creation of physical barriers. This is to enable checking or restriction of likely importation or exportation and other financial dealings in connection with the country in question. It would also help to modify the behavior and attitude of the target country and every other country that was an accomplice to such crime or threat against the world order (Hufbaucer et al. cited in Benjamin, 2016).

Several sanctions resolutions have been passed by the UN Security Council with a view to collectively halting the North Korea nuclear posture. Also, major diplomatic efforts have been made to peacefully resolve some of the burning issues that called for international concern through the Agreed Framework of 1994-2002 and the Six Party Talks among key and strategic nations (North Korea, China, Japan, Russia, South Korea and the United States) in the spirit of promoting global peace (Carmody, 1994).

To curb North Korea, the UNSC passed resolution 1695, which requested its member states not to have any dealings with North Korea with respect to items, materials, goods or technology to or from North Korea (Solingen, 2012). Resolution 1718 was further adopted following North Korea's nuclear test in October, 2006, calling for the inspection of all cargo shipments into the country and expanded economic sanctions.

In June 2009, the UN adopted Resolution 1874 to strengthen against the DPRK in response to its second underground nuclear test in May 25. Consequently, measures were taken with a view to targeting the financial sector of the recalcitrant North Korea. This was done through the prohibition of public financial support for trade with North Korea that would contribute to nuclear, ballistic missile, or WMD-related activities and the denial of credit facilities to her other than on humanitarian grounds.

Similarly, on September 2009, the United Nations Security Council adopted Resolution 1887, calling for the implementation of UNSC Resolution 1540 for nuclear nonproliferation and disarmament. However, the mandate was extended under two different resolutions (Resolutions 1928 and 1985) in June 10 and 12 in 2011 and 2012 respectively to enable the panel of experts get its report before its final report to the Security Council, and were further extended to June 12, 2013 under Resolution 2050.

Furthermore, following North Korea's launching of its satellite on December 12, 2012, the UNSC, adopted Resolution 2087 on January 22, 2013, condemning the act and directed the sanctions committee to take necessary action, possibly targeting on individuals or entities that were instrumental to sanctions fudging.

Also, in the same year, precisely 7March, 2013, under Resolution 2094, more sanctions were imposed on North Korea following its third nuclear test with a view to frustrating North Korea's efforts at developing further nuclear and ballistic missile program. North Korea was denied access to hard cash and technological equipment's needed to build weapons. States were called to inspect cargo or shipments to or from North Korea that transit through their territory. This was to be done if the cargo was suspected to contain bulk cash or materials that could possibly promote nuclear program. This process was further extended to April 5, 2015 and 2016 respectively under Resolutions 2141 and 2207 respectively.

More so, in March 2, 2016, the UNSC adopted Resolution 2270 in connection with North Korea's fourth nuclear test and second launching of its satellite. These sanctions included inspecting cargoes coming into and out from North Korea; halting of every trade with the country that has to do with weapon; the limitation of import of luxury goods; expulsion of key and strategic North Korea diplomats that were linked with activities that seems to promote the North Korea government's agenda at the expense of global peace and security.

Arising from North Korea's persistence and eventual testing of its fifth nuclear on September 9, further sanctions were placed on North Korea. This was done through the passing of Resolution 2321 on November 30, 2016, which further prohibited the exportation of minerals such as copper, Nickel, silver, and zinc to

and from North Korea and limiting the number of bank accounts to be operated by diplomats and missions and other technical cooperation. The mandate was further extended through the adoption of Resolution 2345 and 2356 on March 23, and June 2, 2017 respectively, by sanctioning individuals and entities whose conduct and practices seem to promote nuclear related programs in North Korea. On August 5, 2017, the UNSC adopted Resolution 2371 to unanimously strengthen its sanctions regime against North Korea in response to its two ICBM tests in July 28, 2017. This resolution bans the export of several materials, such as coal, iron and iron ore, seafood, lead and lead ore. It bans countries from allowing in North Korean laborers. In the same vein, on 11 September 11, 2017, under Resolution 2375, the UNSC unanimously strengthened its oil sanctions regime against North Korea due to its sixth nuclear test on September 3. The resolution primarily targeted North Korea oil imports, textile exports and overseas laborers.
The UN Security Council again unanimously imposed new sanctions by adopting Resolution 2397, to make more stringent its position on North Korea. This is in connection with the launching of Hwasong-15intercontinental ballistic missile, which the North Korean government says could hit anywhere in the U.S. mainland on December 22, 2017. These sanctions include limiting North Korea's imports of refined oil, forcing all North Koreans working overseas to return home within 12 months and cracking down on shipping to and from the country (The Associated Press, Dec. 21, 2017). It is however important to state that apart from the United States, other actors within the international system have not been too willing to participate in sanctions against North Korea.

