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Subcommittee on Asia and the Pacific
Subcommittee on the Middle East and North Africa

"The Iran-North Korea Strategic Alliance"
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Mr. and Madam Chairmen, Mr. Ranking Members, and Members of the Committee:

It is an honor to be with you today to discuss Iran, North Korea, and the recently concluded Joint Comprehensive Plan of Action (JCPOA).[1]

As a matter of background, I come to this topic with a life-long emphasis on international security, and in particular on proliferation and nuclear weapons decision-making. I have always worked on a bipartisan basis, providing assessments to Republican and Democratic Administrations, as well as to Republican and Democratic Members of Congress, as they have worked with proliferation challenges. As regards Iran and the Democratic People's Republic of Korea (DPRK), I have studied and written about their nuclear programs for more than 15 years. I have been to both Iran and North Korea and have spent hundreds of hours in meetings with Iranian and DPRK officials respectively discussing nuclear and related issues.

[1] I would like to thank the many people who helped with my testimony, including Angela Nichols, Greg Thielmann, Daniel Wertz, Tim MacDonald, Stephen Van Evera, Taylor Fravel, Michelle Lee, and Vipin Narang, to name a few.

1. The Central Question and Summary Judgment

In my testimony, I will focus on what I consider to be the single most important of question concerning the Iran-DPRK relationship: Will North Korea help Iran cheat on the nuclear deal?

My summary judgment, explained in detail below and based on the available evidence in the public domain, is that it is unlikely that Iran will use the DPRK to cheat on this agreement.

2. How should policymakers assess the risk of Iran-DPRK cheating?

Assessment is more than simply listing the things that could go wrong (or right) with an agreement. In theory, lots of things can happen, but in practice few of those possibilities come true. Experience and data enable analysts to distinguish between what is more likely and what is less likely. This, in turn, makes it possible for policymakers to weigh costs, benefits, and tradeoffs.

In addition, one should be clear about the standard for judging risk. The question is not whether a given agreement is risk free. In all public policy making there is risk: risk from action and risk from inaction. Zero risk is simply not possible. Still, it may be possible to distinguish risk among competing alternatives.

As regards Iran, the DPRK, and the risk of cheating, analysts and policymakers can draw on multiple sources of data to help estimate risks. These include:

1) Past Iranian behavior
2) Iran's current capabilities and intentions
3) Iranian-DPRK relations (past and present)
4) Evidence from nuclear history
5) New incentives and disincentives introduced by the JCPOA

3. Past Iranian behavior

Iran's previous behavior is a logical place to begin, and the record suggests that cheating should be a concern. The Director of National Intelligence (DNI) has repeatedly testified that Iran had a structured nuclear weapons program that began in the late 1990s and that was halted in 2003, a conclusion echoed by other country's assessments and implied in various IAEA reports on Iran. These activities represented a clear violation of Iran's Nuclear Nonproliferation Treaty

(NPT) obligations and provide cause for concern that Iran might violate its commitments in the future. These illicit activities included the surreptitious construction of enrichment facilities and centrifuges.

Since the public disclosure of its enrichment program, Iran has allowed International Atomic Energy Agency (IAEA) inspection of its enrichment facilities, though it did not grant the Agency full and enduring access to all sites of interest (e.g., the heavy water production facility and the Arak reactor construction site).

The IAEA also reports that Iran has complied with the Joint Plan of Action (JPOA), which has been in effect for a little more than a year and a half.

Based on Iran's past violations during the period of the late 1990's to 2003 and efforts to cover up those violations, I conclude that --absent other conditions-- there is a nontrivial risk Iran might attempt to circumvent its obligations, that is, cheat.

4. Iran's current capabilities and intentions

The most authoritative guides to Iran's nuclear program are the IAEA reports and the DNI's testimony and statements. In 2012, the DNI reported that:

> "Iran has the …capacity to eventually produce nuclear weapons, making the central issue its political will to do so. …We assess Iran is keeping open the option to develop nuclear weapons, … should it choose to do so. We do not know, however, if Iran will eventually decide to build nuclear weapons."[2]

He went on to say that Iran's nuclear choices reflect a cost-benefit approach.

These conclusions, which have been publicly affirmed at levels of high confidence for 9 years in a row, have direct implications for risk assessment. To state it plainly, Iran does not have an active nuclear weapons program, has no covert weapons-related facilities, and has not made a decision to pursue nuclear weapons.

