## RUSSIA-DPRK RELATIONS: IMPLICATIONS FOR THE UNSC'S MANDATE

## Frida Lampinen



The burgeoning military cooperation between Russia and the DPRK poses a significant challenge to global security. The simplified characterization of the alleged arms deal as a product of converging interests between old friends overlooks the fundamental importance of geopolitical dynamics and both states' diplomatic pivot away from the liberal West as a cause for re-evaluating their bilateral relations. This issue brief argues that regardless of whether the arms deal sustains momentum beyond the Ukraine war, strengthened DPRK-Russia relations challenge the UN Security Council as the principal theater for engagement on the North Korean nuclear issue and threaten to accelerate the widening rift between liberal and autocratic spheres of influence.

The year 2023 witnessed the strengthening of ties between Russia and North Korea (officially the Democratic People's Republic of Korea, or the DPRK). The two states have pushed to bolster relations since Russia invaded Ukraine in early 2022, and international speculation of the two countries' involvement in a covert weapons deal has surged in the past eight months following several remarkable diplomatic exchanges. Satellite imagery indicates that North Korea has been sending containers to Russia by sea and train since late August 2023. The shipment pace escalated following Kim Jong Un's visit to Russia in mid-September, and in October the

U.S. estimated the DPRK had sent approximately 1,000 containers of weapons and munitions for use on the Ukrainian battlefield. <sup>2</sup> Two months later, South Korean military authorities estimated that the arms trade volume had increased to 5,000 containers.<sup>3</sup> On January 5, 2024, the White House presented the most robust evidence of a Russia-DPRK arms transfer to date. <sup>4</sup> Missile debris from Russian attacks on several Ukrainian cities between December 30 and January 6 was identified as pieces of the North Korean KN-23 short-range ballistic missile (SRBM).<sup>5</sup> Additional evidence surfaced on January 24, when ballistic missile wreckage parts

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inscribed with Korean characters showed up in Ukraine.<sup>6</sup> While supplying arms to a conflict is not criminal per se, trading in North Korean weapons is a direct violation of UN Security Council (UNSC) resolutions 1718, 1874, and 2270, and the incident prompted Kyiv to launch an investigation into whether North Korea's involvement can be classified as a war crime.<sup>7</sup>

With the arms deal at its core, the growing momentum in Russia-DPRK relations demonstrate that the sanctions regime headed by the UNSC, in its current form, is ineffective in preventing North Korea from acquiring nuclear weapons in today's geopolitical reality. Departing from a brief overview of the diplomatic realignment that has set the stage for closer Russia-DPRK cooperation, this issue brief argues that while the arms deal in itself may not be able to carry the momentum in bilateral ties in the long term, it may have lasting impact on the efficacy of the UNSC sanctions regime by upheaving the

As the DPRK's nuclear program progressed, staging its fifth and sixth tests in 2016 and 2017, Russia remained supportive of imposing additional UNSC resolutions—but also started to voice skepticism about the efficacy of economic sanctions. This signaled the start of a qualitative shift in the Kremlin's attitude toward Security Council practice, the first step towards reimagining ties with Pyongyang.

imposed dichotomy of nuclear weapons or economic development with destabilizing implications for regional security. The international community would do well in incorporating to a greater extent the spirit of liberalism, a will to engage for the sake of promoting cooperation and understanding, to reinstate the UNSC as the principal international mechanism to engage North Korea.

## Old Acquaintances, New Circumstances

Media portrayals of the cooperation between Russia and the DPRK have tended to characterize the two heads of state as "old friends" reconnecting in a convergence of supply and demand: Moscow needs to restock its arms and assets to sustain its prolonged invasion of Ukraine, where North Korea is the only state with both a production capacity of compatible munitions and the political inclination to associate with Russia irrespective of international criticism.<sup>8</sup> This narrative is persuasive in its simplicity, yet fails to account for the fundamental significance that geopolitical circumstances and diplomatic realignments have had in paving the way for current developments.