This was also evident in the 1993-1994 crises on the peninsula, where the likes of South Korea, Japan, and China were so reluctant to pressures from the then Clinton's administration to take action. The reality of the situations shows that much has not been felt due to the lack of commitment by the cooperating member states. This has however, continued to encourage most of the aggressor states to continue such acts that constitute serious threat to global peace and security (Carmody, 1994).

This was the trend of events until 2002, when it was discovered by the then US Assistant Secretary of State, James Kelly, that North Korea has a secret enrichment program.

Consequently, the United States, Japan, and South Korea responded by putting a stop to the shipments of oil and rice promised under the 1994 deal. In extension, the construction of the two-light water reactors, which was part of the agreed framework was put to a stop, but due to lack of support by Russia and China for a resolution sanctioning North Korea's withdrawal from the nuclear non-proliferation treaty in 2003, its effect was not felt (Solingen, 2012).

Despite these numerous sanctions placed on North Korea and the various measures taken to discourage her from pursuing a nuclear program, she had remained tall and refused to refrain from her national nuclear policy that endangers the world in general. There was no evidence whatsoever that UN sanctions have had any tangible or measurable effect on North

Korea's trade in luxury goods with China and its overall trade with South Korea (Marcus, 2009).

In spite of warnings before the test, including the imposition of sanctions, there had not been any perceptible effect on the country's trade relationships with China and South Korea, being her major trade partners. Besides, for the fact that most of the sanctions were technology-based and requires a well-defined export control system to track such nuclear related materials, most developing countries find it difficult to effectively implement the full content of the resolutions. Nevertheless, what appears to be a major problem was the attitude of some of the permanent members of the Security Council, particularly China, in its lack of commitment in the total implementation of sanctions (Marcus, 2009). Hence, we need diplomatic sanctions because economic sanction against North Korea as a result of nuclear power acquisition has not been meaningful.

In 2010, Taiwan president, Ma Ying-jeou, explained the rationale for his country signing a major Economic Co-operation Treaty with mainland China with the following statement "We can handle diplomatic isolation, but economic isolation is fatal". This essay will make the argument that in the case of North Korea, the opposite is true. Economic isolation appears fairly manageable for Pyeongyang but diplomatic isolation may in fact enhance a broad coercive strategy significantly. The argument will be framed within the broader claim that in

particular in the case of North Korea, sanctions have been conceptualized too narrowly-they have been received as economic coercion only. Instead, the argument is made that sanctioning states consider the entire spectrum allowed under chapter vii, Article 41 of the UN Charter.

The UN/North Korea Impasse and its Implications on the UN System

Given the fact that the United Nations was primarily assigned the responsibility of maintaining global peace and security, a lot has transpired over the years. Although many are not satisfied with the role they have played so far, some believed that the UN has done well in living up to its primary objectives as prescribed by the provisions of the UN charter with respect to determining the existence of any threat to the peace, breach of the peace, or act of aggression and measures to be taken against such conduct.

The United Nations was divided along ideological lines and it was difficult to take a common stand on security issues. Therefore, the UN had failed in addressing most of the security challenges prevalent in the world today and that most of the resolutions taken by the Security Council of the United Nations were not effective and had not brought the desired result in resolving security issues. the UN has been moderately successful but a lot has to be done to make the process of its final major decisions inclusive. According to him, the exclusive powers at the Security Council encourage power politics among a few countries, putting peace in weak and usually unstable countries at risk. He also stated that the United Nations has been selective in its quest for global peace and security. This he said is because weak countries with less-meaning in the geo-political interests of the veto wielding powers at the Security Council were likely to relapse into destructive violence. A typical example is the case of North Korea.

It is noteworthy that lack of commitment in Council's decisions has made the United Nations appear like a toothless barking dog, as member's views are being influenced by their respective national desires and goals. In the view of Tariqulislam (2004), "the lack of unanimity and hostility between US and the Soviet Union paralyzed the Security Council". Consequently, it was hardly favorable to the implementation and carrying out of charter provisions for keeping the peace.

According to the report of the International Institute for Strategic Studies (IISS) with respect to substantial engagement in peacekeeping in non-strategic areas, multilateralism was a tool to be used when engagement could support the achievement of American interests or support US idealism. As Ambassador Madeline Albright, told a senate committee that, when threats arise, we may respond through UN, through NATO, through a coalition, through a combination of those tools or we may act alone. In other words, the UN is only there to serve as a cover for the actions of the key players in the system.

