

The Kim Jong-un Regime's "Byungjin" (Parallel Development) Policy of Economy and Nuclear Weapons and the 'April 1st Nuclearization Law'

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The military significance of the "Byungjin" (parallel development) policy of economy and nuclear weapons

On March 31st, North Korea adopted the "Byungjin" (parallel development) policy of 'economy and nuclear weapons' during a plenary session of the Party Central Committee (PCC). During the plenary session, Kim Jong-un warned of the threat of invasion when giving up deterrence by referring to past lessons of the Balkan Peninsula and the Middle East. He emphasized that the "Byungjin" policy is 'essential given the current world order,' and a 'lawful prerequisite for revolutionary development.' Kim Jong-un called the "Byungjin" policy a new strategic policy guideline, and specifically laid out its meanings as follows.¹⁾

- A deepening and improvement of the inherited "Byungjin" policy of 'economic and national defense capability' that Kim Il-sung and Kim Jong-il have exhaustively worked for²⁾
- A strategic guideline for the construction of a 'strong and prosperous nation where the people can enjoy the wealth and splendor of

1) "The full text of Kim Jong-un's remarks at the plenary session of the Party Central Committee." *Korean Central News Agency*, April 1, 2013.

2) Refers to Kim Il-sung's revolutionary slogan "a gun in one hand, and a hammer and sickle in the other!" and the "Byungjin" policy of 'economic and national defense capability' during the 5th plenary session of the 4th Central Committee in December 1962, as well as Kim Jong-il's military-first policy and nuclear weapons development.

- socialism' through strengthening defensive capacity and focusing on economic construction
- A legitimate guideline that realizes the achievements of 'constructing a socialist strong and prosperous nation' through strengthening deterrence and speeding up economic construction
 - A precious sword that will advance the construction of a socialist strong and prosperous nation and Korean unification' and a 'banner' of safeguarding the autonomy and dignity of the people
 - A realization of the firm belief and will of the Party to accomplish the 'revolutionary cause of *Juche* through a path of self-reliance, military-first, and socialism'
 - A pragmatic guideline to maximize the efficiency of economic development and strengthen national defense 'in accordance to the state of affairs'
 - A measure to promote economic construction and raise living standards of the people while strengthening national defense capabilities 'without increasing the defense budget'
 - A rational guideline towards solving energy problems based on an 'independent nuclear energy industry while strengthening nuclear weapons capabilities' at the same time

The plenary session laid out 12 tasks and measures to carry out the "Byungjin" policy. The tasks involving nuclear and missile developments are as follows.³⁾

- To solve energy problems through developing an independent nuclear power industry and carrying out light-water reactor development projects
- To launch numerous highly-developed satellites, including communications satellites, by accelerating space science technology
- To legally affirm North Korea's nuclear power status, and to expand and bolster nuclear forces in both quality and quantity until the world is denuclearized
- To finalize a nuclear combat readiness posture through completing the tactic and strategy of enhancing the pivotal role of nuclear weapons in all aspects of deterrence and operations strategy
- To work towards preventing the proliferation of nuclear weapons, to secure the peace and stability of Asia and the world, and to realize global denuclearization as a responsible nuclear weapons state

During the following 7th session of the 12th Supreme People's Assembly (SPA), eight agendas, which were decided in the PCC plenary session were discussed for implementation. The following three measures were decided with regards to North Korea's nuclear and missile developments.⁴⁾

- Adoption of an ordinance 'on consolidating North Korea's nuclear power status for self-defense'
- Adoption of a law on space development
- Decision to establish the National Space Development Bureau

3) *Korean Central News Agency*, March 31, 2013.

4) *Korean Central News Agency*, April 1, 2013.

Policy implications of the “Byungjin” policy of economy and nuclear weapons

The “Byungjin” policy of economy and nuclear weapons signifies that North Korea will no longer differentiate its nuclear energy for peaceful use from military use. Figuratively speaking, “Byungjin” does not symbolize the peaceful use or military use as being two separate swords, but rather as one double-edged sword that North Korea could brandish at will. North Korea is blatantly rejecting the global nuclear non-proliferation regime centered on the ‘Nuclear Non-Proliferation Treaty (NPT),’ which differentiates nuclear energy for peaceful and military uses. Considering that North Korea has included its space development program in the “Byungjin” policy, it can be interpreted that the regime will no longer differentiate the peaceful vs. military use of space, and satellite launch vehicle systems vs. long-range missiles.

