SMART POWER: REMAKING U.S. FOREIGN POLICY IN NORTH KOREA

HEARING

BEFORE THE

SUBCOMMITTEE ON ASIA, THE PACIFIC AND THE GLOBAL ENVIRONMENT

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

FEBRUARY 12, 2009

Serial No. 111–5

Printed for the use of the Committee on Foreign Affairs

Available via the World Wide Web: http://www.foreignaffairs.house.gov/

U.S. GOVERNMENT PRINTING OFFICE
47–419PDF WASHINGTON : 2009

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

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SMART POWER: REMAKING U.S. FOREIGN POLICY IN NORTH KOREA

THURSDAY, FEBRUARY 12, 2009

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ASIA, THE PACIFIC
AND THE GLOBAL ENVIRONMENT,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:05 p.m. in room 2172, Rayburn House Office Building, the Honorable Eni F.H. Faleomavaega, (chairman of the subcommittee) presiding.

Mr. FALEOMAVAEGA. The Subcommittee on Asia, the Pacific and the Global Environment hearing will come to order, and before proceeding any further, because we have two votes that are pending right now and some of my colleagues will have to go and vote, I will give the time to my good friend and chairman of our Terrorism, Nonproliferation and Trade Subcommittee on Foreign Affairs, my good friend from California, Mr. Sherman. If you want to make an opening statement at this time, you are welcome to do so.

Mr. SHERMAN. I thank you, Chairman Faleomavaega. Thank you for having this hearing. I think it is about the most important issue facing us in the Asia-Pacific region. The spread of nuclear weapons is perhaps the only thing that poses a national security threat to ordinary Americans and a threat to their safety and to our way of life.

We should be prioritizing nonproliferation at a higher level. There is a lot of talk that we are going to reach a deal with North Korea because we are going to have great diplomats who have read all the books on how to negotiate. I do not think that reading a book on how to negotiate or reading 100 of them is the key. The key is we need more carrots and more sticks.

The carrot that the Bush administration was unwilling to use is to offer a non-aggression pact. The reason that was given to me is the United States never does non-aggression pacts. The other reason is, well, we spent a lot of time banging the North Koreans over the head to convince them to stop asking for a non-aggression pact. Clearly what was at work in addition to just bureaucratic intransigents is a dream of Dick Cheney somehow overthrowing the Government of North Korea by force, a dream he did not want to give up. Well, he has left. I do not think we should dream of a successful new Korean War. We should instead be offering a non-aggression pact for a truly CVIP outcome, that is to say, complete, verifiable, and permanent foregoing of nuclear weapons.

When it comes to sticks, our problem is we do not have enough and we are not being creative in how to get more. The key way to put pressure on the North Korean Government is to get the Chinese Government to put pressure, and the key way to do that is to at least begin to make Beijing believe that access to the United States market is contingent upon a greater level of cooperation on the North Korea issue, and if necessary, a Chinese Government willing to inform the North Koreans that continued subsidies from Beijing could be cut off if they will not move to toward a fair, verifiable and permanent renunciation of nuclear weapons, and abandonment and destruction of existing stockpiles of nuclear weapons.

We have been unwilling to do that in part because we are unable to link one issue to the other. That seems to be too complex for the State Department. They do not like to do it in any sphere because it involves not only thinking about two things at the same time—our trade relationship with China on the one hand, our concern with North Korean weapons on the other—but it involves telling one part of the State Department that their priority may have to be tied to some other priority in the State Department.

The other reason we do not do it is because of the total power of importers. The real money that is made in this country, the big money, the enormous money is to make something for pennies in China and sell it for dollars in the United States, and with that money comes power, the power to prevent the further accrual of the money, and for that reason it is not permissible in Washington to talk seriously about hinting to Beijing that their access to the United States market could be limited for various reasons, not the least of which is an insistence on greater pressure on the North Korean Government.

The solution that the establishment has, that the State Department has to this concern is to parade diplomats in front of us, telling us that China is very helpful, do not worry about it, we are just a day or a week or a month away from a non-nuclear North Korea. I have been hearing that for more than 8 years. It is a lie. It is a lie that gets Congress to stop asking questions that they do not want to hear.

The fact is that North Korea still has nuclear weapons. The fact is the problem has not been solved, and the fact is that China's level of help has been insufficient, and it is about time that we take a look at ways to get both more carrots and more sticks and not settle for constantly being told that we should not worry about the problem.

I yield back.

Mr. FALEOMAVAEGA. I thank the chairman of our Subcommittee on Nonproliferation for his opening statement, and I would welcome his return since I am sure that he will raise some additional questions with some of the most distinguished witnesses and guests that the subcommittee has invited to testify this afternoon.

I will begin with my opening statement, and proceed accordingly. Without objection, the statements that have been submitted by our witnesses this afternoon will all be made part of the record. If there are any additional documents or materials that each of our

witnesses want to submit to be made part of the record, you are welcome to do so.

Never in our Nation's history have we faced a more pressing need to remake America at home and abroad, and who knoweth, as the good book says, whether or not President Obama has been raised up for such a time as this. What we do know is that, last November, America voted for change because America recognizes that these are no ordinary times. These are extraordinary days, and I commend the Obama administration and Secretary of State Hillary Clinton for sending a tremendous signal of the importance of the Asia-Pacific region to U.S. interests.

By choosing to visit the Asia-Pacific in her first trip abroad, Secretary Clinton obviously is renewing America's stature and leadership in a region of the world the U.S. has too long neglected, in my humble opinion. I wish Secretary Clinton God speed, especially as she takes on the challenge of remaking United States foreign policy in North Korea.

While diplomatic, tough-minded intelligent diplomacy will be the keystone of our new U.S. foreign policy, in her statement before the Senate Foreign Relations Committee as a nominee of the Secretary of State, Senator Clinton stated that we must use, and I quote, "smart power," meaning the full range of tools at our disposal—diplomatic, economic, military, political, legal and cultural—picking the right tool or a combination of tools for each situation.

I agree with this approach believing, like Secretary Clinton, that we must, and I quote from her statement, "fire on all cylinders to provide forward-thinking, sustained diplomacy in every part of the world."

In the case of North Korea, in 2003, six governments, including the United States, North Korea, China, South Korea, Japan and Russia, began talks aimed at ultimately eliminating North Korea's nuclear programs. In 2007 and 2008, three agreements were reached; two by the six parties and one by Assistant Secretary of State Christopher Hill and North Korean Deputy Foreign Minister Kim Dae Jung.

The agreements constituted a deal to shutdown North Korea's plutonium production facilities in exchange for United States concessions, including removing North Korea from the sanctions provision of the U.S. Trading with the Enemy Act, removing North Korea from the United States list of state sponsors of terrorism, and the promise of energy assistance to North Korea.

At the end of the Bush administration, North Korea had completed about 80 percent of the disablement, and the United States, China, South Korea and Russia sent North Korea about 800,000 tons of the 1 million tons of energy assistance it promised. Although Japan is withholding its quota of about 200,000 tons of heavy oil due to the lack of progress in settling the issue of North Korea's kidnapping of Japanese citizens, the Bush administration did remove North Korea from the sanctions provisions of the terrorism list. However, North Korea now says it will only complete disablement when it receives the remainder of energy assistance.

As Mr. Harrison, our first witness this afternoon, will testify, this is a very important turning point in United States-North Korea relations for, as he states, and I quote:

> "For the past 18 years, the United States has offered the normalization of relations with North Korea as a reward for denuclearization. Now North Korea is asking us to reverse the sequence to pursue denuclearization through normalization."

The purpose of today's hearing is to discuss where we go from here considering that North Korea is also suggesting that any final denuclearization agreement with the United States must consider the future military presence in and around the Korean Peninsula. Also, North Korea is signaling that future denuclearization talks deal only with the dismantlement of the Yongbyon installation rather than with nuclear weapons.

With North Korea's threat of a military confrontation with South Korea, and its refusal to completely denuclearize, the timeliness and relevance of today's hearing is underscored by North Korea's announcement less than 2 weeks ago that it is nullifying all inter-Korean agreements and reportedly seeking to test-fire an intercontinental ballistic missile.

As Secretary Clinton noted this past Tuesday at a press conference held in the White House, and I quote from her:

> "We are hopeful that some of the behavior that we are seeing coming from North Korea in the past few weeks is not a precursor of any action that would up the ante or threaten the stability and peace and security of the neighbors in the region. North Korea has to understand that all of the countries in East Asia have made it clear that its behavior is viewed as unacceptable."

Given these very serious developments, what tools should the Obama administration use to improve United States-North Korean relations? Should greater emphasis be placed on economic aid, human rights, and separate negotiations with North Korea over a Korean peace treaty to replace the 1953 armistice agreement? Is any of this possible given the Bush administration's failure to focus on North Korea's highly enriched uranium program or nuclear collaboration with Iran and Syria? What succession contingencies do we have in place given the recent health concerns of Kim Jong Il?

However we proceed, let me conclude my opening statement with two clear convictions. First, the United States-South Korea alliance stands firm in its commitment to peace and prosperity on the Korean Peninsula. Secondly, North Korea should come back to the negotiating table immediately and reestablish its inter-Korean cooperative projects with South Korea to continue progress aimed at easing tensions and fostering mutual dialogue.

I attended recently an Asia-Pacific parliamentary forum that was attended by several of our Asian countries' parliamentarians, and a resolution was proposed—calling upon North Korea to denuclearize the country in terms of its ability now to develop nuclear weapons. The only point that I raised at the time of the forum was that we have been trying for years in the Six-Party Talks to get North Korea to dismantle its nuclearization program, yet North Korea is already a member of the nuclear club. North Korea already has between four to six nuclear weapons, and now North Korea is about to test its capability in producing an intercontinental ballistic mis-

sile. I just wanted to add that as an observation for our witnesses that will be testifying this afternoon.

I note also with interest that we have Ambassador Charles Pritchard who will be testifying here with us, and I understand you will be leaving later this afternoon to meet with your son, Major Jack Pritchard, who is currently on tour in Iraq, and certainly want to wish you, Ambassador Pritchard, and your family all the best as you are about to meet your son in Wiesbaden, Germany.

Our first witness that we have this afternoon is no stranger, I am sure, to all of us for those of you who are experts in dealing with Asia-related issues, and this is none other than—I say that it is my honor to have met with him previously to the meeting—is Mr. Selig Harrison.

Selig Harrison is a senior scholar of the Woodrow Wilson International Center for Scholars and currently director of the Asia program at the Center for International Policy. He has specialized in South Asia and East Asia for some 58 years as a journalist and scholar and is the author of five books, and published countless numbers of articles that relate to our political or foreign policy relationships with the countries of South Asia as well as Southeast Asia.

He has visited North Korea about 11 times, most recently in January of this year, and also visited Iran in June 2007 and February and June of last year. His articles on Iran following his visits there in 2007–2008 included "Iran is America's Best Hope for stability in the Gulf." I think we need to read that one, Mr. Harrison.

His reputation for giving early warnings on foreign policy crises was well established during his career as a foreign correspondent. He made a prediction some 18 months before the war—the Indo-Pakistan war—and caused some problems there with many of the editors, wondering how in the world has Mr. Harrison made such a prediction so accurate, and the editors were complaining about why were they not informed about this prediction that Mr. Harrison made before the Indo-Pakistan war came about.

More than a year before the Russians invaded Afghanistan, Mr. Harrison again warned of this possibility in one of his frequent contributions to the influential journal, Foreign Policy. During the Soviet occupation of Afghanistan, he was one of the earliest to foresee that the Soviet Union would withdraw its forces and become a leading advocate of a two-track policy designed to promote a withdrawal through a combination of military pressure and diplomatic incentives.

One of my predecessors who served previously as chairman of this subcommittee, my good friend, a former Congressman from the State of New York, Mr. Stephen Solarz, made this interesting observation concerning Mr. Harrison, and I quote this, in February 21, 1989, 1 year after the withdrawal, and this is what Mr. Solarz said: "With each passing day his reputation," Mr. Harrison's reputation, "as a prophet is enhanced. I am sure it wasn't easy for Mr. Harrison, in the face of a phalanx of analysts, academicians, and others who were all saying the opposite, to maintain his position, but he had the intellectual fortitude and moral strength to stick by his guns, his analytical guns, and I think he deserves credit for that."

And with that, Mr. Harrison, we will welcome your prediction as what will happen in the Korean Peninsula in the coming months and for next year.

At this time I would like to turn the time now to Mr. Harrison for his presentation.

[The prepared statement of Mr. Faleomavaega follows:]

COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

STATEMENT OF
THE HONORABLE ENI F.H. FALEOMAVAEGA
CHAIRMAN

before the
SUBCOMMITTEE ON ASIA, THE PACIFIC, AND THE GLOBAL ENVIRONMENT

"Smart Power: Remaking U.S. Foreign Policy in North Korea"

February 12, 2009

Never in our nation's history have we faced a more pressing need to remake America at home and abroad. And, who knoweth, as the Good Book says, whether or not President Obama has been raised up for such a time as this.

What we do know is that last November, America voted for change because America recognizes that these are no ordinary times. These are extraordinary days, and I commend the Obama Administration and Secretary of State Hillary Clinton for sending a "tremendous signal" of the importance of the Asia Pacific region to U.S. interests right now. By choosing to visit the Asia Pacific region in her first trip abroad, Secretary Clinton is renewing America's stature and leadership in a region of the world the U.S. has too long neglected. I wish Secretary Clinton Godspeed, especially as she takes on the challenge of remaking U.S. foreign policy in North Korea.

While diplomacy – tough-minded, intelligent diplomacy – will be the keystone of U.S. foreign policy, in her testimony before the Senate Foreign Relations Committee as a nominee for Secretary of State, Senator Clinton stated we must use "'smart power': the full range of tools at our disposal – diplomatic, economic, military, political, legal, and cultural – picking the right tool, or combination of tools, for each situation.'"

I agree with this approach, believing like Secretary Clinton that we must "fire on all cylinders to provide forward-thinking, sustained diplomacy in every part of the world." In the case of North Korea, in 2003, six governments including the United States, North Korea, China, South Korea, Japan, and Russia began talks aimed at ultimately eliminating North Korea's nuclear programs. In 2007 and 2008, three agreements were reached, two by the six parties, and one by Assistant Secretary of State Christopher Hill and North Korean Deputy Foreign Minister Kim Kye-gwan. The

agreements constituted a deal to shut down North Korea's plutonium production facilities in exchange for U.S. concessions, including removing North Korea from the sanctions provisions of the U.S. Trading with the Enemy Act, removing North Korea from the U.S. list of state sponsors of terrorism, and the promise of energy assistance to North Korea.