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[2] James R. Clapper, "Unclassified Statement for the Record on the Worldwide Threat Assessment of the U.S. Intelligence Community for the Senate Select Committee on Intelligence," Office of the Director of National Intelligence, January 31, 2012, p 6, http://www.intelligence.senate.gov/120131/clapper.pdf.

This state of affairs would, in turn, suggests that if Iran were to turn to the DPRK for help with a nuclear weapons program, it would require two decisions Iran has not made, i.e. it would require a reversal of its current policies. Iran would have to:

1) Decide to acquire nuclear weapons, which it has not done, and

2) Decide to conspire with DPRK to achieve that end

Of course, Iran could change course in the future if conditions or Iran's leadership changes, and as a matter of policy-making, the United States and the international community should take steps to minimize that risk and be prepared to respond should Iran choose to change course. Nevertheless, as a matter of risk assessment, these are favorable conditions for a nuclear agreement.

On its face, it would seem odd for Iran to a) have no weapons program, b) have not made a weapons decision, c) agree to the most intrusive verification regime ever negotiated in a multi-lateral nonproliferation agreement and *then* d) decide to cheat.

5. Iranian-DPRK nuclear relations (past and present)

Just as Iran's past behavior, in this case it's violations of its NPT commitments, should help inform an assessment of Iran's potential future actions, Iran's past and present relations with the DPRK should be considered as they relate to possible collaboration between the two countries.

North Korea's support for the Islamic Republic dates back to the 1980s and the Iran-Iraq War, when Pyongyang provided arms and other support to Tehran. Missile cooperation between the two has been well documented, and Iran has confirmed as much, though there continues to be debate over whether that trade in missile continues today and the relative status of each country's missile program. (These questions are discussed in detail in Appendix I.)

The critical questions, however, are 1) whether there has been bi-lateral cooperation in the nuclear field, and in particular as it relates to nuclear weapons, 2) if there was nuclear cooperation in the past, might it reoccur in the future, and 3) if there was not nuclear cooperation, would past (or present) ties in the missile field become the basis for future nuclear weapons cooperation.

The general logic behind possible nuclear cooperation is the same as it is for missile cooperation. First, there is the principle of "my enemy's enemy is my friend" – or at least my opportunistic trading partner. Bolstering that basic logic is the fact that both countries have faced sanctions on their missile and nuclear programs and thus would seem to have an incentive to collaborate insofar as alternative sources of support are largely unavailable.

As regards joint nuclear weapons work, there have been a number of media reports suggesting such cooperation as well as allegations made by the MEK and its affiliated groups.[3]

I have reviewed some 76 media reports covering a span of 11 years (2005-2015).[4] More than half of these reports (42) occur in the last 2 years, with 30 taking place in 2015 alone. About a third of those are from media that most observers would associate with a particular ideological point of view (e.g., the Free Beacon, the Tower, and Anti-War.com). It would appear that the dramatic increase in these reports in 2014 and 2015 reflects the fact that the Iran negotiations were progressing to a final agreement rather than objective changes on the ground. Again, in this regard it is worth remembering the DNI finding that Iran halted its nuclear weapons program in 2003. In any case, none of the 76 reports has been confirmed. In addition, assertions by the MEK, like virtually every allegation made by the MEK following its first accurate claim regarding Iran's enrichment facilities, have also failed to find confirmation.

On the other side of the ledger:

> **The DNI despite numerous opportunities to do so, has never claimed Iranian-DPRK nuclear coordination even as the DNI has pointed to missile cooperation between the two countries and testified as to Syrian-DPRK nuclear cooperation.
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> **The IAEA has never alleged nuclear cooperation between Iran and North Korea.

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[3] On the MEK, a group that until recently was on the US government's list of terrorist groups, see Ronen Cohen, *The Rise and Fall of the Mojahedin Khalq 1987-1997*, Sussex Academy Press, Brighton: 2009.

[4] I am indebted to Tim MacDonnell and Michelle Lee for their research on this topic.