In particular, the fact that the SPA established the National Space Development Bureau for the purpose of “the Republic to collectively lead and manage all space activities,”⁵⁾ it can be interpreted that North Korea will implement its “Byungjin” policy while collectively managing the peaceful and military uses of space. In the end, it can be analyzed that through the “Byungjin” policy, North Korea is directing its policy orientation towards enhancing both its economic and military capabilities by using so-called ‘dual use technologies’ that can have both civilian and military applications. This means that North Korea is rejecting the international norms that restrict the military use of ‘dual-use goods and technologies, such as the Chemical Weapons Convention (CWC), Biological & Toxin Weapons Convention (BTWC), and the Wassenaar Agreement.

If Kim Il-sung’s “Byungjin” policy can be summarized as “a gun in one hand, and a hammer and sickle in the other!” then Kim Jong-un’s “Byungjin” policy can be “missiles and nuclear weapons in one hand, and light-water reactors and satellites in the other!” Interestingly during the PCC plenary session, Kim Jong-un confirmed that North Korea’s nuclear weapons development has spanned all three generations of the Kim family. Specifically, Kim Jong-un remarked that he was able to defend the nation with the “strong nuclear deterrence that the Great Leaders dedicated their entire lives for” and that the “achievements of the Great Leaders to bring our nation onto the world stage as a nuclear power” will shine forever.

In relation to nuclear weapons, the plenary session saw three important decisions being made involving the strengthening of nuclear weapons deployment, legalization of North Korea’s eternal nuclear weapons possession, and justification of North Korea’s nuclear power status to the outside world, etc. First, Kim Jong-un called for the continual development of miniaturized and lightweight nuclear weapons and delivery systems, as well as a nuclear combat readiness posture through completing the tactic and strategy of enhancing the pivotal role of nuclear weapons in all aspects of deterrence and operations strategy. This foreshadows North Korea’s nuclear and missile tests to come in the future. The plenary session also emphasized that North Korea should bolster its nuclear weapons in both quality and

5) *Korean Central News Agency*, April 1, 2013.

quantity, as well as finalize operational tactics based on the pivotal role of nuclear weapons until the world denuclearizes. This shows that North Korea does not simply regard its nuclear weapons as a political tool, but also that it considers actually deploying and using its nuclear weapons.

Second, during the plenary session, Kim Jong-un proposed that the “issue of permanently seizing the nuclear deterrence inherited from the Great Leader” be legalized, and the plenary session also decided “the maintenance of the Republic’s nuclear power status” as a task to be fulfilled through the “Byungjin” policy. Third, Kim Jong-un declared to the outside world the inevitability of nuclearization due to the hostile policy of the United States, while trying to win supporters in the international community for North Korea’s position. He also called for North Korea to fulfill the obligations of the NPT and work towards realizing nuclear non-proliferation in the world as a responsible nuclear weapons state. Also the plenary session maintained that North Korea would work for making efforts to realize nuclear non-proliferation, peace and stability of Asia and the world, and global denuclearization. However, since the “Byungjin” policy itself, runs counter to non-proliferation norms of the international community, North Korea’s assertions to work towards global denuclearization seem to be mere ‘empty talk,’ nor is there likely to be any country to support North Korea’s position.

Analysis and implications of the ‘April 1st Nuclearization Law’

In formally legalizing North Korea’s nuclear power status, the SPA passed a “law on consolidating possession of nuclear weapons state for self-defense” (hereafter referred to as the ‘April 1st Nuclearization Law’). This law is the regime’s first formal nuclear policy for both domestic and foreign audiences; expanding and substantiating a report presented by the Ministry of Foreign Affairs (MFA) on April 21, 2010. While this can be considered North Korea’s version of the “Nuclear Posture Review (NPR),” the law stipulates North Korea’s permanent possession of nuclear weapons ‘until the world denuclearizes.’ The law also reflects North Korea’s perceptions of nuclear weapons as being sacred and a last bastion of survival for the regime. In April 2010, North Korea confirmed its nuclear status by revising its constitution in proclaiming itself as a ‘nuclear-armed state’ and further revealed intentions to assert the ‘truthness for self-defensive nuclear possession’ and enhance ‘the level of truth’ of nuclear weapons, with recent remarks from the Korean Central News Agency.⁶⁾ The ‘April 1st Nuclearization Law’ is comprised of ten articles and carries the message that while North Korea will never give up its nuclear weapons, it intends to use nuclear weapons for defensive purposes only and to manage them with maximum safety. Each article is analyzed and presented as follows.