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The purpose of today's hearing is to discuss where we go from here considering that North Korea is also suggesting that any final denuclearization agreement with the United States must consider the future military presence in and around the Korean Peninsula. Also, North Korea is signaling that future denuclearization talks deal only with the dismantlement of the Yongbyon installations rather than with nuclear weapons.

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Given these very serious developments, what tools should the Obama Administration use to improve U.S.-North Korean relations? Should greater emphasis be placed on economic aid, human rights, and separate negotiations with North Korea over a Korean peace treaty to replace the 1953 armistice agreement? Is any of this possible given the Bush Administration's failure to focus on North Korea's highly enriched uranium program or nuclear collaboration with Iran and Syria? What succession contingencies do we have in place given the recent health concerns of Kim Jong-Il?

However we proceed, let me conclude my opening statement with two clear convictions. First, the U.S.-ROK alliance stands firm in its commitment to peace and prosperity on the Korean Peninsula. Second, North Korea should come back to the negotiating table immediately and re-establish its inter-Korean cooperative projects with South Korea to continue progress aimed at easing tensions and fostering mutual dialogue.

Having said this, I look forward to receiving testimony from our esteemed panel of witnesses and, before recognizing our Ranking Member for any opening comments that he might have, I want to commend Ambassador and Mrs. Charles L. (Jack) Pritchard and their son, Major Jack Pritchard, Jr., for their honorable and much appreciated service to our nation. Major Jack Pritchard, Jr. of the 1st Armored Division just completed his second tour of duty in Iraq in December and, following Ambassador Pritchard's testimony and after answering any questions we might have, Ambassador Pritchard and his wife will depart on a flight for Wiesbaden, Germany to visit their son for the first time since his return. On a day of such significance, we thank Ambassador Pritchard for being with us today and we thank his son, and all those serving in the U.S. Armed Forces, for their heroic service. I ask you to join me in applauding them.

STATEMENT OF MR. SELIG S. HARRISON, ASIA DIRECTOR, THE CENTER FOR INTERNATIONAL POLICY

Mr. HARRISON. Thank you very much, Mr. Chairman. It is wonderful to have a chairman who actually reads my CV. As you said, for the past 18 years the United States has offered the normalization of relations as the reward for denuclearization. Now North Korea is asking us to reverse the sequence, to pursue denuclearization through normalization.

But the issue dominating discussion of North Korea in Washington is, of course, whether North Korea will ever really denuclearize. So I decided before going to Pyongyang this time to frame my discussions there in a way that would help to clarify this issue. I submitted a detailed proposal to the North Koreans in advance. Here is what it was.

North Korea would surrender to the IAEA the 68 pounds of plutonium already declared. The U.S. would conclude the peace treaty, that you mentioned, ending the Korean War. We would normalize diplomatic and economic relations with North Korea, put food and energy aid on a long-term basis, and support large-scale multilateral credits for rehabilitation of the North Korean economic infrastructure, and as I said, they would——

Mr. FALEOMAVAEGA. Can we just suspend for a minute? Your microphone is still not on. Something is wrong with the electronics here. Can you try the other microphone next to you, see if that might work? Does it work?

We will need to suspend the hearing.

[Off the record.]

Mr. HARRISON. Well, that sounds like something.

Mr. FALEOMAVAEGA. My apologies, Mr. Harrison.

Mr. HARRISON. Not at all. As I said, I submitted this proposal to the North Koreans to smoke them out. And the answer I got was categorical and explicit. I was told that their declared plutonium has "already been weaponized," but they said they are ready to rule out the development of additional nuclear weapons in future negotiations. All four of the officials I met emphasized two key themes.

First, North Korea wants friendly relations with the United States and hopes that the Obama administration will initiate moves toward normalized relations. Vice President Kim Yong Tae said:

> "If the Obama administration takes its first steps correctly and makes a political decision to change its DPRK policy, the DPRK and the U.S. can become intimate friends."

I asked General Ri Chan Bok of the National Defense Commission whether United States forces could stay in Korea when and if relations are normalized. As you know, the traditional North Korean position has been that the United States forces have to get out, and here is what he said: "When the time comes we can discuss that."

The second thing emphasized was that North Korea will not commit itself now as to when it will give up its nuclear weapons. Here are the words of nuclear negotiator Li Gun: "We are not in a position to say when we will abandon nuclear weapons. That depends

on when we believe there is no U.S. nuclear threat. We must proceed step by step, action for action."

Now, all of those I met said that North Korea has already weaponized the 68 pounds of plutonium acknowledged in its formal declaration, and that therefore the weapons can't be inspected since they are military.

Sixty-eight pounds, as you know, is enough for four or five nuclear weapons, depending on the grade of plutonium, the specific weapons design and the desired explosive yield. What this means is that the objective of the Six-Party negotiations and United States negotiations directly with North Korea, which I think have to be the heart of our policy, should now be to cap, to cap the declared North Korean arsenal at four or five weapons by completing the disabling of the Yongbyon reactor to which you referred now in progress, and by negotiating the terms for completely dismantling the reactor which, of course, has been envisaged in the denuclearization scenario now being negotiated.

In return for dismantlement, North Korea wants a binding commitment to complete the two light-water reactors for electricity promised under the 1994 agreed framework. That is sure to stir up controversy in Washington, but in Pyongyang it seems logical to the North Korea, first, because the reactors were promised; second, because nearly $3 billion has already been spent on them to the build the infrastructure at Kumho, and above all, because North Korea suspended its nuclear weapons program from 1994 until 2002, in return for that promise.

North Korea suspended its nuclear weapons program from 1994 until 2002 in return for the promise of light-water reactors.

Well, to sum up, North Korea had adopted what to us will be a much harder line than before, and the question is why. Some say it is just a bargaining posture to strengthen its position with a new administration. But I would emphasize two other factors.

First, Kim Jong Il did have a stroke. I learned from several well-informed sources that he has a greatly reduced work schedule. He has turned over day-to-day management of domestic affairs to his brother-in-law, Chang Song Taek, and foreign affairs and defense policy is now largely in the hands of hawks in the National Defense Commission which, of course, means a tougher nuclear policy.

A second factor of great importance, which is not mentioned often but I think is very important, is the fundamental change in the posture of South Korea toward the North under its new President, Lee Myung Bak. President Lee has dishonored the North/South Summit Declarations of June 2000 and October 2007. He says he will "review them but is not bound by them." This was a disastrous historic mistake.

What Lee Myung Bak has done is to revive North Korean fears that South Korea, the United States and Japan want regime change and absorption because, of course, the summit declarations envisaged co-existence and progress toward confederation which is, of course, the opposite of a policy of absorption.

So to make progress in the nuclear negotiations and avoid a revival of military tensions in the Korean Peninsula it is necessary for both the United States and South Korea to reaffirm their categorical, unqualified support of the June 2000 and October 2007

summit declarations. I really think that is the most important step that is necessary to get this whole situation back on track. That means supporting co-existence and eventual confederation and giving up hopes of promoting a collapse and absorption of the North by the South, and, of course, all kinds of things are in the air, whether they are balloons being thrown into North Korea, all sorts of other things that indicate there are forces who have not given up those goals.

In conclusion, the bottom line in shaping North Korea policy is that continued United States engagement with North Korea looking to normalization will strengthen the pragmatists in Pyongyang in their continuing struggle with military hardliners, and we must remember this is not a monolithic regime. You have two contending points of view and that is the central fact of life that we face in North Korea.

If we fully normalize relations, we are more likely to get leaders there who will give up their nuclear weapons than if we do not engage. In the meantime, if the United States can deal with major nuclear weapon states like China and Russia in East Asia, can tolerate a nuclear armed North Korea that may or may not actually have the nuclear weapons arsenal it says it has, it may be bluffing. Just in case it has learned to miniaturize nuclear warheads sufficiently to make long-range missiles, the new administration, in my view, should couple a resumption of denuclearization negotiations, Six-Party Talks plus direct talks with a revival of the promising missile limitation negotiations that the Clinton administration was about to conclude when it left office.

I pushed the idea of missile negotiations hard several times in my initial conversations in Pyongyang. At first Li Gun, with whom I spent the most time, a total of 6 hours, did not have instructions on this issue, it was quite clear. But after overnight consultations he said, "If we can have nuclear negotiations, why not missile negotiations?"

So I think the short-term first step of the Obama administration dealing with North Korea should be to try to put the resumption of the Clinton period missile negotiations on the table again, and at a broader level it should work with South Korea to reaffirm support for the summit declarations of 2000 and 2007 because only through that reaffirmation can a real policy of rolling back regime change be implemented.

Thank you.

[The prepared statement of Selig S. Harrison follows:]

Remarks of Selig S. Harrison at the House Foreign Affairs Subcommittee on East Asia, the Pacific and the Global Environment, February 12, 2009.

We're meeting at a very important turning point in US-North Korean relations. For the past 18 years the United States has offered the normalization of relations with North Korea as the reward for denuclearization. Now North Korea is asking us to reverse the sequence, to pursue denuclearization through normalization. They want us to accept them as a nuclear weapons state during a period of transition to normalization and eventual denuclearization.

I'm going to begin by telling you about my recent trip, what was said and who said it. I will then go on to my assessment of the reasons for the shift to a hard line on the nuclear issue and to my analysis of U.S. policy options.

My visit was from January 13 through January 17. I met four key leaders:

- Li Gun, director of U.S. affairs in the foreign ministry and the number two nuclear negotiator, for a total of six hours in his office and over the dinner table.
- Kim Yong Tae, Vice Chairman of the Presidium of the Supreme People's Assembly, for an hour.
- Foreign Minister Pak Ui Chun, 45 minutes.
- General Ri Chan Bok, spokesman of the National Defense Commission, two hours.

Plus five resident Europeans who have aid and business dealings with the regime and several Korean residents of Beijing and Tokyo who are friendly to the regime, come frequently to Pyongyang and know a lot about what is going on.

The issue dominating discussion of North Korea in Washington is whether North Korea will ever really denuclearize, so I decided to frame my discussion in Pyongyang in a way that would get into this issue, instead of letting the North Koreans take the initiative and frame our discussions in their own terms.

I submitted a detailed proposal for a "Grand Bargain" in advance. North Korea, I suggested, would surrender to the International Atomic Energy Agency the 68 pounds of plutonium already declared in the denuclearization negotiations so far conducted. The United States would conclude a peace treaty ending the Korean War, normalize diplomatic and economic relations, put food and energy aid on a long-term basis and support large-scale multilateral credits for rehabilitation of the North Korean economic infrastructure.

The answer I got was categorical and explicit. I was told that their declared plutonium has "already been weaponized." They are ready to rule out the development of additional nuclear weapons in future negotiations, they said, but when, and whether, they will give up their already-existing arsenal will depend on how future relations with Washington evolve.

All four of the officials I met emphasized two key themes:

First, North Korea wants friendly relations with the United States and hopes that the Obama Administration will remove all vestiges of the regime change policies of the past and will initiate moves towards normalized relations.

The Vice-President said: "If the Obama Administration takes its first steps correctly and makes a political decision to change its DPRK policy, The DPRK and the United States can become intimate friends."

I asked General Ri whether U.S. forces could stay in Korea when and if relations are normalized. "When the time comes," he said, "we can discuss that."

The second theme emphasized was that North Korea is now a nuclear weapons state and will not commit itself now as to when it will give up its nuclear weapons, regardless of whether or not normal relations are established.

Here are Li Gun's words: "We are not in a position to say when we will abandon nuclear weapons. That depends on when we believe there is no U.S. nuclear threat. We must proceed step by step, action for action."

All of those I met said that North Korea has already weaponized the 68 pounds of plutonium acknowledged in its formal declaration and that the weapons cannot be inspected. 68 pounds is enough for four or five nuclear weapons, depending on the grade of plutonium, the specific weapons design and the desired explosive yield. Neither Li Gun nor General Ri would define weaponization but General Ri implied that they are making, or attempting to make missile warheads.

What this means is that the objective of the six-party negotiations should now be to cap the declared North Korean arsenal at four or five weapons by completing the disabling of the Yongbyon reactor now in progress and negotiating the terms for dismantlement.

I was told North Korea would suspend disabling unless the six parties provide the remaining 200.000 tons of fuel oil that Japan has promised as part of the 600,000 tons promised in return for disabling Yongbyon. Japan refuses to provide it so North Korea is slowing down the disabling process and threatens to suspend the October 3 dismantling agreement altogether unless the Obama administration takes action soon. They have already slowed down the discharge of fuel rods to 15 a day and they threaten to slow down to one a day. And there are still 2,200 fuel rods to be discharged.

The very first thing Li Gun said to me was this: "The primary task of the Obama administration regarding Korea should be to complete the October 3 agreement by persuading Japan to supply its share of heavy fuel oil or by making arrangements with China, South Korea and Russia to provide it. If it is not provided, we will not be bound to proceed with disablement."

Assuming that Yongbyon is in fact disabled, the next step envisaged in the October 3 agreement is to dismantle it. That should be our priority in order to cap the North Korean arsenal at four or five nuclear weapons. But in return for dismantlement North Korea wants a binding commitment to complete the two light water reactors for electricity promised under the 1994 Agreed Framework. And it wants interim energy aid until the reactors are in operation. That is sure to stir up controversy in Washington. But in Pyongyang it seems logical. First because the reactors were promised. Second because nearly $3 billion has already been spent on them and, above all, because North Korea suspended its nuclear weapons program from 1994 until 2002 in return for that promise.

What about the verification issue that led to the breakdown of negotiations last December? I was told that verification could begin in parallel with the dismantling process. The six parties can take samples at nuclear waste sites to determine whether there is more plutonium hidden away in addition to the 68 pounds. Li Gun said: "We are already a nuclear weapons state, so why would we object to sampling?"

But there is a big condition for sampling within North Korea and that is verification inspections in South Korea by the Denuclearization Working Group of the six party talks. First, the U.S. would have to make a declaration listing in detail the nuclear weapons brought into South Korea and when they were removed. Here's what General Ri said: "The U.S. said in 1991 that it removed them, but we have no way of knowing whether that is true or not. Just as you wanted a declaration from us, we want one from you. We will have to verify the declaration with inspections at U.S. bases and, if necessary, at South Korean bases. We also have to inspect whether there are still nuclear mines at the DMZ."

Li Gun emphasized that the chairmen of all the six party delegations including the U.S adopted a resolution announced by China on July 12, 2008, saying that verification would cover the entire peninsula.

To sum up, North Korea has suddenly adopted a much harder line than before and the question is why. Some say it's just a bargaining posture to strengthen its position with a new administration, but I would emphasize two other factors.

First, Kim Jong Il did have a stroke. It's not officially acknowledged and when I cited the statement by a French neurosurgeon who treated him, Dr. François-Xavier Roux, in *Le Figaro*, that was dismissed as a "fabrication." But I learned from several well-informed sources that he has a greatly

reduced work schedule. He has turned over day to day management of domestic affairs to his brother in law, Chang Song Taek, and foreign affairs and defense policy is now largely in the hands of hawks in the National Defense Commission.