**The UN Panel of Experts for Iran Sanctions and the UN Panel of Experts for North Korea Sanctions have never claimed joint IRI-DPRK nuclear activities.[5]

**A 2015 Congressional Research Service review of the data leads it to conclude that," there is no evidence that Iran and North Korea have engaged in nuclear-related trade or cooperation with each other…"[6]

**Virtually no journal article in the scholarly literature has claimed evidence of nuclear collaboration between Pyongyang and Tehran. The exception is Christina Lin's article in the *Middle East Review of International Affairs* (March 2010), which relies on unsubstantiated media accounts.[7]

It is worth pointing out that the Islamic Republic and the DPRK chose completely different paths for their weapons efforts. North Korea pursued a plutonium route, while Iran focused on uranium enrichment. At one point relatively late in its weapons effort, Pyongyang decided to also develop a uranium enrichment capability, but the centrifuges it fielded appear to be a different, more advanced design than the IR-1s (Pakistani P-1s) deployed by Iran.[8]

As for the DPRK, its past nuclear behavior has demonstrated a willingness to transfer reactor technology (e.g., Syria), though perhaps not the necessary reprocessing technology.[9] More importantly for this discussion, there is no

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[5] Not all UN Panel of Experts reports have been made public, but discussions with members of both panels substantiate the point.

[6] Paul Kerr et al, "Iran-North Korea-Syria Ballistic Missile and Nuclear Cooperation," Congressional Research Service, May 11, 2015.

[7] Christina Lin, "China, Iran, and North Korea: A Triangular Strategic Alliance," *Middle East Review of International Affairs*, Vol. 14, No. 1, (March 2010). For more skeptical and nuanced views see: Mark Fitzpatrick, "Iran and North Korea: The Proliferation Nexus," *Survival*, Vol. 48, No. 1 (Spring 2006); Jeffrey Lewis, "Limited Partnership," *Foreign Policy*, February 22, 2013. http://foreignpolicy.com/2013/02/22/limited-partnership/?wp_login_redirect=0; and Dan Wertz, "Iran-North Korea Relations: Missile and Possible Nuclear Cooperation," Working paper, July, 2015.

[8] David Albright and Christina Walrond, "North Korea's Estimated Stocks of Plutonium and Weapon-Grade Uranium," Institute for Science and International Security, August 16, 2012, http://isis-online.org/uploads/isis-reports/documents/dprk_fissile_material_production_16Aug2012.pdf.

[9] Background Briefing with Senior U.S. Officials on Syria's Covert Nuclear Reactor and North Korea's Involvement," April 24, 2008. http://fas.org/irp/news/2008/04/odni042408.pdf

evidence to date that North Korea has transferred fissile material or an actual weapon to a third party.

6. Evidence from nuclear history

Iran and North Korea are not the first countries in the nuclear age to have engaged in missile trade while harboring nuclear weapons ambitions. In the 70 years of the nuclear age, many nuclear weapons states and nuclear aspirants have engaged in missile trade with other countries that had nuclear ambitions. Yet one has not observed over time a situation in which missile trade caused the countries involved to develop nuclear trade.

In addition, those 7 decades of experience has yielded two lessons.

The first is that media reports on proliferation are unreliable. Iran and the DPRK are only the latest countries whose activities have been subject to media speculation. As someone who has studied the nuclear histories and behavior of at least a dozen countries, one regularly sees media reporting, which archival evidence has subsequently proven to be false.

Second, scientific cooperation agreements, even those that have an explicit nuclear component, are poor predictors of nuclear weapons cooperation. While in many cases where nuclear cooperation does take takes place, there *is* a scientific cooperation agreement, in the vast majority of cases, a scientific cooperation agreement is not associated with nuclear weapons cooperation. In other words, such agreements can be a minimum condition, but it is a poor predictor.

It also has to be said that today's nonproliferation landscape is a far more hostile environment for that kind of cooperation than in earlier decades of the nuclear era. The IAEA operates under a much stronger set of rules (e.g., the Additional Protocol) and has an array of science and technologies for verification that inspectors in the past could only dream of. There are multiple policy instruments available to the international community, like the PSI, that simply did not exist before. That does not mean that Iran-North Korea cheating cannot happen, that it is impossible. It does suggest for the purposes of risk assessment, however, that it is unlikely.

7. New incentives and disincentives introduced by the JCPOA

So far, this assessment has focused on relevant data from the past and present. But it is also worth asking what new effects of the JCPOA might have on Iran's calculus.