Article 1. “The nuclear weapons of the Democratic People’s Republic of Korea (DPRK) are just means for defense as it was compelled to have access to them to cope with the ever-escalating hostile policy of the U.S. and nuclear threat.” North Korea is placing the responsibility and cause for its nuclearization on the hostile policy and nuclear threat of the U.S. North Korea has adhered to the ‘blame nuclearization on the U.S. discourse’ ever since its first public acknowledgment of having nuclear weapons on

6) Korean Central News Agency, March 25, 2013.

February 10, 2005. The discourse also signifies North Korea's nuclear weapons as being more than a diplomatic card towards negotiations for the normalization of relations with the U.S. This can be seen as a calculated strategic placement aimed at the nullification of the armistice agreement, collapse of the U.S.-ROK alliance, and withdrawal of U.S. troops. Article 1 confirms the fact that during the PCC plenary session, North Korea reaffirmed its nuclear weapons as a 'national treasure of a unified Korea and a lifeline of the Korean people that cannot be given up at any price,' as well as the last bastion for the preservation of the regime.

Article 2. "They serve the purpose of deterring and repelling the aggression and attack of the enemy against the DPRK and dealing deadly retaliatory blows at the strongholds of aggression until the world is denuclearized." This article affirms that nuclear weapons will only be used to deter, repel, and retaliate against attacks from hostile forces if deterrence were to fail. The role of nuclear weapons will be to deter, punish, and retaliate against attacks involving both conventional and nuclear weapons. It also emphasizes that North Korea's nuclear weapons are not for pre-emptive strikes, but self-defensive in nature. The articles carry the message that the outside world need not be concerned since nuclear weapons are purely defensive, and that the world should not try to persuade North Korea to denuclearize.

Article 3. "The DPRK shall take practical steps to bolster up nuclear deterrence and nuclear retaliatory strike power both in quality and quantity to cope with the gravity of the escalating danger of the hostile forces' aggression and attack." North Korea will continue to further develop its nuclear capability in both quality and quantity. The article implies additional nuclear tests for verifying new nuclear warheads and delivery systems while continuously making its nuclear weapons more high-tech, smaller, lighter, and diversified. North Korea will certainly continue to work towards increasing the range and accuracy of long-range missiles, which are delivery vehicles for nuclear warheads, while further developing its mobile launchers. North Korea could also conduct long-range missile tests with mock nuclear warheads, develop neutron bombs capable of massive loss of life, and electromagnetic pulse (EMP) weapons aimed at disrupting electronic systems. North Korea is also improving its capabilities to mount nuclear warheads onto its mid-range *Nodong* missiles to be deployed and aimed at South Korea.

Article 4. "The nuclear weapons of the DPRK can be used only by a final order of the Supreme Commander of the Korean People's Army (KPA) to repel invasion or attack from any hostile nuclear weapons state and make retaliatory strikes." This article shows that North Korea will not use its nuclear weapons so long as the U.S. and other nuclear weapons states do not attack first. This policy affirms North Korea's willingness to use nuclear weapons to retaliate against any attacks from nuclear weapons states, regardless of being conventional or nuclear. This policy runs counter to China's policy of "No First Use" in stating North Korea's willingness to use its nuclear weapons first in responding to even conventional attacks from other nuclear weapons states. Furthermore, North Korea emphasizes that it can responsibly and safely manage nuclear weapons under the guidance of the highest command and the final order of the Supreme Commander of the KPA. Meanwhile, articles 2 and 4 signify North Korea to withdraw its "right to launch preemptive nuclear strike against invaders' stronghold"⁷⁾ as stated by a spokesperson of MFA on March 7th. It is generally believed that the 'April 1st Nuclearization Law'

represents North Korea's formal nuclear policy, which was ratified in the PCC plenary session and adopted in the SPA.

Article 5. *“The DPRK shall neither use nuclear weapons against non-nuclear states nor threaten them with those weapons unless they join a hostile nuclear weapons state in its invasion and attack on the DPRK.”* It means that North Korea will offer conditional “Negative Security Assurance (NSA)” to non-nuclear weapon states. This is an emulation of the NSA that the U.S. has provided to the non-nuclear weapon states since the ratification of NPT prior to the Obama administration. However, unlike the U.S.’ version, North Korea does not require non-nuclear weapon states to join the NPT or similar non-nuclear regimes. Any non-nuclear weapon state that “joins with hostile nuclear weapon states” refers to the U.S. security allies in the region. Thus, if South Korea or Japan were to attack North Korea, then NSA would not apply, and they could be met with a nuclear retaliatory threat or strike. Articles 4 and 5 imply that North Korea will not use its nuclear weapons first even if it conducts a surprise invasion of South Korea, like in the Korean War, thus limiting its use of nuclear weapons as a retaliatory measure only. However, there is a significant difference with the “No Use” policy, which prohibits using nuclear weapons against non-nuclear weapon states.