Bilateral Russia-North Korea ties experienced a chilly period from the late 1980s through the 2000s. Amid the launch of the perestroika and later the fall of the Soviet Union, Moscow distanced itself from North Korea in favor of improving ties with South Korea and the West.9 With ideological considerations taken out of the equation, Russia's relation with the economically underdeveloped DPRK was regarded as draining resources. The collapse of communism in Eastern Europe in 1989 suggested that time was running out for the Kim regime—in other words, Pyongyang was not deemed a partner to invest in.<sup>10</sup> At the same time as Russia's trade with the DPRK plummeted, Moscow normalized ties with the ROK in 1990 and pursued economic cooperation with Seoul throughout Yeltsin's presidency. 11 Even though Russia-DPRK relations experienced renewed momentum upon Vladimir Putin's assumption

of the Russian presidency and the signing of a bilateral friendship treaty in 2000, it was far from a breakthrough. Trade remained at a standstill, and Russia's support in implementing UNSC sanctions on North Korea following the regime's missile and nuclear tests in 2006 and 2009—putting an embargo on North Korean arms and banning ballistic missile development—posed an obstacle to improved ties. 12 As the DPRK's nuclear program progressed, staging its fifth and sixth tests in 2016 and 2017, Russia remained supportive of imposing additional UNSC resolutions—but also started to voice skepticism about the efficacy of economic sanctions. This signaled the start of a qualitative shift in the Kremlin's attitude toward Security Council practice, the first step towards reimagining ties with Pyongyang.<sup>13</sup>

At the same time, North Korea's engagements with the United States during Trump's presidency soured Pyongyang's impression of the benefits of cooperating with the West. Negotiations during the U.S.-DPRK summit in Hanoi 2019 on North Korean denuclearization in return for sanctions relief fell through owing to a fundamental disagreement on Pyongyang's nuclear status. The failed summit would ultimately lead Kim Jong Un to drop the goal of normalizing relations with the U.S., marking a significant departure from the state's foreign policy tradition and the beginning of a diplomatic turn towards like-minded partners. 14 Compared to bargaining for sanctions relief and being on the receiving end of charity, as is the nature of North Korea's relationship with the liberal West, the regime likely perceives partnerships offering mutual benefits as more resonant with the DPRK's fundamental ideological tenet of selfreliance, or Juche. In parallel, Russia's ties with the international community, led by the U.S. and the European Union, started to deteriorate following its annexation of Crimea in 2014, a trend that was reinforced into diplomatic isolation in several multilateral fora for sports, culture, and governance following the 2022 invasion.15

The emergence of a multipolar world order and the widening rift with the liberal West reduces the incentive for authoritarian states to adhere to international norms—including implementing sanctions on North Korea—and is a cause for re-evaluating diplomatic priorities in both Moscow and Pyongyang.

Crucially, these events have unfolded against the backdrop of a growing rivalry between the United States and China. The Sino-U.S. strategic competition for global influence has had a major impact on regional geopolitical dynamics. The growing alignment between South Korea, Japan, and the U.S. is perceived as U.S.-led NATO expansionism in the Indo-Pacific, and this mental map directly impacts the policy considerations of both Beijing and Moscow where North Korea gains increased importance as a counterweight in the regional power balance.<sup>16</sup> Even though the DPRK remains the junior in the relationships with both China and Russia, the increased attention allows Pyongyang to advance from being an antagonistic sidekick to becoming an important player in the emerging authoritarian bloc on its own merits.

The emergence of a multipolar world order and the widening rift with the liberal West reduces the incentive for authoritarian states to adhere to international norms—including implementing sanctions on North Korea—and is a cause for reevaluating diplomatic priorities in both Moscow and Pyongyang. Shortly after the Kim-Putin summit in September 2023, Kim urged to "further promote solidarity with the nations standing against the

U.S. and the West's strategy for hegemony."<sup>17</sup> This growing "anti-imperialist" struggle could incentivize Russia, North Korea, and China to stir up trouble for U.S. interests on multiple fronts—including in Ukraine and the UNSC. For this purpose, the Russia-DPRK arms deal checks all the boxes.