On the one hand, it appears that the JCPOA would increase Iran's incentive to initiate nuclear weapons cooperation with North Korea. (Again, the worst-case assumption for purely analytical purposes is that at some point in the future, Iran abandons its current policy and decides to pursue nuclear weapons.)

The JCPOA effectively blocks Iran's path to indigenously developing a bomb. If it attempted to use its declared facilities, it would be caught virtually immediately. That leaves two options: sneak out, or nuclear weapons collaboration outside its territory. This is not the place to discuss the sneak out scenario, but to the extent that the JCPOA also makes that more difficult – as it surely does given the procurement channel and the "cradle to grave" monitoring of its entire fuel cycle—it could increase the incentive to seek assistance from third parties.

On the other hand, the prospect of a joint IRI-DPRK weapons effort would not appear to be very promising, given other risks and disincentives.

7.1 If the P5+1 (or any country for that matter) finds evidence of that collaboration, no matter how small, it will constitute a prima facie violation of the agreement and Iran will be found in noncompliance.

7.2 It would require cross-region transfers of people and material, which increases the risk of detection. Already we have ample cases of countries interdicting shipments by the DPRK. The Proliferation Security Initiative's (PSI) core purpose is to prevent these kinds of transfers. It is one thing for China and North Korea to engage in illicit cross-border trade, quite another for Iran and North Korea to do it over thousands of miles fraught with multiple choke points.

7.3 Iran would have to worry about the prospect that a North Korean defector might spill the beans. Iran would be especially sensitive to this possibility, insofar as it is alleged that a Russian who worked on Iran's nuclear program was one of the sources regarding Iran's weapons program.

7.4 The mercurial nature of North Korea's young Kim Jong Un, complete with leadership purges and questionable behavior might rightly give Iran pause. Put another way, you feel comfortable entering into a high-stakes, long-term deal with Kim Jong Un?

7.5 Iran will also have to worry about the survival of the North Korean regime. Will it even be here years from now? To be sure, many analysts have lost by betting on the DPRK's demise, and it has to be said that at least economically, Pyongyang appears to be doing better in recent years, but the regime could be one famine or crisis with South Korea away from crashing. If that were to happen, Iran could be exposed.

7.6 Tehran would be risking its currently good relations with the far more wealthy and powerful South Korea, if the cooperation were discovered.[10]

7.7 As a result of the JCPOA, surveillance of North Korea will likely increase, if only because governments might fear such cooperation. And it will not simply be the US that is doing the watching. Israel, Saudi Arabia, and others that previously might not have had a direct stake in North Korean activities will be motivated actors. It is also worth noting that the UN Panel of Experts on North Korean Sanctions is not going away. It is here to stay regardless of what happens with Iran. Its work, combined with PSI, the national technical means of many different countries, and other instrumentalities would make any cooperation between the two daunting and risky.

8. Concluding Thoughts

Quality assessment requires measuring and weighing different risks. When it comes to the possibility of future IRI-DPRK nuclear weapons cooperation, the risks run both ways, but the conclusions are clear.

On one side of the ledger is Iran's past cheating (during the late 1990s until 2003) and the effect of the JCPOA closing alternative routes to the bomb, which suggests that there is a risk that Iran could turn to North Korea for help.

On the other side of the ledger is the fact that Iran does not have a weapons program, has not made a decision to pursue nuclear weapons, the absence of any serious evidence of past nuclear cooperation with the DPRK, the fact that the DPRK has no record of transferring fissile material or nuclear weapons to third

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[10] On Iranian relations with South Korea, see Azad, Shirzad, "Iran and the Two Koreas: A Peculiar Pattern of Foreign Policy," *The Journal of East Asian Affairs*, Vol. 26, No. 2, Fall/Winter 2012.

parties, the experience of the last 70 years of the nuclear age, and the enormous risks Iran would be running if it engaged in such behavior.

In weighing these risks, based on the available evidence, I assess that the chances of such cooperation are very low, that it is unlikely that Iran would attempt to cheat by collaborating with North Korea. Moreover, if they did, the chance that they would be detected would be substantial.

If one then steps back and compares the potential benefits of an agreement that blocks Iran's path to the bomb against the potential costs of IRI-DPRK cheating and other risks, it is clear that this is a very good agreement that will enhance US and global security for years to come.

It has been a great honor to appear before this august body. If I can be of service in the future, I stand ready to do so.

Thank you.