A second factor of great importance is the fundamental change in the posture of South Korea toward the North under its new President Lee Myung Bak. President Lee said he is not bound by the North-South summit declarations of June, 2000, and October, 2007 and would "review" them. This was a disastrous, historic mistake. The summit declarations greatly reduced North Korean fears that South Korea wants to absorb the North. That's what the sunshine policies of Kim Dae Jang and Roh Moo Hyun meant to North Korea. What Lee Myung Bak has done is to revive North Korean fears that South Korea, the United States and Japan want regime change and absorption. They're especially sensitive about this with Kim Jong Il ill. So to make progress in the nuclear negotiations and avoid a revival of military tensions in the Korean peninsula it's necessary for both the U.S. and South Korea to reaffirm their categorical, unqualified support of the June, 2000 and October, 2007 summit declarations.

In conclusion, the bottom line in shaping North Korea policy is that continued U.S. engagement with North Korea will strengthen the pragmatists in Pyongyang in their continuing struggle with military hard-liners. If the United States can deal with major nuclear weapons states like China and Russia in East Asia, it can tolerate a nuclear-armed North Korea that may, or may not, actually have the nuclear weapons arsenal it says it has. Just in case it has, in fact, learned to miniaturize nuclear warheads sufficiently to make long-range missiles, the new administration should couple a resumption of denuclearization negotiations with a revival of the promising missile limitation negotiations that the Clinton Administration was about to conclude when it left office. I pushed this idea hard and after

overnight consultations, Li Gun said, "If we can have nuclear negotiations, why not missile negotiations?"

Mr. FALEOMAVAEGA. Thank you, Mr. Harrison. I have some questions I want to ask. This is a new development since your meeting with four of the top leaders there in Pyongyang last month. I just wanted to ask you if you had a chance in sharing this information with some of the leaders of South Korea.

Mr. HARRISON. I am sorry. Have I shared what I found out in North Korea?

Mr. FALEOMAVAEGA. Yes.

Mr. HARRISON. What I found out in North Korea?

Mr. FALEOMAVAEGA. Yes.

Mr. HARRISON. Yes. Yes, I have discussed with some Embassy people what I found out.

Mr. FALEOMAVAEGA. We all know that for 6 years now that negotiations have taken place in the Six-Party Talks, and in that period of time it seems to me that was when North Korea had the capability or now has in its possession four to six nuclear weapons. I never could understand clearly when they were tested. I believe it was in October 2006. Does North Korea definitely have nuclear weapons capability?

Mr. HARRISON. I do not think we know. They say they do. North Korea's great concern is to deter us from what they fear will be a United States preemptive attack, and they are particularly concerned about a nuclear attack because, although we talk about their nuclear capabilities, we have nuclear weapons in areas near North Korea, even though we say we took them out of South Korea.

So from the North Korean point of view, their big task is to deter us from any military adventures in Korea. So their military wants us to believe that they have nuclear weapons. They are quite happy to have us think that they might even have a uranium program, which we could discuss later, which I think is a greatly exaggerated concern on our part. So the North Korean armed forces want to keep us thinking that they have a uranium program, whether they do or not, and I do not think they do, a weapons program, and they certainly want us to think that they have a plutonium nuclear weapons capability.

I think we have to base our policy on the presumption that they do have some level of weapons development. We do not know what operational military form they are in a position to use nuclear weapons with, but we do know they have conducted a test. Whether that test was simply not a very successful test or was deliberately kept at a low level for various reasons in connection with miniaturization for warheads, as some people have said, we do not know.

So I certainly do not pretend to know. I think our policy has to be based on worst case assumptions. We have all kinds of capabilities in the vicinity of North Korea that would make their use of nuclear weapons very self-defeating from their own point of view because we are right there to retaliate in a big way.

So I think the short answer to your question is we do not know. U.S. intelligence accepts the idea that they have a nuclear weapons capability. What that means, they do not define, the intelligence community does not define. That is why, of course, there is so much interest in a possible missile test which, by the way, I do not see any clear evidence of. I mean, this alarm about the missile test

is not backed up by very substantial intelligence yet although every day it gets a little bit more convincing, but certainly the North Koreans in the past have often tried to make us think they were going to do something to get our attention, and to make sure that we do not forget they are there.

Mr. FALEOMAVAEGA. Can you give us your sense of insight about the time when Madeleine Albright was hosted by Kim Jong Il, and during the Clinton administration? Do you think there were positives that came out of that dialogue or that meeting to the point where our Secretary of State was hosted by Kim Jong Il in North Korea?

Mr. HARRISON. Oh, yes. I think that there is no question that the Clinton administration made tremendous progress with respect to North Korea. As you know, there was no production of fissile material from October—from June 1994 until the Bush administration abrogated the 1994 agreed framework which opened the way for North Korea to resume its plutonium production. It gave the hawks in North Korea the opening they wanted. But as far as the Clinton administration was concerned, they had made steady progress, and it is a great tragedy, in my view, that Mr. Clinton did not go to North Korea to finalize some of the agreements that were then pending, including missile agreement.

Secretary Albright's visit had been very successful. Her accounts of the visit were very encouraging in terms of her reaction to Kim Jong Il as somebody you could talk to at a rational level. Unfortunately, Mr. Clinton has said in his memoirs that Mr. Arafat had given him the impression that he was ready for some serious quick action on the Middle East, and Mr. Clinton concluded that he should give that priority over a North Korea trip. It was a very difficult time with the Florida recount going on and the very last days of his administration approaching.

So to answer your question, yes, the Albright visit was a high point, and we can get back to that kind of a relationship with North Korea. We have to start with the U.S. Government arranging for the DPRK Symphony Orchestra to come to the U.S. to reciprocate the visit of the New York Philharmonic to North Korea. The North Koreans mentioned that. They said the next few months may be difficult but let us do the people to people stuff.

So, I think if we are serious about getting to denuclearization we can, starting with small things like the DPRK Symphony Orchestra's trip to the U.S., other people to people exchanges, the resumption of direct talks, and the Six-Party Talks. I think the North Koreans are very much in need of normalized relations with the United States and Japan, and a restoration of positive relations with South Korea for economic reasons. But there are political factors, nationalism, pride, and the change in the internal balance of forces there, which I mentioned before, the advent of the hard-line group in the armed forces to a position of greater influence. These are holding things up, but I do believe we could get back to a very positive track with North Korea if that is our objective and if we are patient.

Mr. FALEOMAVAEGA. I have always wondered why we had to have six countries negotiating with North Korea when my understanding all North Korea wanted to do was to negotiate with the

United States only. Can you offer any reasons why we had to have six countries negotiating with one country?

Now we have Japan demanding that this kidnapping issue be part—which is totally unrelated to the nuclearization threat or things that relates to the very issue why we are dealing with Korean.

Mr. HARRISON. I do not think the United States should let the Six-Party process get in the way of progress developed through bilateral negotiations which, as you said, is the main ball game because North Korea fears United States preemptive action, conventional or nuclear, and they feel that we are still number one despite our many problems, and therefore they need a relationship with us to legitimize their relationship with others.

So I think that bilateral negotiations have to be the main arena, but the Six-Party process is valuable if we do not allow it to get in the way of our own objectives and Christopher Hill did not, he went forward with the removal of North Korea from the terrorist list despite Japan's objections.

So up until now, in the latter days of the Bush administration when they got religion on this whole thing we have been pursuing a sensible combination of bilateral and multilateral negotiations. There are many advantages to keeping the Six-Party process in train because many of the things we have to do cost money, and the denuclearization process, to the extent it can be made multilateral, can be sustained financially, and without the Six-Party process this would be much more difficult. So, I think we should keep the Six-Party process going, recognizing that it is an auxiliary to what has to be a basically positive U.S. bilateral approach.

Mr. FALEOMAVAEGA. You had mentioned that the summit declarations that were made by President Lee's predecessors, I think it was Kim Dae Jung and President Mo, you indicated in your statement that there could have been a better relationship created by the current administration, South Korea with that of the Kim Jong Il's regime. Do you think it can be corrected in any way?

Mr. HARRISON. I think if the United States has a clear sense of its own direction and makes very clear to South Korea that it is deeply dissatisfied with the repudiation of the two summit declarations, and would like to see South Korea return to a policy that declares its support for those declarations, I think things can get back on track. But you know, President Lee was in a political campaign and it is understandable that he wanted to differentiate his position from that of his predecessor, so he talked about bargaining a little tougher with North Korea. But he went far beyond that when he became the President because it is not just a symbolic thing.

The basic issue in the Korean Peninsula is whether there is going to be a peaceful process of confederation and eventual long-term unification, or whether South Korea as the more populous and stronger economy is going to absorb North Korea, and the dominant feelings in South Korea were during the period preceding Kim Dae Jung to work for absorption.

When Kim Young Sam became President and Kim Il Song died, Kim Young Sam's policy was to send subversive intelligence missions into North Korea to try to destabilize it, and the judgment of the South Korean intelligence community was that you could

overthrow the North Korea regime because the great leader was the cement that held everything together.

Kim Dae Jung represented a policy which was that that would be too expensive, and he sold the business community and the bureaucratic and the political and military leadership in South Korea, he created a consensus that for South Korea it would make much more sense not to do what had happened in Germany, which would be much too expensive, but to go for a long-term policy of coexistence, gradually bringing the two systems closer together, doing everything feasible to avoid a collapse in North Korea so that such a process could continue, and his policy was pragmatic, realistic. It was not—the word "sunshine" makes it sound like a goody-goody soft policy. It was a very pragmatic policy rooted essentially in the economic realities of what absorption would cost South Korea.

So when Kim Dae Jung became the President he reversed the policies of the Kim Young Sam administration. He replaced the top people in the intelligence agencies, and he pursued a policy of coexistence, and the North Koreans considered that. They were very surprised that this had happened. They never thought this would happen. They were committed to the idea that South Korea was committed to absorbing them, and they were in a permanent confrontational relationship.

Kim Dae Jung and Roo Moo Hyun strengthened the realists, the pragmatists in North Korea. Lee Myung Bak in one stroke has undermined everything that was accomplished, and I hope very seriously that South Korean public opinion will increasingly compel him to do more than make little speeches about how we are going to talk to North Korea and be nice to North Korea. The essence of the matter is repudiating the concept of absorption and collapse through reaffirmation of the 2000 and 2007 summit declarations.

Mr. FALEOMAVAEGA. What was your reading when you, as you mentioned earlier, in the middle of the Six-Party Talks, North Korea invites the New York Philharmonic Orchestra to come and have a concert. Does it sound like they are really trying to reach out for something?

Oh, and by the way, I think they also want to send an orchestra to the United States to reciprocate.

Mr. HARRISON. Exactly, and they urged that that be done as soon as possible. Well, you see, there are two camps in North Korea. This was the main message in my testimony. There are reasonable pragmatic elements in the leadership who believe that without opening up to the United States—getting normalization with the United States, North Korean's economic survival will be in jeopardy.

There are more traditional types and hardliners who have argued since all this began in 1991, when they first began reaching out to us, the hardliners have said you guys are very naive. The Americans, the Japanese and the Lee Myung Baks of South Korea will never accept us. They want to overthrow us, and they are just waiting for the opportunity.

And so now that Kim Jong Il has had a stroke that tension within the leadership there is even stronger, but there is no question that there is a very strong view in important sections of the North Korean leadership that were encouraged and strengthened during

the Clinton period, and undermined during the Bush period, that they must have an opening to the United States. It is not just something they want. They need it to make the regime stable, to get multilateral loans so they can rebuild their infrastructure. This is their number one priority.

But the armed forces say, Look, you are very naive. These guys have nuclear weapons all over the Pacific very near us. They have cruise missiles; they have all kinds of things. How do we know what they might have hidden in South Korea? And so the armed forces who are basically in the dominant position there, they need Kim Jong Il because he is the link with Kim Il Song, but the armed forces ever since the death of Kim Il Song had been the most powerful force in North Korea, they dictate the security policy of North Korea.

Kim Jong Il is a survivor. He wants to stay on top. He is number one. He manipulates all the different forces and factions in North Korea very, very cleverly, but he has to have the consent of the armed forces for his policies and that consent requires acceptance of their assessment that they must have a deterrent, they must deter the United States, either make us believe they have nuclear weapons or have them.

Mr. FALEOMAVAEGA. So I sense from your testimony, Mr. Harrison, no matter what negotiations go on everything seems to be based on Kim Jong Il's good health or lack of good health. In terms of what is ever going to happen to the future of North Korea, it is going to be based on whether Kim Jong Il is going to live long enough.

Mr. HARRISON. That is not my view at all.

Mr. FALEOMAVAEGA. Can you elaborate? You have mentioned about his health as a factor, a basic factor.

Mr. HARRISON. I certainly believe that Kim Jong Il's death would not mean a collapse of North Korea, and if the United States has been pursuing up until that time and continues to pursue serious efforts to normalize relationships, that will strengthen the pragmatic elements in North Korea who will continue to be there even if Kim Jong Il should die.

North Korea's stability does not depend on Kim Jong Il. They have the National Defense Commission, a group of generals who would have to hang together or hang separately, as Ben Franklin said, and so the incentive to stay together would be very strong. It is possible that things will fragment, instability will develop, but basically North Korea is not a highly—just one edifice that is going to fall down. The nine provinces of North Korea, the communist parties of each of those provinces are very strong, and you have a great deal of decentralization that has taken place in recent years.

So I did not mean to give the impression that the death of Kim Jong Il, which by the way there is no reason to anticipate, he recovered from his stroke, and he is functioning. He has met the Chinese. He just does not have the day-to-day input and he can be—his influence over the hardliners is not as great, but I certainly do not think that scenarios of a collapse should be—I think the scenarios of a collapse in North Korea are not realistic.

We do not know what will happen over time. We do not know how long if he were to die the leadership would stay together, but

there is a structure there now and there is a decentralization that has already occurred, and I think we have to think in terms of dealing with a North Korea that is going to be there as long ahead as we can see.

To the extent that we support elements who want to promote a collapse, and threaten the North Koreans by leaking stories about military scenarios, about what we are going to do the minute there is a slightest change in North Korea, we just feed all the destructive hard-line forces in North Korea.

Mr. FALEOMAVAEGA. Mr. Harrison, I had about 200 other questions I wanted to ask, but I want to welcome personally my good friend, the senior ranking member of our subcommittee, the gentleman from Illinois, Mr. Manzullo, if he has an opening statement he would like to make, and also welcome our good friend from California, member of the subcommittee, Mr. Rohrabacher, and Mr. Ed Royce also from California.

Mr. Manzullo.

Mr. MANZULLO. Thank you, Mr. Chairman, I would ask leave to place my opening statement in the record.