# The UNSC, in the Vortex of Geopolitical Dynamics

prominence "alternative" growing of governance does not go unnoticed in the central mechanism of the liberal world order, the UN and its Security Council. Since 2022, Russia and China have vetoed multiple attempts in the UNSC to impose new sanctions on North Korea despite Pyongyang's recurrent ballistic missile tests. 18 Frustrating as it may be, occasional paralysis is an inherent limitation of an institutional design that affords veto rights to some members, especially in times of diplomatic fluctuation. However, there is a qualitative and critical difference between not supporting new resolutions and actively seeking to undermine the system—as Russia now is doing.

Fundamentally, sanctions by the UNSC (and other entities) on the DPRK aim to cut off funding and sustain a deficiency of the monetary and material resources needed to run a nuclear weapons program, forcing the framing of economic development or nuclear weapons as a binary choice. Even though most parts of the North Korean economy are under sanctions, this has so far failed to deter Pyongyang's ambitions of qualitative and quantitative weapons of mass destruction (WMD) development.<sup>19</sup> Sanctions efficacy is a fundamentally legitimate concern to all Council members, including Russia and China. Sanctions require effort to implement, and if they do not have the intended effect, it is rational to rework them. Nonetheless, efficiency should not be confused with sanctions legitimacy, the mandate to impose sanctions, which is based on collective normative notions of the UN's authority in safekeeping global peace and prosperity. Sanctions, like any rule or regulation, can be ineffective, while still being morally or legally legitimate, so long as the UN enjoys this jurisdiction.

Yet, rhetoric emanating from Moscow and Beijing since 2017 often muddles the two concepts, conveying that UNSC sanctions are a faulty tool to address the North Korean nuclear issue by being inefficient—affecting North Korean civilians rather than the military—and inconsiderate of Pyongyang's security concerns.<sup>20</sup> While the disproportionate effect of current sanctions on the North Korean population is a fair concern, and one that we will return to later on, drawing attention to unintended effects is not incompatible with condemning North Korea's continued weapons development as a threat to regional security. Responsible member-states can, and should, do both. Yet, joint draft resolutions by China and Russia in 2019 and 2021 only call for sanctions relief citing the poor humanitarian situation in the country, making no mention of North Korea's continued sanctions violations. 21

While China is careful not to publicly reject the UNSC's mandate even when refraining from criticizing the DPRK, the same cannot be said about Russia, who has made it quite clear that it does not agree with the UN's definition of global security. Approximately a month after the invasion of Ukraine in 2022, a Duma official said that Russia should "strengthen its integration with North Korea and remove sanctions on it."22 In September 2023, the Kremlin asserted in a notable set of statements that it signed existing UNSC resolutions in "a completely different geopolitical environment"23 and that sanctions "cannot, should not, and will not" be a hinder to strengthened cooperation with North Korea.<sup>24</sup> By trading in weapons and offering assistance to North Korea's space program, knowing fully well that UN member-states are banned from doing so, Russia shows a blatant disregard for the rules-based order, yet still continues to claim that it "responsibly" fulfills its "international obligations, including Security Council resolutions". 25 If this is the new standard for responsibility, it is a concerning precedent.

If North Korean munitions are sold at the market value of comparable equipment, the value of the shipments would exceed USD 3 billion, roughly 10 percent of the state's GDP.26 Even if this is a generous estimate, a deal of such volumes allows the Kim regime to secure a significant source of state income, rendering sanctions on the DPRK's economy notably less effective and undermining the joint efforts by other UN member-states.<sup>27</sup> Since North Korea's extraordinary perseverance to develop a nuclear deterrent has yielded credible results even under heavy economic burden and social isolation, the normalization of sanctions evasion by one of the five permanent members of the Council (P5) is devastating to the practical efficacy as well as symbolic value of the UNSC on North Korean issues. The arms trade between the two nations may cease once its utility is exhausted for the Russian armed forces-there is no immediate rationale for extending it beyond the Ukraine war. However, Russia's blatant disregard for the UNSC's mandate will set up the Council for long-term paralysis on the North Korean issue, giving rise to lasting effects outside of the UN forum as stakeholders turn towards unilateral sanctions and countermeasures. Not only are unilateral measures less effective than a joint response, but also run a higher risk of being misinterpreted as more aggressive than intended.<sup>28</sup> As North Korea is amping up its rhetoric, stating it will not shy away from war if provoked,<sup>29</sup> grievances that are unclearly communicated or give room for ambiguous interpretation (such as the age-old question "are military drills defensive or offensive?") have potentially destabilizing effects on regional security. Additionally, as Pyongyang feels emboldened by Russian and Chinese support, it is likely to continuously pursue increasingly daring weapons demonstrations—amplifying the potential consequences if a test goes wrong.