This was however confirmed during Clinton's administration when he argued that the U.S. participation in operations to enforce sanctions, provide humanitarian relief and assist peacekeeping could only be determined when, and only when it is U.S interest to do so (Tariqulislam, 2004). All these point to the fact that the UN can hardly have a consensus or succeed in the implementation of its decisions due to the strong ideological divide among the great five and the power politics expressed through the exercise of veto. This is exactly the case with North Korea as China, being a key player in the UN system tends to limit her commitment towards realizing the very objective of the United Nations in putting to an end the North Korea nuclear threat.

In 1950, the United States took the lead in persuading the United Nations Security Council to condemn the aggression by North Korea against its southern counterpart. It was however glaring that if not for the fact that the Soviet representatives were absent from the Security Council, the case would have been the opposite. On several occasions, the effectiveness of the United Nations has been put to test. It is obvious that there was hardly any general consensus among the permanent five over cases of general security concerns except it threatens their individual respective national interests. It has become a common practice that the great powers, which were saddled with the primary responsibility of determining an aggression and measures to address such acts, were using their veto power for their personal and individual national interest.

Even the few cases where the United Nations had responded, it has been selective. The great powers which constitute the Security Council in line with the provisions of the UN charter were only interested in protecting their interest. They feel less

concerned and committed to achieving the very objectives of the United Nations. They ignore the fact that the UN was primarily set up to address acts that could possibly threaten the peace and security of the globe.

Members have failed to pull resources together against any nation that threatens the security and peace of the world. The power of discretion exercised by the Security Council has even made it worst as it has no clear mechanism for containing the excesses of the permanent members.

North Korea had consistently stated her right to pursue a nuclear program as a sovereign nation. She believed that as a sovereign state, she has equal right to pursue her nuclear programme just as the U.S and other permanent members of the Security Council does (Harrison, 2005). Nevertheless, following the U.S. intelligence report in the early part of 1993, the International Atomic Energy Agency (IAEA) demanded for special inspection of the North Korea's nuclear facilities. This resulted in the withdrawal of North Korea from the Non Proliferation Treaty in March 1993 during Kim II Sung's administration. Consequently, talks between North Korea and the U.S. commenced. But due to the lack of progress and consistency in the Agency's implementation strategy, North Korea continued with its nuclear ambition by establishing a major nuclear reactor, which have the capacity of providing large amount of raw materials for several nuclear weapons (Lauren, 2007).

There have been continuous provocative and dangerous actions carried out by the government of North Korea in violation of the United Nations Security Council resolutions and other agreements geared towards the promotion of peace, security, and stability on the Korean peninsula. Yet, the relationship between China and North Korea has continued to get stronger by the day. Despite the influence of China over North Korea, she had remained mute to ensure that North Korea activities continue to question the U.S regional strategy and undermine the U.S position in Asia. Hence, China sees North Korea as a shield or defense between the border of the People's Republic of China and the United States military forces stationed in South Korea. Consequently, China has not been fully supportive to efforts of the United Nations. Infact, she even tried to frustrate the efforts of the United Nations by refusing or denying the

U.S. access to areas in China's Northeast along its border with North Korea, where so many Koreans were reported to be living illegally (Allard; Duchatel and Godement, 2017).

This was an indication that the UNSC has failed in its responsibility in ensuring global peace and security through the collective efforts of its members. It shows that the UN system does not have what it takes to ensure its resolutions were enforced so as to avoid negative interpretations, undermining the credibility and effectiveness of its sanctions regime (Ferral,
2007; Wood, 1998). As a consequence, member states were reluctant in keeping up to their implementation obligations as provided by Article 25 of the UN Charter (Benjamin, 2016).

Conclusion

Findings have also shown how members of the UN see collective security from their nationalistic point of view. Hence, they choose to support or oppose UN actions based on their national interest other than the collective interest of all members.

Again, despite numerous sanctions placed on North Korea with respect to her nuclear program much has not been felt in terms of stopping her from continuously posing a threat to the world at large due to poor implementation by member states. Finally, the current impasse between North Korea and the UN shows that the United Nations system lacks what it takes to ensure its resolutions and sanctions on North Korea are implemented to the fullest. A complete implementation would guarantee global peace and security which has been challenged as most nations prefer exercising their influence for strategic purposes other than the collective objectives of the United Nations.

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