Mr. FALEOMAVAEGA. Without objection.

[The prepared statement of Mr. Manzullo follows:]

COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON ASIA, THE PACIFIC, AND THE GLOBAL ENVIRONMENT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

Donald A. Manzullo (IL-16), Ranking Member
Opening Statement

February 12, 2009

Mr. Chairman, thank you for calling this important hearing on North Korea. First, I want to congratulate you on your reelection, and on you assuming the chairmanship of the Subcommittee on Asia, Pacific, and Global Environment. I look forward to working closely with you again this Congress. There is no better way to start the year than with a hearing on North Korea, which is one of the most important foreign policy issues that we face as a nation.

The successful denuclearization of the Korean peninsula is a goal that is vital to the security of the United States and its allies in the Asia-Pacific region. Persuading Kim Jung-Il to give up the bomb is a goal that all Americans can agree on. However, the road to denuclearization has proven extremely difficult despite the best intentions and efforts by the hardworking professionals involved in the Six Party Talks. Now as we examine the road ahead it is vital that America follows the right path so that the threat of nuclear weapons and proliferation can finally be eliminated.

The priority for the new Administration must be to resume vigorous multilateral negotiations with North Korea. As part of these negotiations, the Six Party Talks must occupy a central role since it provides a proven framework in which the most sensitive nuclear issues can be addressed. However, in addition to the Six Party Talks, there needs to be a concentrated effort by the Administration to halt North Korea's endless games and dilatory tactics. The way to do this is to insist that other critical issues are addressed in parallel to the denuclearization talks. This "all encompassing" approach must include the North's ballistic missile program given its serious ramifications to regional and global security.

I propose that the Six Party Talks format be modified so that it can focus solely on the critical goal of denuclearization. The current structure, with its five working groups, distracts from the Talks' main purpose and relegates other important topics to lower level discussions. This creates a perfect situation for North Korea to obstruct and delay. By creating a separate multilateral process more progress can be achieved. If we are serious about success, significant diplomatic resources must be employed so that North Korea has no choice but to engage with the U.S. and its allies. Finally, through this new framework, the U.S. and its allies must be prepared to offer North Korea the real possibility of normalized relations if all the key concerns are resolved.

A key part of employing a smart power offensive is to really invest in strengthening ties with America's closest friends in the Asia-Pacific region. Without a

doubt, our relationship with Japan and South Korea must be strong to ensure the highest likelihood for success. Given Pyongyang's notorious "divide and conquer" negotiating tactics the U.S. must not make itself vulnerable by allowing disagreements to fester. I reject the notion that concerns held by members of the Six Party Talks are merely stumbling blocks that should be brushed aside. Unfortunately, the U.S. has allowed unresolved issues between allies in the past few years to create distance within the Six Party Talks. Secretary Clinton's upcoming visit to Asia provides a perfect opportunity to put the relationship on the correct footing once again. For example, I encourage Secretary Clinton to meet with the families of Japanese abductees to hear first hand their concerns.

The path to denuclearization rests not only with America's willingness to engage North Korea but also in North Korea's willingness to negotiate in good faith. Pyongyang's recent provocative actions, which include belligerent announcements against South Korea and possible missile tests, do nothing to demonstrate good faith. I believe North Korea's interests remain focused on extracting maximum concessions from Six Party members, particularly the U.S., while doing nothing to living up to its commitments. It is very disappointing, albeit not surprising, that North Korea still refuses to agree to a verification regime even after former President Bush removed them from the State Sponsor of Terrorism list. Thus, I remain very skeptical about engaging North Korea without clearly established and defined objectives.

Denuclearization of the Korean peninsula must remain a top priority for the Obama Administration. There is simply too much at stake to allow North Korea to continue in its present course. Employing smart power, in conjunction with vigorous and sustained negotiations, is a path worth exploring. The Six Party Talks, with all its advantages and weaknesses, must continue to occupy a central role along with parallel multilateral negotiations. Just as importantly, the U.S. must never sacrifice its alliances in hopes of short-term gain.

Thank you for your willingness to appear before the Subcommittee. I look forward to your testimony.

Mr. MANZULLO. And also an article by Mitchell Reiss and Robert Gallucci from Foreign Affairs made a part of the record also.

Mr. FALEOMAVAEGA. Without objection.

Mr. MANZULLO. I am sorry I was late. I was over in the Financial Services Committee trying to solve the world's financial problems. Now we come over here.

Let me ask you a question. If you do not feel comfortable answering it, please tell me and I will not hold it against you, is that fair enough?

Mr. HARRISON. Sure.

Mr. MANZULLO. Some have said that Kim Jong Il had made agreements and concessions with the Bush administration through the tremendous efforts of Chris Hill working toward denuclearization. Some have said that sensing President Obama's popularity in the polls, and the fact that there would be a complete change in the Presidency in parties and perhaps philosophy, that Kim Jong Il pulled back from cooperating with the Bush administration hoping to get "a better deal" with the Obama administration. Again, this is not by way of criticism of the Obama administration. Would you care to comment on that observation?

Mr. HARRISON. Well, I think that what happened in the last days of the Christopher Hill negotiations was that the North Koreans had made considerable concessions leading to the disabling of the Yongbyon reactor, but we were pushing a line of trying to get verification access that the North Koreans felt had not been agreed upon, which is true, was not in the scenario that had been agreed upon when these negotiations set forth. Verification was to come in the third phase, and in my conversations there they discussed the terms for getting to verification.

So, I think that, sure, they certainly were all aware that a new administration was about to begin, but I think that in terms of the objective realities of those negotiations they did not violate any undertakings by not agreeing to our verification demands. They felt that those demands were not required of them in terms of what had been agreed upon as to the procedures, and that is true. They had not been.

So, I do not know whether I am answering you clearly or not. I guess my answer would be that it was kind of a mix of things. They were in no way obliged to go forward with verification, and they did not.

Mr. MANZULLO. My understanding is that verification, some type of verification besides "I won't do it again" or "trust me" was tied to North Korea being removed from the state sponsors of terrorism list, and that in fact did occur. They were removed from the list much to the voices of many people in opposition in this country.

Mr. HARRISON. I think that is a very perceptive question. It gets to the heart of what was a very complicated situation in the last phases of the Bush administration. Diplomacy, diplomats like to keep ambiguity, and there was ambiguity on both of the issues you are referring to. We did not commit, in all the documents prior to this last phase of negotiations, as to when we would take them off the terrorist list, and they did not commit as to when they would get into verification. It was not required until the third phase under the original scenario.

So what happened was Chris Hill; I think he made two judgments. I think he did a very effective job with the brief he had and the situation he faced in the bureaucracy in Washington. I think he did an admirable job of moving things along.

First, I think he concluded that the position that the Clinton administration had adopted, taking them off the terrorist list was justified in terms of their behavior since their terrorism ended a long time ago, and he tried to use it to get them to do something they were not committed to doing; namely, verification before the third phase because he had people in Washington telling him you have got to get them to agree to verification because otherwise it is going to look like we have just done a—we have been patsies.

Well, he did his best. He did something that I think was a step forward in the whole process anyway. I mean, getting them off the terrorist list has kept the game open because that has given the pragmatists in Pyongyang something to hang on to. They got something out of negotiating.

So, there is an argument in Pyongyang, they got politics too, you know, there is an argument in Pyongyang for keeping the process going because we took them off the terrorist list, and at the same time the pragmatists did not win the argument that some verification compromise should be made in return for that, just what Hill wanted, of course, because Kim Jong Il had had a stroke, and the day-to-day control of all this had shifted during the months when this was going on. The stroke was in August.

And one very interesting thing, you know, Hill was trying to carry this thing forward and he got—he wanted to go to Pyongyang in the critical stage of this, and the hardliners did not want him to come, and the pragmatists worked out a compromise which was, okay, he will not come as a state guest. We will put him in the Potonggang Hotel which is one of the hotels in Pyongyang, and he will not be a state guest but he can stay in the hotel at his expense, U.S. Government's expense, and come over to see us and talk to us. That was the internal compromise in North Korea. So he went there and did not get what he had hoped he would get.

I have given you a long answer but you have raised a very tricky question and a very raw nerve in the whole process, and I am not quite sure what Chris Hill would have said if he were sitting here, but that is the way I perceive it.

Mr. FALEOMAVAEGA. The gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much. I am sorry I was a little late in getting here. We did have votes on the floor, and Mr. Harrison, I think that we have a different way of looking at the world. From listening to your testimony today, it seems you are telling us that peace and progress in the world will come through accommodation with evil and tyrants and gangsters and murders and all the other scum of this world that prey upon decent people. Accommodations with them is going to make it a better world?

Would not what you are proposing today would have left the Soviet Union in power had we just simply decided that we are going to have an accommodation rather than seeking change within the Soviet system? Correct me if I am wrong, that is my interpretation of what you are telling us.

Mr. HARRISON. I did not say anything, Congressman Rohrabacher, about a better world, and I do not like the North Korean regime anymore than you do.

My testimony, if your voting schedule permitted you to hear it——

Mr. ROHRABACHER. Yes.

Mr. HARRISON [continuing]. Was that we should be capping their nuclear program rather than allowing it to grow beyond the four or five that the Bush administration's unrealistic policies had given us because we do not want North Korea to have nuclear weapons, precisely because we know that it is a regime that we have not made our peace with yet.

Mr. ROHRABACHER. I guess what I was referring——

Mr. HARRISON. So I do not think I said anything about nirvana developing from negotiations——

Mr. ROHRABACHER. I think I was referring to your statement that in order to deal with them that they are going to have to be assured that we do not want to change their government, that we do not want to have a regime change in North Korea; that we are not going to have progress as long as they have that fear.

I believe the United States Government should put dictatorships in fear that they will be replaced by democratic government. I think that is part of our obligation as free people is to back up the people of North Korea and Burma and other type of dictatorships. Instead we have—have we not subsidized North Korea these last 10 years in terms of fuel and food? Without that, perhaps they would have collapsed on their own.

Mr. HARRISON. North Korea has changed a lot in the last 10 years. I have been going there since 1972. And when I went there in 1972, the first of my 11 visits, it was a very monolithic dictatorship. Now you have a great deal of marketization. You have people trying to make a buck. You have access of information coming in from China and from South Korea in spite of the efforts of the regime to keep it from happening.

The argument between us is not over our objective. We share the same values. I want to see this regime in North Korea evolve into something gradually closer to our concept of the way a society should operate, just as I would like to see China, and China has moved in that direction. I mean, dealing with China, I am sure you would have said the same thing back in the seventies when some of us were talking about——

Mr. ROHRABACHER. I hate to tell you this, but when I take a look at the liberalization in China, I do say the same things about China today, which is still the world's worst human rights abuse.

Mr. HARRISON. Well, the difference between China—you have what I think, I mean, you talk in tough terms, sir, but I think you are taking a very unrealistic view of things. You do not change societies, countries of 1 billion people overnight. The process is China has changed enormously since 1972 in the direction that is desirable in terms of our values, and I think North Korea will evolve in the direction of greater human rights and more open economy, more and more congruent with that of South Korea, more and more open to foreign influences to the extent that we helped open it up and let the winds of freedom blow in, and they are not going to

blow in with a bunch of balloons from South Korea, or with tough rhetoric. The winds of freedom will get into North Korea to the extent that we engage them and gradually open them up as we have been doing, as we did very successfully during the Clinton administration. I do not mean that on a partisan level.

So, I think the argument is kind of circular. We do want the same end result, that I can assure you.

Mr. ROHRABACHER. Well, then we do have a disagreement.

Mr. HARRISON. If your end result is——

Mr. ROHRABACHER. Thank you very much.

Mr. HARRISON. If your end result has to be that everything in North Korea collapses, and you have millions and millions of refugees going into South Korea and Japan in order to have the change——

Mr. ROHRABACHER. One last question. Do you think it was a good thing that the communist government in Germany, in East Germany, collapsed? Was that a good thing? And why should we not be trying to do for the people of Korea who deserve to be unified, deserve to live their lives in a modicum of decency and freedom, why should we not wish the same for them as we did for the people of Germany?

Mr. HARRISON. I think that the geopolitical factors that were at play then and the way in which Germany changed are very different from the ones in Korea.

Mr. ROHRABACHER. Okay, thank you, sir.

Mr. FALEOMAVAEGA. I thank the gentleman from California. He and I also have some basic disagreements, but we always agree to disagree. But my good friend from California and I visited Pakistan at one time, and I had to hold a 45-revolver and he had a shotgun for fear that somebody would come and kill us, but Dana, thanks for your questions. But it is always good to have this. This is why we have a democracy like this.

I might also note for the record that my good friend from Illinois participated in celebrating the 200th anniversary of the birth of one of our greatest Presidents today, and that is good old Abe Lincoln. I wish he were here to solve some of the problems we are faced with now.

Mr. Harrison, I know we have been really digging into a lot of the questions, and if you were to put a sense of priority about the nuclearization issue, where would you put North Korea with that to Pakistan?

Mr. HARRISON. Where would I put North Korea?

Mr. FALEOMAVAEGA. Here is the problem that I have.

Mr. HARRISON. You mean in terms of the importance? Well, of course, Pakistan—you mean of denuclearization?

Mr. FALEOMAVAEGA. Yes. Here is my problem. We are all going after North Korea. We must denuclearize North Korea. How come we are not doing the same for Pakistan?

Mr. HARRISON. Well, of course, that is the point. I referred to Russia and China because they were neighboring countries that have nuclear weapons. I think it is difficult to talk about this without making reference to the fact that the United States is a nuclear weapons power, and we are not prepared to give up our nuclear weapons, and that is a big obstacle because all the hardliners in

North Korea and in Iran can say, Why are we called upon to give up our nuclear weapons when they are not even willing to sit down with Russia and start a serious problem of global arms reductions?

So, I think that your point is well taken. They say, the North Koreans say, What is about us that is different from Russia, China, India, Pakistan, Israel? Why are you so hung up on us? And I think that all these years after the Cold War we have to ask ourselves the question why are we so hung up on North Korea.

I think it is a country to be pitied rather than feared. It has got tremendous problems. For historical, cultural reasons, and because of the fact that it was left at the end of the Cold War as an orphan of the Cold War with no more subsidies from Russia and China has to reach out to the other countries for support, it does not pursue its relations with us in the way that we would like it to do. But I think that it is a country that we need not fear, and that we should be able to engage with without being hung up on the nuclear issue that does not impede our relations with many other countries.