Article 6. *“The DPRK shall strictly observe the rules on safekeeping and management of nuclear weapons and ensuring the stability of nuclear tests.”* It is unclear what is exactly meant in article 6. There are no international regulations on safekeeping nuclear weapons and ensuring the stability of nuclear tests. These are up to the responsibility of each nuclear weapons state. If North Korea is referring to the safekeeping of radioactive materials, then it (a country with nuclear facilities) is likely to have internal regulations dealing with this matter. However, when considering the poor state of the nuclear facilities at the Yongbyon nuclear plant, is it highly skeptical that North Korea's standards are in accordance with international standards or well maintained. Article 6 shows North Korea's willingness to continue conducting nuclear tests while preventing radioactive materials from affecting nearby environs and neighboring countries as much as possible.

Article 7. *“The DPRK shall establish a mechanism and order for their safekeeping and management so that nuclear weapons and their technology, weapon-grade nuclear substance may not leak out unlawfully.”* While the exact meaning of ‘unlawful’ is unclear, it seems North Korea is aware of the fact that the international community regards the proliferation of nuclear technology as being ‘illegal.’ North Korea's expression of being opposed to nuclear proliferation can be seen as a move taken in consideration of the strong will by the international community on nuclear non-proliferation. Moreover, it can be interpreted as a preemptive action in trying to disprove suspicions of nuclear cooperation with Syria, Iran, and Myanmar. Thus, it seems North Korea is trying to emphasize that it does not engage in nuclear proliferation activities. If the international community is to bring North Korea's nuclear proliferation as an issue, it will need to bear the burden of obtaining clear evidence that even North Korea cannot deny.

7) *Korean Central News Agency*, March 7, 2013.

Article 8. *“The DPRK shall cooperate in the international efforts for nuclear non-proliferation and safe management of nuclear substance on the principle of mutual respect and equality, depending on the improvement of relations with hostile nuclear weapons states.”* North Korea is signaling its willingness to join in international efforts for the safekeeping of nuclear facilities and materials (safety), security against theft or sabotage (security), and illegal nuclear non-proliferation (nonproliferation). However, North Korea makes clear that this is dependent on the normalization of relations with the U.S. This seems like a deliberately calculated move by the North Korean authorities to exploit global concerns about North Korea’s safety of nuclear materials, security, and nuclear nonproliferation, in hopes of gaining concessions from the U.S.

Article 9. *“The DPRK shall strive hard to defuse the danger of a nuclear war and finally build a world without nuclear weapons and fully support the international efforts for nuclear disarmament against a nuclear arms race.”* While appearing to agree with President Obama’s vision of a “Nuclear Weapons-Free World (NWFV),” North Korea is increasingly bringing into relief its nuclear power status. The purpose of North Korea’s insistence on nuclear disarmament is to try to reduce the nuclear presence of the U.S., and to limit the scope of its activities in the Asia-Pacific. After its public announcement of having nuclear weapons in February 2005, North Korea has called for bilateral U.S.-DPRK nuclear disarmament talks for equal reduction of nuclear weapons. This can be seen as North Korea’s card to requests from the international community for denuclearization.

Article 10. *“The related institutions shall take thorough and practical steps for implementing this ordinance.”* This article calls on relevant departments to actually implement the ‘April 1st Nuclearization Law.’ Based on this, a spokesperson from the Ministry of Atomic Energy announced that North Korea will adjust the use of the currently existing nuclear facilities in alignment with the “Byungjin” policy, just one day after the public announcement of the law. This implies that North Korea will renovate and restart the Yongbyon nuclear plant including the uranium enrichment facility, and a 5MWe graphite moderated reactor.⁸⁾ Besides this, it can be predicted that North Korea will assert its diversified nuclear card such as the completion and operation of experimental light-water reactors, a new nuclear fuels manufacturing plant and a new centrifugal separation facility, and the resumption of nuclear reprocessing at the Yongbyon nuclear plant. © KINU 2013

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8) *Korean Central News Agency*, April 2, 2013.