# Reimagining the UNSC Toolbox

The geopolitical realignments described above certainly pose challenges to the upholding of the contemporary rules-based order, and the current Russia's blatant disregard for the UNSC's mandate will set up the Council for long-term paralysis on the North Korean issue, giving rise to lasting effects outside of the UN forum as stakeholders turn towards unilateral sanctions and countermeasures.

diplomatic toolbox at the disposal of states to stop North Korea's WMD advancements appears increasingly ineffective. Here, a reconceptualization of the "nuclear crisis", North Korea's rapidly advancing nuclear strike capabilities, and frequent missile testing, may prove helpful for the sanctions framework to switch gears and boost its appeal to illiberal critics.

First, let us consider that North Korea's possession of nuclear weapons does not immediately translate into an intent to use them. While its WMD development certainly is unlawful under the UN framework, capability alone is not a certain heralder of conflict, even in the hands of an irresponsible warden. There must also be an intent to pull the trigger. At this point, North Korea has demonstrated a credible enough nuclear capability, and failing to acknowledge this may prove counterproductive by giving Pyongyang a reason to keep displaying its military achievements. Even when the P5 was in unison and the Council exercised its full mandate to dissuade North Korea from pursuing its chosen path, the DPRK responded with a great determination to assert its status as a nuclear power. This is not likely to change under current circumstances. Meanwhile, continued ostracization and denial of recognition are not conducive to fostering trust in the DPRK's relations with the West. Even if North Korea has dropped the goal of diplomatic normalization with the United States, the basic confidence that the other party will not initiate an attack may make all the difference between escalation and de-escalation of an unintended incident. While military capabilities are often effectively countered by military deterrence, misunderstandings and diplomatic grievances are better addressed by risk reduction and confidence-building mechanisms.<sup>30</sup>

If we accept the geopolitical reality that North Korea is, and will remain, a state with nuclear weapons, one option worth considering within the framework of Security Council practice is to amend existing sanctions. Making it a point to drop or amend resolutions of questionable efficiency (in other words, having miniscule or undiscernible effect on cutting funding for the nuclear program specifically) would help reinstating sanctions efficacy—as opposed to legitimacy—as the guiding principle, which could help the Council out of the deadlock situation. For example, by amending existing sanctions to maintain a ban on the import of resources that are undoubtedly linked to WMD development but allowing goods that are less clearly so, such as fertilizer to boost agricultural production, seems like an appropriate starting point. In so doing, the UNSC shows goodwill, and it could be a first step towards gaining institutional credibility in the eyes of North Korea, Russia, and China.

However, amendments would have to be very carefully considered, explicitly and narrowly formulated, and gradually implemented. A China-Russia draft resolution from 2021 urges the UNSC to make sweeping amendments to allow a great range of goods, materials, financial means, and technologies that would benefit "humanitarian and medical purposes".<sup>31</sup> Yet, allowing all merchandise with medical use (or similar) opens up for the possibility of dual-use appropriation and moreover defeats the fundamental binary logic of the sanctions regime—to nudge Kim Jong Un into making the "right" decision, choosing welfare and economic development above *more* nuclear weapons. While it

is not guaranteed that the sentiment of amended sanctions would be reciprocated in Pyongyang, the current approach seems to have a very limited effect on Pyongyang's weapons development and additionally allows Russia to shake the Council's fundamental normative footing. As China and Russia have proposed "humanitarian amendments" previously, such a campaign ought reasonably to have fair chances of gaining their support. This could push the UNSC out of the deadlock situation—and in a larger picture, reinstate the UNSC at the center of international politics, preserving its unique function as a forum in which both liberal and authoritarian states can find mutual understanding.

#### Author -

**Frida Lampinen** is a former Junior Research Fellow at the Institute of Security and Development Policy (ISDP) working primarily with Korean Peninsula issues. She holds a BA and an MSc in Political Science from Uppsala University, Sweden.

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