Mr. FALEOMAVAEGA. Here is my problem, Mr. Harrison, and maybe you could help me. When India exploded is first nuclear bomb in 1974, the first thing that the prime minister of India did was to go to the United Nations, pleaded the case and say, Look, we can explode a bomb, too, but we are really serious about nonproliferation. So it is hypocritical for some to say that it is okay for some countries to have nuclear weapons in their possession, but it is not okay for the rest of the world to also have nuclear weapons. So India made its case pleading especially to the five nuclear powers who currently still have nuclear weapons, stating they are willing to dismantle or to do anything that will ban altogether nuclear weapons from the face of the earth. Since 1974, India has pleaded its case before the United Nations: When are we ever going to be serious about nonproliferation?

So it is any wonder that you have countries like Iran, for fear that it might be destroyed by Israel, or North Korea for fear it might be destroyed by the U.S. stationed in South Korea, or any other country that wishes to defend itself from annihilation raising the ante or the parity or the equity of the whole idea of the argument? Are we not somewhat being hypocritical, the industrialized countries who do have possession of nuclear weapons telling the rest of the world you cannot do it? Does this not minimize North Korea or Iran or any other country for attempting to have nuclear weapons, and will it be then totally justifiable for the rest of the world community to say you cannot do this or we will destroy you? What is wrong with making that argument?

Mr. HARRISON. Well, you are quite right. I agree with what you are saying. The word "hypocrisy" though is not the issue. It is hypocritical, but the point is that it is very unrealistic. If we are serious about trying to prevent a nuclear armed North Korea, and a nuclear armed Iran, which I think are very desirable objectives, we have to be realistic about what motivates them, and what motivates them first and foremost is their feeling that we are applying a double standard, and this is the political reality, not a matter of hypocrisy or anything else, it is a political reality.

I have had endless arguments with nonproliferation seminars and people saying, oh, we could take all our nuclear weapons away and they would still have theirs. I think that is very unrealistic, and in fact serious arms control dialogue starting with Russia, bringing in all the other nuclear powers, would have a definite impact over time in North Korea and Iran, and really the North Koreans always accompany everything they say with speeches of this kind, and they end up by saying, well, we have got to have a nuclear agreement in the Pacific area in which you participate.

Now, I do not think they really mean that. I do not think that they really expect us to give up our nuclear capabilities in the Pacific, but they always say it, and there is no question that political cover for the realists in North Korea would be much greater if we were to listen to what you are saying.

Mr. FALEOMAVAEGA. You would think then that the urgings and the pleadings would be heard of someone like the President of Kazakhstan who voluntarily dismantled the nuclear weapons that the Soviet Union had left in his country—by the way after 500 detonations of nuclear weapons in Kazakhstan exposed some 1.5 million Kazaks to nuclear radioactivity—not a pleasant story when I visited Kazakhstan to see what happened to this country.

The point I just wanted to make is do you think it really is unrealistic to make an effort to dismantle nuclear weapons altogether? You do not think that is realistic?

Mr. HARRISON. Well, no. I think that many people, George Schultz, Henry Kissinger, lots of people, Sam Nunn, have been working lately to move toward a gradual process beginning with United States/Russian reductions down to 1,000, and then moving very slowly bringing in everybody else. You cannot expect the existing nuclear powers to give up their nuclear capabilities until they see that everybody is going to play ball, so it obviously would be a very slow process.

But what is really unrealistic is to think that we can get away with a double standard and have our own nuclear weapons and not have others.

Mr. FALEOMAVAEGA. So we should continue the double standard then because of the realities that we are faced with in this world?

Mr. HARRISON. No, I do not think we should continue the double standard at all. I think we should have a global policy of gradual nuclear arms reductions in which we make clear that we are prepared to go to zero, and there is a very significant——

Mr. FALEOMAVAEGA. Trust but verify.

Mr. HARRISON. What?

Mr. FALEOMAVAEGA. Trust but verify.

Mr. HARRISON. Yes, and bring together a nonproliferation and nuclear disarmament. There is a very significant movement now, it is called "Global Zero," and you may know about it, Mr. Bruce Blair of the World Security Institute is organizing it. Many other people are very interested in global nuclear disarmament. It is not a soft issue. It is a hard issue because it is one of the most dangerous one in the world.

Mr. FALEOMAVAEGA. The gentleman from California, Mr. Royce.

Mr. ROYCE. Mr. Harrison, do you support Radio Free Asia and their broadcasts designed to change the nature of North Korea? What are your thoughts?

Mr. HARRISON. You know, I have not—I am not aware. I do not really know what the programming of Radio Free Asia is. I am certainly not against a radio capability, but I would want to know what they are saying, what they are doing with it, which I do not know, before I would really——

Mr. ROYCE. It may be problematic because they are actually telling people what is going on inside North Korea. For example, the gulags, and I do not know your view of that.

Mr. HARRISON. I am sorry?

Mr. ROYCE. I call them gulags but the camps in North Korea.

Mr. HARRISON. Right. Well, as I was saying to Congressman Rohrabacher, I think that getting rid of the gulags is why we have to engage with North Korea. You are not going to get rid of the gulags with balloons sent up from South Korea or broadcasts over Radio Free Asia. You are going to get rid of the gulags if you open up North Korea through a sustained process of political and economic engagement, and arms control.

Mr. ROYCE. Yes, if you can get the North Koreans to open up. If you cannot get the North Koreans to open up—and this is reminiscent of a conversation I had with a former North Korean, I think he was secretary general for international affairs for the party of North Korea, Hwang Jang-yop. He presented the argument, that in his time—and of course he served with both Kim Jong Il and Kim Il Sung, was sort of fashioning propaganda for the regime—the strategy was to extract from the West many concessions. Hopefully $1 billion a year. The concept behind the attitude and the pose that they would strike on the world stage was intended to get that aid that the regime could use to prop itself up. In a sense the economic system that the regime was wedded to was not conducive for the long-term continuance of the state.

So the state found another methodology. Just to go through some of the concepts—counterfeiting U.S. currency; basically gun-running or selling missile parts. To take a present-day example, putting up a nuclear reactor in the Middle East; drugs as a means of getting illicit hard currency into the country; and with all of this a concept of trying to extract in the middle of any negotiations. I was going to ask you; you talk of strengthening the "pragmatists" in North Korea. Let me ask you about those winds of change that you saw in North Korea. Could you explain those to me a little bit?

Mr. HARRISON. I too have had conversation with Hwang Jang-yop, about four or five of them, when he was in North Korea and after he has come to South Korea. I think that what you have said is not—I take exception to some of what you said but not all. Certainly it is true that the regime wants to survive, and therefore they want to get what they can get to survive from us, from others. But at the same time in order to survive they recognize that they need a lot of things. They need to change a lot of the way they do things, so that is why we have had economic reform, fits and starts, going forward, going back, and so he is riding a tiger. Kim Jong Il is riding a tiger; the leadership is riding a tiger. They want to keep the perks they have and the generals are all involved in

economic conglomerates. One general controlling the gold exports, and another the zinc exports, and no questions that the leadership has—the elite has perks it wants to preserve.

But their dilemma is that they have to make changes to keep the place going. When there is a famine they had to permit private markets to develop, and they did, and the ones who wanted to see things move in that direction used the famine to let that process start.

Mr. ROYCE. Well, but let me a question here.

Mr. HARRISON. You cannot be a little bit pregnant, so there gradually is a marketization process. So anyway a complicated situation.

Mr. ROYCE. But if we go back to Hwang Jang-yop, I think he gave me the number of 1.9 million. That is the number of people who starved in North Korea or he believed starved officially in North Korea because they were not wedded to the idea that they had to use it to feed that part of the population. As he explained to me, the aid was to go to the party to keep it in power. And one of the things that reminded me of it, just now I thought of this.

Years ago I read a book by Jean-Francois Revel, How Democracies Perish. He talked about Lenin's new economic policy and Stalin's reforms, and how the real intention there was to bring in capital from Europe, from the U.K., from the West. Not with the intention of changing the regime, but with the intention of getting their hands on the hard currency while they built up the Red Army. And of course that is certainly—ever since we discovered the situation in Syria, on the banks of the Euphrates that there was sort of a carbon copy of the plutonium reactor; in the middle of negotiations North Korea was developing that offensive capability for another state. It really turns a lot of our thoughts to what might be done in terms of those proliferation networks, and especially with the tentacles really that they have on the criminal activity, the way in which they proliferate missiles, drugs and so forth, that gives them the network to do things like what they did.

We do have initiatives to stop that kind of contraband, that illicit activity on the high seas, which then constricts the hard currency. It limits their ability to fund, according to some defectors that I have talked to who worked in the military operations, limits their ability to fund their missile productions, their nuclear weapons product. Because when they run out of the hard currency, I mean, when they seize—Banco Delta Asia, when those accounts were seized, not just there but when China shut down the accounts everything had to come a grinding halt inside the country.

So I am just explaining the other part of this negotiation. I think when President Lee Myung Bak tries to establish a two-way street to negotiations and you say, Well, that is "disastrous" to try to do that. We have a great deal of experience with the one-way street going back many, many years. So I just raise these questions for your consideration.

I have been on this committee since 1993. And I remember the framework agreement. I had high hopes. I have been to North Korea. I have been to South Korea many times in hopes that things would change. But the more I look at it the more I think that what

this former secretary general for internal affairs told me might just be right.

Mr. HARRISON. I greatly appreciate these very thoughtful comments and I will certainly think about what you have said. I also—you know, when I met—I had written about my conversations with Hwang Jang-yop in my book, Korean End Game, and one of his points he made to me was that he thinks Kim Jong Il, he does not like Kim Jong Il because he found him a very manipulative man, and he did not get along with him. But he did say very clearly that Kim Jong Il recognizes the need for reform of the system, economic system in particular, in North Korea, but he is afraid to go too fast because he is sitting on a political volcano and Kim Jong Il is afraid where this may lead. So he is riding a tiger and he is trying to open the system up without losing power, and I think that was a very clear analysis by Hwang Jang-yop, and it is borne out by my impressions.

You know, I have gone there now 11 times since 1972. You have been there. Each time there are a lot of things you cannot do, but there are some things you can do and you gradually build up various kinds of contacts, and there is no question the place has changed a great deal, and is changing. You know, in the days of cell phones and all the technology that has changed, and the fact that you have got a Chinese underground smuggling.

Mr. ROYCE. Right.

Mr. HARRISON. And you have——

Mr. ROYCE. I understand. I just did not see that change in the countryside.

Mr. HARRISON. All that stuff is coming in and the place is changing.

Mr. ROYCE. But the change I saw was the amount of hard currency they now have to develop their ICBM program, to develop their nuclear program. And I notice that that has not changed, and the assertion made by former defectors that that has always been the plan leads us then with a certain conundrum.

You say that you pushed the idea of renewed missile negotiations hard with the North Koreans. As I recall the negotiation, the North Koreans were asking for $1 billion annually to curtail its missile proliferation. Do you believe this is why we have seen missile activity from the North Koreans?

Mr. HARRISON. Well, they were trying to replace the—they wanted to have the income they would lose from the missile exports that you correctly call attention to, they wanted to have that lost income covered in some way, and various people like James Goodby, you may know of, the former State Department top arms control negotiator, has worked with Senator Lugar and others to try to develop at that time of these negotiations, develop programs for constructively diverting——

Mr. ROYCE. Yes.

Mr. HARRISON [continuing]. Their capabilities to civilian uses, but you know, certainly what you said about hard currency, I would have to see it in writing, but there is certainly a lot to what you say, so I do not wish to suggest a one-dimensional approach on my part.

Mr. ROYCE. I understand, and let me say that——

Mr. HARRISON. Let me tell you the place has changed a great deal and is changing a great deal. That is what we are working for, and that is what we have to keep our eye on.

Mr. ROYCE. That is true, but the change that could be made if, for example, the Kaesong Industrial Park. If the money from Kaesong went not to the party, if it went instead to the workers, that might indeed begin to walk down a road of change. But instead we have this interesting arrangement very reminiscent of what happened, you know, in Russia in the thirties where the money is paid to the state. The money is paid to the government. It goes right to the party's account, and they then decide the pittance they will pay the workers.

So getting change in that kind of an arrangement is much more problematic and that is why I think at times there has to be pressure brought to bear when it becomes too much of a one-way street. Hence the requirement, in my mind, that you actually get verification. Your concept there we give them $1 billion, they do not proliferate. If we could verify that, it would be one thing. But since they have violated all the prior agreements, at least in my memory, they proliferate anyway in the middle of negotiations, the upshot could be they have $1 billion for their new ICBM program, and we think we have got an agreement that they are going to not proliferate anymore while they do exactly what they did with respect to Syria. Hence my concern on this perspective.

Mr. HARRISON. There was no fissile material to make four to five to six nuclear weapons at the end of the agreed framework period. It worked.

Mr. ROYCE. Plutonium, on plutonium. The question is enriched uranium, and you know the debate on that because——

Mr. HARRISON. Are you changing the subject? That is the——

Mr. ROYCE. No, that is not changing the subject. That is ignoring a very important part of this subject which might be this: Maybe they are willing to give up the old reactor that is in plain view because we have found so much traces of enriched uranium on documents that they have actually got an enriched uranium program going simultaneously. Why else, why else would the Pakistani nuclear scientist, A.Q. Khan, be in consultation, be sending centrifuges to North Korea unless the concept was let us develop the kind of uranium enrichment program that will give us an alternative weapon besides the plutonium weapon. That is really what concerns us, is the fact that we do not have this ability to verify and they have a dual-track program apparently. Hence they might be willing to negotiate this for $1 billion, and put this into a program where they could develop an arsenal, miniaturize it, do the ICBMs, and suddenly we have compounded the problem.

Mr. HARRISON. If you ever have a chance to read it, I hope you will read the piece I did in Foreign Affairs in early 2005, I think everything I said in that piece about the exaggerated intelligence, about this uranium program has been fully vindicated, and I do not accept—I do not know how much time the chairman wants to give me and to take on this issue, but just to be very brief I do think that the——

Mr. FALEOMAVAEGA. We have two more panels coming up, Mr. Harrison.

Mr. HARRISON. I know that. I am well known to believe that the assumption of any kind of weapons grade uranium program is not at all substantiated, and was basically used as an excuse to abrogate the agreed framework in December 2002 which has had disastrous consequences in allowing them to restart their plutonium program.

Mr. ROYCE. Well, in 2007, the intelligence community told the Senate Armed Services Committee that there was "mid-confidence level" that North Korea still had an active HEU program. This provided ammunition for critics, I think, of the Bush administration, feeding a narrative that the Bush administration hyped the intelligence. But in the last days of the administration, National Security Advisor Steve Hadley revived the allegations on HEU. Now, this is our intelligence community. And they report "increasing concerns that North Korea has an ongoing covert uranium enrichment program."

I did a lot of work on A.Q. Khan, and the part—you know, because I happened to chair that International Terrorism and Nonproliferation Committee. The aspect of Khan's engagement with North Korea, the trips up there by the Pakistanis and the number of trips, the exchange of information for missiles, the centrifuges. All of this convinces me at least that, yes, indeed they were in the process of trying to develop this. I must say what benefit of the doubt I was willing to give the North Koreans kind of evaporated at the point when the Syrian reactor turned out to be something they were doing under the nose of the international community. It seems to really verify the fact that dishonesty is part of the negotiation strategy on that side of the table. That is my perspective.

Mr. FALEOMAVAEGA. I thank the gentlemen from California for his questions, and Mr. Harrison, I want to thank you. Dana, did you have anymore questions? Okay.

Thank you again for coming to testify before the subcommittee, and we look forward continuing our dialogue and see where we need to go from there. Thank you again, Mr. Harrison.

I am going to be a little flexible this afternoon by rather than dividing this into two panels, let us have all our next witnesses up here on the witness table. Ambassador Pritchard, Dr. Victor Cha, Mr. Bruce Klingner, Mr. Scott Snyder and Mr. Peter Beck, are all our witnesses here. We may be short of microphones here. Can we get another microphone there? We only have four microphones. Can we get another microphone?

All right, we certainly want to welcome our distinguished witnesses this afternoon, and thank you so much for taking your time from your busy schedules to come and testify before the subcommittee.

Ambassador Pritchard is the President of the Korea Economic Institute here in Washington, DC, and also he was the visiting fellow of the Brookings Institution. Ambassador Pritchard served as Ambassador and Special Envoy for negotiations with the Democratic People's Republic of Korea and the United States, representative to the Korean Peninsula Energy Development Organization during the administration of George W. Bush.

Previously he served also as special assistant to the President for the National Security Affairs and Senior Director of the Asian Af-

fairs under President Clinton. He also has accompanied Secretary of State Madeleine Albright to North Korea for the meetings with North Korean leader Kim Jong Il.

Ambassador Pritchard holds a degree from Mercer University in Georgia and also a master's in International Studies from the University of Hawaii. Well, okay. And also a retired colonel in the U.S. Army, 28 years of service.

Also with us is Dr. Victor Cha. Dr. Victor Cha received his doctorate from Columbia University as well as his bachelor; received his master's from Oxford University. I assume he has a British accent by now. He is the director of Asian Studies and holds the D.S. Song-Korea Foundation chair in the Department of Government and School of Foreign Service here at Georgetown University. He left the White House in May 2007 and served since 2004 as Director of Asian Affairs at the National Security Council, and was also responsible primarily for the Pacific region as well as Pacific Island nations.

Professor Cha has also received an award for his latest work or book that he authored. It is called Alignment Despite Antagonism: The United States-Korea-Japan Security Triangle. Professor Cha is a former John M. Olin National Security Fellow at Harvard University, two-time Fulbright Scholar, and Hoover National Fellow at Stanford University.

Mr. Bruce Klingner joined the Heritage Foundation in 2007 when the Six-Party Talks on North Korea's nuclear weapons programs were re-energized by the Beijing Agreement.

Mr. Klingner served for 20 years as a U.S. Intelligence Officer with the Central Intelligence Agency—did I say that correctly? And the Defense Intelligence Agency. In 1994, he was the selected as the Chief of the Korean Branch where he provided analytical reports on military developments during the nuclear crisis with North Korea.

There is a whole bunch of stuff here. Graduate of Middlebury College in Vermont; active in the Korean martial arts. Sure hate to meet you in the dark alleys—attained a black belt status in tae kwon do and hapkido—wow. How about hikido?

Mr. Peter Beck, Mr. Peter Beck teaches at American University here in Washington, DC and also Ewha University in Seoul, Korea, puts out a monthly column for Weekly Chosun and The Korean Herald. Previously, he was the executive director of the U.S. Committee on Human Rights in North Korea; has written over 100 academic and short articles in four languages. I assume English, of course, Korean, and it has got to be Chinese as well, graduate of the University of California at Berkeley, and UC San Diego's Graduate School of International Relations.

Mr. Scott Snyder, welcome, is the Director of the newly-established Center for U.S.-Korea Policy at The Asia Foundation, and a Senior Associate at The Asia Foundation and Pacific Forum CSIS. He is also Adjunct Senior Fellow at the Korean Studies and Director of the Independent Task Force on Policy Towards the Korean Peninsula at the Council on Foreign Relations. He is based here in Washington, DC; lived in Seoul, Korea, as Korea Representative of The Asia Foundation, all kinds of goodies you have got here, Mr. Snyder.

Received his undergraduate studies from Rice University, a master's in regional studies at Harvard, and a recipient of the Pantech Visiting Fellow at Stanford University.

Gentlemen, welcome. After saying all of that, we will be very well informed by your testimonies this afternoon. Gentlemen, I know you have been sitting there for quite awhile. Forgive us for having to ask so many questions of Mr. Harrison, but I am sure you will correct some of the observations and some of the comments that he had made earlier.

I think Ambassador Pritchard has a plane to catch. Who else has a plane to catch? Great. Ambassador Pritchard, why don't we start off with you. As I said earlier, without objections all your statements will be made part of the record, fully.

STATEMENT OF THE HONORABLE CHARLES L. PRITCHARD, PRESIDENT, KOREA ECONOMIC INSTITUTE (FORMER AMBASSADOR AND SPECIAL ENVOY FOR NEGOTIATIONS WITH NORTH KOREA)

Mr. PRITCHARD. Thank you, Mr. Chairman, for inviting me to discuss with your subcommittee an important foreign policy issue facing our Nation and our new administration. I commend the committee for holding this hearing and asking the witnesses today to address the issue of smart power because that is exactly what is required of the administration in formulating its policy toward North Korea. With your permission and to stay within the time allotted, I will present a summary of my prepared statement.

North Korea presents a special challenge, one that has evolved and has become more dangerous over the past several years. Secretary Clinton and President Obama have indicated that they continue to value the Six-Party process and will enhance cooperation and coordination with our allies, South Korea and Japan. That is a good start.

But let me suggest while the Six-Party process is focused on capping future plutonium production, it has failed to adequately address proliferation concerns. In World At Risk: The Report of the Commission on the Prevention of WMD Proliferation and Terrorism, the commission concluded that unless the world community acts decisively and with great urgency it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013.

Proliferation should be one of our most important concerns. Unfortunately, the Six-Party process, unless modified to accommodate all our WMD concerns, has put us on a slow incremental path that ultimately does not guarantee the denuclearization of North Korea. Phase III, as you know, is the dismantlement of North Korea's nuclear facilities at Pyongyang. While dismantlement may be part of the ultimate and irreversible solution, it does not really get us any closer to our goal of actual denuclearization and it does not substantially improve the reality that disablement under Phase II has already capped North Korea's plutonium production capability.

Do we really want North Korea to continue thinking of itself as a nuclear weapon state as we negotiate for the dismantlement of the facilities that are already shutdown and disabled? It will make the final decision by North Korea to give up its fissile material and

weapons that much harder. I see no substantive reason to enter into a Phase III negotiation over dismantlement. It will most likely turn out to be an unnecessary waste of several years of negotiations. Both sides should move directly to what we both actually want—removal of fissile material and nuclear weapons from the DPRK in exchange for normalization.

Now, that may not sound very palatable at first offering, but North Korea has been clear with United States negotiators and directly with me last April, Pyongyang does not intend to discuss let alone give up its nuclear weapons in Phase III. It intends to hold onto them as long as possible. It is in our interest to move boldly toward the end game as quickly as possible by agreeing to move directly to discussions over normalization. Issues that previously were put off for the sake of momentum must now be captured as part of the normalization agenda.

That means we should have no hesitancy in discussing our concerns about Pyongyang's human rights shortcomings. Nonproliferation treaty exceptions for Pyongyang should cease, and we should insist on a normal and active role for IAEA inspectors.

What I am suggesting is a more robust bilateral discussion between Washington and Pyongyang while remaining in the overall framework of the Six-Party process. This places a leadership responsibility on the United States that I believe is best accomplished by the appointment of a senior envoy who would navigate the complexities and interests of the many agencies that contribute to the development of a cohesive United States policy toward North Korea.

Because there is actual value in the Six-Party process, the envoy would have the concurrent requirement to assist the Secretary of State in coordinating the common goals and objectives of the other members of the Six-Party process, particularly those of Seoul and Tokyo.

The North Korea problem requires we understand our allies' concerns and be able to create a synergistic effect to maximize the probability for success. The promise of the Six-Party process has not yet been fulfilled. We cannot hope to succeed in our goal of denuclearization of North Korea without the full support of our close allies. An important challenge the United States will face in the coming months will be to assist and, where necessary, to insist that dialogue and relations between North and South Korea improve as dialogue and relations between the United States and North Korea improve. It is not productive nor reasonable for inter-Korean relations to deteriorate as United States-North Korea relations improve.

The same is true for Japan-North Korea relations. Tokyo is looking carefully at the new U.S. administration and will want to know that we continue to value Japan's participation in the Six-Party process. Specifically, Tokyo needs reassurance that the Obama administration fully understands the emotional, political sensitivity of the abduction issue in the light of the removal of North Korea from the list of state sponsors of terrorism last October.

One of the casualties of focusing exclusively on capping of North Korea's plutonium program has been the absence of a discussion about Pyongyang's maturing missile program. That has not taken

place since November 2000. Cessation of Pyongyang's indigenous missile development along with their assistance to other countries must be part of our overall policy approach to North Korea.

The challenges are great, the outcome is uncertain, but the requirement that we use smart power to the fullest is unquestioned. Failure to denuclearization North Korea is not an option.

I look forward to your questions, sir.

[The prepared statement of Mr. Pritchard follows:]

Statement of Charles L. Pritchard
President
Korea Economic Institute

Before the

House Committee on Foreign Affairs
Subcommittee on Asia, the Pacific and the Global Environment

February 12, 2009

"Smart Power: Remaking U.S. Foreign Policy in North Korea"

Thank you, Chairman Faleomavaega, Ranking Member Manzullo and distinguished Members for inviting me to discuss with your subcommittee an important foreign policy issue facing our nation and the new administration. I commend the Committee for holding this hearing and asking the witnesses today to address the issue of Smart Power – for that is exactly what will be required of the administration in formulating its policy toward North Korea. In her confirmation hearing, Secretary Clinton emphasized the importance of Smart Power and indicated that the administration will have at its disposal the full range of diplomatic and, if necessary, military tools to reestablish American leadership throughout the world.

North Korea presents a special challenge, one that has evolved and become more dangerous over the past several years. Secretary Clinton and President Obama have indicated that they continue to value the Six Party process and will enhance cooperation and coordination with our allies South Korea and Japan as well as the other partners in the process. That is a good start. But let me suggest that while the 6 Party process has focused on capping future plutonium production and eventually going beyond the 1994 Agreed Framework to permanently dismantle North Korea's nuclear facilities, it has failed to adequately address proliferation concerns. In "World at Risk: The Report of the Commission on the Prevention of WMD Proliferation and Terrorism," the Commission concluded that unless the world community acts decisively and with great urgency, it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013. The Commission recommended:

> *As a top priority, the next administration must stop the Iranian and North Korean nuclear weapons programs. In the case of North Korea, this requires the complete abandonment and dismantlement of all nuclear weapons and existing nuclear programs. If, as appears likely, the next administration seeks to stop these programs through direct diplomatic engagement with the Iranian and North Korean governments, it must do so from a position of strength, emphasizing both the benefits to them of abandoning their*

nuclear weapons programs and the enormous costs of failing to do so. Such engagement must be backed by the credible threat of direct action in the event that diplomacy fails.[1]

The question of North Korea's uranium enrichment activities has not been addressed, nor has North Korea been held accountable for its proliferation of nuclear reactor technology to Syria that was intended to allow it to produce a plutonium-based nuclear weapon.

In a post 9-11 world, the security of the United States and its allies with which we have Mutual Defense Treaty obligations cannot be assured by sequential steps over several years. Unfortunately, the Six Party process, unless modified to accommodate all of our WMD concerns, has put us on a slow, incremental path that ultimately does not guarantee the denuclearization of North Korea. Specifically, I am concerned that the announced next phase of the Six Party process (Phase III) will be significantly more difficult than the yet-to-be-completed Phase II. Phase III, as you know, is the dismantlement of North Korea's nuclear facilities at Yongbyon. While dismantlement may well be part of the ultimate (irreversible) solution, it does not really get us any closer to our goal of actual denuclearization and it does not substantially improve the reality that disablement under Phase II has already capped North Korea's plutonium production capability. While I accept that Pyongyang could repair the disabled facilities at Yongbyon over time, I submit that a serious attempt by North Korea to do so would terminate the Six Party process and fundamentally change the attitudes of the other Six Party members. Do we really want North Korea to continue thinking of itself as a nuclear weapons state as we negotiate for the dismantlement of the facilities that are already shut down and disabled? It will make the final decision to give up fissile material and weapons that much harder.

If left to play out in the manner that appears most likely, Pyongyang will maintain control over the agenda and pace of the 6 Party process, reinforcing concerns that it is not yet ready to move in a systematic manner to a fully verifiable denuclearization that includes transparency involving its HEU program and its proliferation activities with Syria. I see no substantive reason to enter into a Phase III negotiation over dismantlement. It will most likely turn out to be an unnecessary waste of several years of negotiations. Both sides should move directly to what we both actually want: removal of fissile material and nuclear weapons from the DPRK in exchange for normalization. That may not sound very palatable at first offering, but North Korea has been clear with U.S. negotiators and directly with me last April – Pyongyang does not intend to discuss, let alone give up its nuclear weapons in Phase III. It intends to hold onto them as long as possible. It is in our interests to move boldly toward the end game as quickly as possible. As part of the condition for skipping the dismantlement phase, both parties should agree that the current status of disablement remains intact. In revamping the Six Party agenda, a path to resolving our concerns over HEU and Syria-related proliferation activities must be found. By agreeing to move directly to discussions over normalization, issues that previously were put off for the sake of momentum must now be captured as part of the normalization agenda. In that regard, normalization should be all encompassing. That means we should have no hesitancy in discussing our concerns about Pyongyang's Human Rights shortcomings. Non-proliferation Treaty (NPT) exceptions for Pyongyang should cease and we should insist on a normal and active role for IAEA inspectors.

What I am suggesting is a more robust bilateral discussion between Washington and Pyongyang, while remaining in the overall framework of the Six Party process. This places a leadership responsibility on the United States that I believe is best accomplished by the appointment of a Senior Envoy who would navigate the complexities and interests of the many agencies that contribute to the development of a cohesive U.S. policy toward North Korea. Fortunately, from what I can tell of the announced and presumed nominees for key positions among the various agencies and departments who will be charged with dealing with North Korea, there is a professionalism, competence and collegiality among them unlike that I have seen in a very long time. I am confident that the Envoy will have the full support and appropriate guidance of the President and Secretary of State. Because there is actual value in the Six Party process, the Envoy would have the concurrent requirement to assist the Secretary of State in coordinating the common goals and objectives of the other members of the Six Party process, particularly those of Seoul and Tokyo. Both the President and Secretary of State have emphasized the importance of consulting our allies. The North Korean problem requires we understand our allies concerns and be able to create a synergistic effect to maximize the probability for success. The promise of the Six Party process has not yet been fulfilled. We have not taken the requisite time to forge the Washington-Seoul-Tokyo consensus that is so necessary for us to be able to actually speak with one voice. We need to recapture that moment in history 10 years ago when the Trilateral Cooperative and Oversight Group (TCOG) was first organized and trilateral objectives toward North Korea were agreed upon.

The Commission on the Prevention of WMD Proliferation and Terrorism's recommendation that engagement must be backed by the credible threat of direct action in the event that diplomacy fails will remain theoretical in the case of North Korea unless that is also a conclusion that is reached by the government of South Korea and supported by the people of South Korea. While the likelihood of achieving that concurrence is virtually nonexistent, the necessity of coordinating all aspects of our policy approach toward North Korea with Seoul is paramount. We cannot hope to succeed in our goal of denuclearization of North Korea without the full support of our close allies. An important challenge the United States will face in the coming months will be to assist and, where necessary, to insist that dialogue and relations between North and South Korea improve as dialogue and relations between the United States and North Korea improve. It is not productive or reasonable for inter-Korean relations to deteriorate as U.S.-North Korean relations improve.

The same is true for Japan-North Korea relations. Tokyo is looking carefully at the new administration and will want to know that we continue to value Japan's participation in the Six Party process. Specifically, Tokyo needs reassurance that the Obama administration fully understands the emotional and political sensitivity of the abduction issue in light of the removal of North Korea from the List of State Sponsors of Terrorism last October. Tokyo argued against the delisting of Pyongyang because of a fear of losing leverage on North Korea on the abduction issue. As the U.S. moves forward in engaging North Korea, we must be mindful of this concern as well as Tokyo's security concern over Pyongyang's missile program.

One of the casualties of focusing exclusively on capping the North's plutonium program has been the absence of a discussion about Pyongyang's maturing missile program since November

2000. Cessation of Pyongyang's indigenous missile development along with their assistance to other countries must be part of our overall policy approach toward North Korea.

The challenges are great and the outcome is uncertain, but the requirement that we use Smart Power to the fullest is unquestioned. Failure to denuclearize North Korea is not an option.

I look forward to answering your questions.

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[i] "WORLD AT RISK: The Report of the Commission on the Prevention of WMD Proliferation and Terrorism," Vintage Books, A Division of Random House, Inc., New York. pp xxii-xxiii.

Mr. FALEOMAVAEGA. Thank you, Ambassador. Professor Cha.

STATEMENT OF VICTOR CHA, PH.D., ASSOCIATE PROFESSOR, DIRECTOR OF ASIAN STUDIES AND D.S. SONG-KOREA, FOUNDATION CHAIR IN ASIAN STUDIES AND GOVERNMENT, GEORGETOWN UNIVERSITY

Mr. CHA. Thank you, Mr. Chairman. Thank you for the opportunity to appear before you today. I wanted to offer my personal thoughts on North Korea based on my experience working this issue for the White House on the National Security Council, and also as our deputy head of delegation to the Six-Party Talks, and also based on my research on the country as an author and academic. I will focus my remarks on next steps where we go with North Korea in Six-Party Talks and I will present a summary of my prepared statement to you.

I think the United States would be best served by following the basic outlines of the policy that characterized the second term of the Bush administration with some notable exceptions. President Obama will inherit a Six-Party process that has effectively mobilized key regional players, most importantly, China, and has achieved a working disablement of the main nuclear facility at Yongbyon.

President Obama's very capable Asian team will need to implement the verification protocol for the North Nuclear Declaration as early as possible to ensure that plutonium facilities at Yongbyon are constantly monitored and degraded. The administration should also consider widening the aperture to achieve disablement of other elements of the North's nuclear program at Yongbyon even as it negotiates a tough position on verification.

The third phase or dismantlement negotiation will be even more difficult than the prior two negotiated agreements, the September 2005 agreement and the February 2007 agreement. A key priority will be to address the ambiguities left by the earlier agreements on North Korea's proliferation activities and its uranium-based nuclear activities.

In addition to pursuing this Six-Party track, I believe the Obama administration needs to consider a paradigm shift of sorts in its overall policy toward the DPRK. This consists of three components.

First, it must find a way to integrate a discussion on North Korea's ballistic missile program in the Six-Party process. Press reports show North Korea is plowing full steam ahead with its missile activities even as it negotiates a disablement of its nuclear program. This might be added as another working group in the Six-Party process in addition to the five that already exists. It is clear that Pyongyang will not give up its missiles for free so the United States must tie the missile negotiations to incentives in the normalization and energy working group processes.

Second, the administration needs to consider a separate trilateral dialogue among the United States, South Korea and China. The North Korean leader's time in office is limited given his rather serious health problems. While the United States and South Korea have restarted discussions on how to respond to a sudden collapse scenario north of the 38th parallel, they also need to begin a quiet discussion with China. The purpose of such a discussion would be to create some transparency about the relative priorities and likely first actions by the three parties in response to signs of political instability in the North.

Presumably we would be interested in securing nuclear weapons and materials. South Korea would be interested in restoring domestic stability. China would be interested in securing its borders against the massive influx of refugees. Coordination in advance helps to minimize misperceptions and miscalculation in a crisis.

Third, the Obama administration should not make a presidential meeting or anything of that nature with the North Koreans, the banner of its policy as it did during the campaign. This is not in the interest of the United States or South Korea. Some may argue that an early meeting by the President or Vice President might be a good way to accelerate the negotiation process. In my own opinion, nothing could be further from the truth. The President of the United States is not a negotiator nor should he be treated as one.

Only after the denuclearization process is near completion should a presidential meeting even be considered. Hardliners in Pyongyang will view the new Obama Presidency as weak since electoral victories do not resonate with dictators. They will also see it as inexperienced and completely overwhelmed by two wars and a financial crisis. To offer a high-level meeting amidst this very difficult situation would not only look amateurish, it would confirm the hardliners' views of American weakness and inexperience.

There is no denying, however, that if we want to move the denuclearization process more quickly we do need to reach higher into the Kim Jong leadership beyond the foreign ministry officials that they have been trotting out for the last 16 years.

In the course of the Six-Party Talks, when the North Korea were slow to make decisions, we often challenged them to bring people from the Dear Leader's Office or from their National Defense Commission to their delegation in Beijing to make quicker decision, and we pointed to our own interagency team of State, the White House and the Pentagon. This is why President Obama needs to move forward with the appointment of a senior envoy for Six-Party Talks.

The Congress has long sought a senior coordinator on North Korea policy from the Bush administration. Such an appointment, whether from the White House or State Department, would compel Pyongyang to bring forth members of its National Defense Commission and other key agencies to negotiate in earnest for a final solution, otherwise the same foreign ministry officials from Pyongyang will show up at Six-Party Talks to stall and to stonewall the negotiations.

Sending the new American President to North Korea is not the answer, but challenging North Korea to bring people to the Six-Party Talks who can make real decision is.

In sum, the new administration should not be wide-eyed optimists about North Korea. Instead, they should design a strategy that systematically tests North Korea but also demonstrates U.S. political commitment to the negotiation process. If Pyongyang is serious, then the Six-Party partners can press the negotiation harder, trying to move to the final phase of nuclear dismantlement. However, if Pyongyang balks, then it will be clear to all where the blame sits for the breakdown of the agreement. This, in turn, would make it easier to build or lead a multilateral coalition for a tougher course of action as needed.

Thank you very much.

[The prepared statement of Mr. Cha follows:]

"The Need for a Paradigm Shift in U.S. Foreign Policy to North Korea"

Testimony of Dr. Victor D. Cha

Director of Asian Studies and D.S. Song Chair, Georgetown University

House Foreign Affairs' Subcommittee on Asia, February 12, 2009

Rayburn House Office Building, Room 2172

Mr. Chairman and distinguished members of the Subcommittee, thank you for the opportunity to appear before you today. I offer my personal thoughts to you today on North Korea based on my experience working this issue for the White House as our deputy head of delegation to the Six Party talks, and based on my research on the country as an author and academic.

I will focus my remarks on where we go from here with North Korea and Six Party talks. I have submitted a longer statement for the record about the broader context, history, and challenges of U.S. policy to this country.

I think the President would be best served by following the basic outlines of the policy that characterized the second term of the Bush administration, with some notable exceptions. He will inherit a Six Party process that has effectively mobilized key regional players, most importantly China, and has achieved a working disablement of the main nuclear facility at Yongbyon.

President Obama's very capable Asia team will need to implement the verification protocol for the North's nuclear declaration as early as possible to ensure that the plutonium facilities in Yongbyon are continuously monitored and degraded.

The third phase, or dismantlement negotiation, will be even more difficult than the prior two negotiated agreements (September 2005 and February 2007). A key priority will be to address the ambiguities left by the earlier agreements on North Korea's proliferation activities and its uranium-based nuclear activities.

The Need for a Paradigm Shift

In addition to pursuing this Six Party track, I believe the Obama administration needs to consider a "paradigm shift" of sorts in its overall policy to the DPRK. This consists of three components.

First, it must find a way to integrate a discussion on North Korea's ballistic missile programs into the Six Party talks. Press reports show North Korea is plowing full-steam ahead with its engine-testing, launch-pad building, and missile-designing activities even as it negotiates a disablement of its nuclear program. This might be added as another working group in the Six Party process (in addition to the five: U.S.-North Korea, Japan-North Korea, denuclearization, energy assistance, and multilateral peace mechanism). Pyongyang will not give up its missiles for free, so the United States must tie the missile negotiations to incentives in its normalization and energy working group processes.

Second, the next administration needs to consider a separate trilateral dialogue among the United States, South Korea and China. The North Korean leader's time in office is limited

given his rather serious health problems. While the United States and South Korea have restarted planning on how to respond to a sudden collapse scenario north of the 38th Parallel, they need to also begin a quiet discussion with China.

The purpose of such a discussion would be to create some transparency about the relative priorities and likely first-actions by the three parties in response to signs of political instability in the North. Presumably, we would be interested in securing weapons and materials, and South Korea would be interested in restoring domestic stability. China would be interested in securing its border against a mass influx of refugees. Coordination in advance helps to minimize misperception and miscalculation in a crisis. Koreans are suspicious about China's intentions in a North Korean collapse scenario given Beijing's investment in the North's mineral resources, but such a three-way discussion is important to ensuring China's support in any United Nations Security Council resolutions that might accompany sudden change in the North.

Third, the Obama administration should not feel obliged to make a presidential meeting with the North Korea the banner of its policy as it did during the campaign. This is not in U.S. or South Korean interests.

Some may argue that an early meeting by the president (or vice-president) might be a good way to accelerate the negotiation process. Nothing could be further from the truth. The president of the United States is not a negotiator. He should not be treated as one.

Only after the denuclearization process is near completion should a presidential meeting even be considered. Hard-liners in Pyongyang will view the new Obama presidency as

weak (electoral victories do not resonate with dictators), inexperienced and completely overwhelmed by two wars and a financial meltdown. To offer a presidential meeting amidst this mess would not only look amateurish, it would confirm the hard-liners' views of American weakness and inexperience.

There is no denying, however, that if we want to move the denuclearization process more quickly, we need to reach higher into the Pyongyang leadership beyond the Foreign Ministry officials it has been trotting out for the last 16 years. In the course of Six Party talks, when the North Koreans were slow to make decisions, we challenged them to bring people from the Dear Leader's office or from their National Defense Commission to their delegation who could make quicker decisions, pointing to our own interagency team of State, White House and Pentagon.

This is why Mr. Obama might be best advised to move forward with the appointment of a senior envoy for Six Party talks.

Congress has long sought a senior coordinator on North Korea policy from the Bush administration. Such an appointment, whether from the White House or State Department, would compel Pyongyang to bring forth members of its National Defense Commission and other key agencies to negotiate in earnest for a final solution. Otherwise, the same Foreign Ministry officials from Pyongyang will show up at Six Party talks to stall and slow-roll the negotiations. Sending the new American president to North Korea is not the answer. But challenging North Korea to bring people to the Six Party talks who can make real decisions is.

In sum, the new administration should not be wide-eyed optimists. Instead, they should design a strategy that systematically tests DPRK denuclearization intentions and demonstrates U.S. political commitment to the process. If Pyongyang proves to be serious, then the Six Party partners will press the negotiation harder, moving to the final phase of nuclear dismantlement. However, if Pyongyang does not fulfill its end of the agreement, then it will be clear to all where the blame sits for the breakdown of the agreement. This in turn will make it easier to build a multilateral coalition for a tougher course of action as needed.

As the North Goes, So Goes the Alliance

Getting North Korea policy right is important for achieving non-proliferation goals; however, it is also critical to longer-term alliance relations. A broader discussion of the implications of the DPRK negotiations for Seoul and Washington follows below.

"You know, I am not North Korea's lawyer, but you must understand how they see the world" was the preface often provided by some South Korean officials and academics as they launched into spirited defenses for why the Democratic Peoples' Republic of Korea (DPRK or North Korea) undertook a nuclear test in October 2006. The objective of these explanations was to prevent the United States from overreacting and to persuade Washington to seek continued engagement with the regime. For many Americans, the sight of anyone trying to defend the North after a nuclear test – a brazen act of international defiance -- was ludicrous, and for a treaty ally to do so, was unacceptable. The problem for the United States –Republic of Korea (ROK) alliance was

not a lack of communication regarding North Korea, as we understood very well the contorted logic and excuses that often seemed to apply only to North Korea, but that fundamental gaps sometimes emerged within the alliance about the threats posed by the regime.

Policy on North Korea is perhaps the most important challenge for future United States-Republic of Korea alliance interaction. During the cold war, there was very little daylight between the two allies on North Korea. Both adhered to a fairly rigid policy of containment and non-dialogue vis a vis the threat from Pyongyang.[1] Policy gaps on North Korea started to emerge with the process of democratization in Korea and with the end of the cold war. This was because democratization effectively made politically legitimate the voices of those who called for less containment and more engagement with the DPRK. Prior to democratization, anyone who expressed such a viewpoint under the military dictatorships was immediately considered "pro-communist" and therefore treasonous. As democratization expanded the range of politically legitimate views on North Korea in the South, the collapse of the Soviet Union opened the range of possible policies the United States might pursue with the DPRK beyond one dimensional cold war era containment. A watershed mark came with the June 2000 summit between ROK president Kim Dae Jung and DPRK leader Kim Jong-il in which the full spectrum of views on engagement and containment were cemented in the Korean polity.

[1] The détente years (1971-74) saw a small gap in policies. As the Nixon administration increased contacts with communist China and the Soviet Union, there were also small indications of an American willingness to engage in contacts with the North. The Park Chung Hee regime responded by opening secret contacts with Pyongyang through its intelligence agency, leading to a surprise announcement of a joint communiqué on July 4, 1972.

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This spectrum of views has impacted the U.S.-ROK alliance through two basic dynamics. Tensions arise between Seoul and Washington at times when the United States is perceived to be too solicitous of the North while the ROK is advocating a tougher line. This was the predominant dynamic during the Clinton-Kim Young Sam years when the U.S. and DPRK were engaged in bilateral nuclear negotiations that made the South Koreans paranoid about alliance abandonment. Bob Gallucci, the lead U.S. negotiator for the 1994 Agreed Framework once quipped that after a long day of meetings with the North Korea, he would meet with the South Koreans to debrief them and would be met with the cynical question, "So, what did you give away today?" Alliance tension also rises when the United States is perceived to take a harder line while the ROK pushes for greater engagement with the North. Many will record that the first term of the Bush administration with the Kim Dae Jung and Roh Moo Hyun governments reflected this dynamic juxtaposing Bush's "Axis of Evil" speech and the ROK's "sunshine policy."

Three key issues account for the possibility of disagreement between the two allies: denuclearization, inter-Korean cooperation, and human rights. Washington has always prioritized denuclearization, to the criticism of some past ROK governments that have not seen this as the primary threat. On inter-Korean cooperation, the United States has generally sought South Korean cooperation in conditioning economic assistance to the North on its cooperation in the denuclearization process, while some ROK governments have preferred to advance inter-Korean economic cooperation separately (e.g, to help develop the DPRK economy and prepare for a "soft-landing" should

unification ever come). The third issue is human rights violations by the DPRK regime, which Washington has tended to emphasize while the ROK has not.

Denuclearization

The U.S. has worked with China, South Korea, Japan, Russia and the DPRK to create a denuclearization roadmap, known as the September 2005 Joint Statement of the Six Party Talks. The first implementation step was taken with the July 2007 shutdown of the Yongbyon nuclear facility from which the DPRK made plutonium for nuclear bombs, and the reintroduction of the IAEA for the first time in five years. In accordance with the February 13, 2007 Initial Actions agreement and the October 2007 "Second Phase" agreement, the Six Parties sought to achieve by the end of 2007 a full declaration (including HEU, plutonium, and nuclear devices) and permanent disablement of all DPRK nuclear facilities and activities. Despite delays, on June 26, 2008, North Korea destroyed the cooling tower at the Yongbyon reactor, and provided a nuclear declaration, effectively taking the world further in denuclearizing the DPRK than ever before. The Clinton administration ended its two terms in office having achieved a freeze-for-compensation formula with international monitoring of Yongbyon in exchange for supplies of heavy fuel oil. The Bush administration leaves to the Obama administration a status quo that has advanced beyond a freeze of the DPRK nuclear program to a permanent disablement of the plutonium-based facilities at Yongbyon. Issues still remain unresolved regarding a host of issues, including the North's undeclared nuclear sites, its uranium-based activities, and proliferation activities. Moreover, the road to this outcome

was far from smooth and included the accumulation of a larger stockpile of plutonium by the DPRK and a test of a nuclear device in October 2006.

As long as the next American president pursues diplomacy (positive and, if necessary, coercive) through the Six Party talks to denuclearize North Korea, this will help to minimize the room for differences with Seoul. A good indicator of this was Seoul's positive response to the Bush administration's October 2008 decision to remove North Korea from the terrorism blacklist in exchange for Pyongyang's agreement on a verification protocol for its June 2008 nuclear declaration. Many in Washington characterized Bush's decision to prematurely delist a country he once put in the axis of evil as a hail mary pass by an administration desperate for good news. The optics were undeniably bad as the delisting came after North Korean missile tests, the ejection of international inspectors from previously locked-down nuclear facilities, and good doses of fiery rhetoric against Seoul. The ROK, however, viewed it as a positive step that put in place a verification scheme which can facilitate the continued disabling and degrading of the North's nuclear capabilities.

In the end, the capacity for Washington and Seoul to stay on the same page regarding North Korea and the Six Party talks will depend on their relative patience in managing the "dilemma of DPRK unreasonableness." What this means is that Washington and Seoul engage in a Six Party process in which every agreement is negotiated with painstaking care; parties hammer out specific quid pro quos, timelines and the synchronization of steps, with concomitant rewards and penalties. Yet sooner or later, Pyongyang demands more than it was promised or does less than it should. While everyone accepts that North Korea is being unreasonable, they also realize that a failure

of the agreement could mean the failure of the talks and the precipitation of another crisis.

At the core of the fall 2008 impasse, for example, was the North's spurious claim that its June nuclear declaration was sufficient for it to be taken off the U.S. terrorism blacklist and that verification of the declaration was not part of the deal. As former deputy negotiator for the U.S. delegation to the six-party talks, I can attest that the North Koreans fully understood our need for verification as far back as the September 2005 joint statement (the road-map agreement) and the February 2007 "first phase" and October 2007 "second phase" implementation agreements, as did Seoul and the other participants. Yet while all express outrage at Pyongyang's petulance when it reneges on agreements, the parties, including South Korea, end up pressing the United States -- knowing full well that the North is at fault and is traversing the bounds of fairness and good faith but certain that the only chance of progress lies in American reasonableness. The result is that any additional American flexibility is widely perceived in the region as evidence of American leadership but is viewed in Washington as some combination of desperation and weakness. How well Seoul and Washington manage this balance will be important.

Inter-Korean Cooperation

As noted above, the U.S. preference is for Seoul to coordinate its inter-Korean economic cooperation with progress in Six Party talks. Without this condition, the provision of goods to the North reduces all incentives for Pyongyang to cooperate in the denuclearization talks. The Roh Moo-hyun government was less willing to provide

conditionality on economic handouts to Pyongyang. The Lee Myung-bak government, however, sees reciprocity by the North as an important condition of economic engagement. The South Korean rationale for such conditionality in inter-Korean assistance is not simply to "kowtow" to U.S. needs, but to judge that it is not in the ROK national interest to seek reconciliation with a North Korea that retains nuclear weapons. It is incumbent upon the ROK to portray the issue publicly in such a manner. If they do not, the risk is a popular view in Seoul (particularly among radicals) that the United States is standing in the way of Korean reconciliation.

One development that will improve U.S.-ROK policy coordination on North Korea is the diminished role of the unification ministry in Six Party policy. With the advent of the sunshine policy under Kim Dae Jung and then Roh Moo Hyun, Seoul placed a priority on inter-Korean reconciliation, effectively delinking this process from Six Party talks. The unification ministry was given a large budget for inter-Korean cooperation and was able to spend it without much oversight from either the economic ministries or the foreign ministry. The result was that the unification ministry gained a great deal of power within the ROK government, often operating at odds with the larger policy objectives of the Six Party talks partners. Holding the purse strings and operating with top-cover from the Blue House to improve inter-Korean relations, the unification ministry often engaged unconditionally with the North and disrupted the foreign ministry's ability to align the ROK's inter-Korean cooperation policies with the pace of Six Party talks. There were moments when the Roh government did condition inter-Korean assistance on North Korea's positive behavior in Six Party talks (e.g., after the October 2006 nuclear test), and this was effective in getting the North to agree to the

February 2007 agreement; however, this was not the norm.

Under Lee Myung-bak, the unification ministry has been substantially stripped of its power. Nearly 40 percent of the unification ministry's personnel have been cut and most of its once large budget has been redistributed to the economic ministries. The foreign ministry, moreover, has also taken back its role, along with the Blue House, in chairing the interagency coordination meetings from the unification ministry in which policy is hammered out (akin to the American Principals Committee meetings).

What this means for the alliance is that U.S. and ROK coordination on Six Party policy should be a lot smoother than it had been in the past. The reduced power of the unification ministry removes a specific bureaucratic obstacle to US-ROK policy coordination, reflecting the larger ideological shift from Roh Moo hyun to Lee Myung bak.

Human Rights

Human rights is one aspect of the DPRK problem on which the U.S. and ROK have hardly been on the same page. During the Kim Young Sam presidency, the ROK took a fairly tough line on human rights abuses by the DPRK, demanding among other things that Pyongyang return South Korean prisoners of war. Kim also criticized the Clinton administration for moving forward with its nuclear and political talks with Pyongyang in spite of ROK concerns. Some ten years later, George W. Bush made North Korea human rights abuses a major part of his policy, appointing the first-ever special envoy for DPRK human rights abuses (Jay Lefkowitz); overseeing the creation of programs for the first-ever resettlement of DPRK refugees in the United States; and inviting North Korean

defectors into the Oval Office. Having seen President Bush interact with these individuals, I believe his concerns for the people of North Korea were truly heartfelt. Yet in terms of alliance relations, Bush's emphasis on human rights did not sit well with the Kim Dae Jung or Roh Moo hyun governments who perceived many of these U.S. actions as code for a neoconservative desire to collapse the regime. Seoul categorically refused to make critical statements about DPRK human rights abuses, refused to vote for UN resolutions, and only with great difficulty agreed to language in US-ROK joint statements discussing the dire conditions of the North Korean people.

The Obama administration and the current Lee government in South Korea have the opportunity to reboot and realign their relative positions on human rights. Bush and Lee, both deeply religious men, took a step in this direction, agreeing to include a specific reference to DPRK human rights problems in their 2008 joint statement. And the ROK under Lee has voted for the annual UN resolution on North Korean human rights abuses (previous ROK governments did not). Whatever the specific measures, the benchmark for United States and the ROK should be to move beyond an agreement in words to achieving measurable steps that improve the lives of the people in the North.

Guiding Principles for the Future

The American president must approach the Six Party negotiations not as a wide-eyed optimist, but with a systematic strategy designed to test and push the North to nuclear dismantlement. It is entirely plausible that Pyongyang will attempt new provocations, both to test the next American president and to gain attention from a new administration distracted by Iraq, Afghanistan, Pakistan, and the financial crisis. In this regard, policy

gaps between the U.S. and South Korea are certainly possible. A new U.S. administration, needing to prove its bona fides, may be less tolerant of the inevitable North Korean antics because it perceives them as tests of an untested administration. Meanwhile a domestically weak Lee government may crave more U.S. reasonableness and patience in response to North Korean testing in order to avert a crisis on the peninsula.

However fluid the environment, Seoul and Washington need to adhere to some basic and core principles to minimize their differences. First, the United States must demonstrate that it remains committed to a peaceful diplomatic solution. Despite all the speculation that the hardliners in either a Republican or Democratic administration may consider coercive options and/or regime change, and notwithstanding the obligatory proclamations by any responsible leader that all options, including military, must be on the table, peaceful diplomacy is the only practical solution. Even during the George W. Bush administrations, at no time did any high-level White House official advocate or present in Six Party capitals the option of regime change, contrary to the pundits' views.

The second principle is that the DPRK nuclear problem must be dealt with through a multilateral approach. After the breakdown of the 1994 US-DPRK nuclear agreement, the view was that a return to diplomacy must integrally involve key regional players that have material influence on the DPRK, especially China. The United States cannot afford exclusive bilateral negotiations with the DPRK in which China would free-ride on US efforts to solve the problem, but refuse to support any pressure while providing backchannel aid to Pyongyang to avoid regime collapse. China's continued hosting of the Six Party talks forces them to take ownership of the problem as Chinese face becomes

integrally intertwined with preventing a nuclear North Korea. At each critical point in the crisis, U.S.-China cooperation has been important to achieving the desired outcome. This was the case with regard to China's unprecedented support for U.N. Security Council resolutions 1695 and 1718 in response to the DPRK's missile and nuclear tests in 2006. China has pressed the DPRK, moreover, in material ways that will never show up in trade figures but have had a real impact. Pyongyang's palpable distrust of Beijing is perhaps the most credible indicator of this new dynamic. A relationship once described "as close as lips and teeth" is no longer the case. Any future administration would be wise to continue to press and shape China into playing this role vis a vis the Six Party talks and North Korea.

The third enunciated principle behind U.S. policy should be to test thoroughly the DPRK's denuclearization intentions. Whatever negotiation tactics a new administration might use, they should remain consistent with the principle of systematically deciphering DPRK intentions. The guiding tenet should be to test whether DPRK is serious or just trying to socialize everyone to accepting the North as a nuclear weapons power. Some would argue that "testing" the DPRK is a bad principle because it soon becomes impossible to distinguish between diplomacy designed to test Pyongyang's intentions and unbridled appeasement to DPRK demands. For example, when the United States gradually edged into more exclusive bilateral negotiations with the DPRK toward the end of the Bush administration, critics asked whether this new format was designed to "test" DPRK intentions or merely caving to North Korean demands by a weak US administration.

How far should the next administration go to "test" the DPRK? As is often the case in the policy world, this is a judgment call made by the President and his national security team as events evolve. But the importance of the "testing" principle is that it demonstrates U.S. political commitment and patience. What Asia has always asked of the United States is to show true political will to deal with this isolated country. Doing this affords Washington much goodwill and political capital in Asia. Moreover, adhering to the principle of testing the DPRK in negotiations inoculates the U.S. from being perceived as the problem and shines the spotlight for a breakdown in the Six Party talks on the DPRK. The only conceivable circumstance under which China or South Korea (who still have the most material influence on the North) would consent to full sanctions against the DPRK is after Six Party and U.S. testing of the North has failed. In this regard, even so-called hawks in the next administration should see a continuation of the Six Party process as the vehicle that best advances U.S. interests and best positions the United States and the ROK for either the success or failure of the denuclearization project.

In sum, the new administration should not be wide-eyed optimists. Instead, they should design a strategy that systematically tests DPRK denuclearization intentions and demonstrates U.S. political commitment to the process. If Pyongyang proves to be serious, then the Six Party partners will press the negotiation harder, moving to the final phase of nuclear dismantlement. However, if Pyongyang does not fulfill its end of the agreement, then it will be clear to all where the blame sits for the breakdown of the agreement. This in turn will make it easier to build a multilateral coalition for a tougher course of action as needed.

Mr. FALEOMAVAEGA. Thank you Professor Cha. Mr. Klingner.

STATEMENT OF MR. BRUCE KLINGNER, SENIOR RESEARCH FELLOW, NORTHEAST ASIA, THE HERITAGE FOUNDATION

Mr. KLINGNER. Thank you very much, Mr. Chairman, and distinguished members of the subcommittee for asking me to testify today. It is indeed a great honor to appear before you. With your permission, I will summarize some of the key points from my prepared statement in my oral remarks.

Mr. FALEOMAVAEGA. Please proceed.

Mr. KLINGNER. Thank you, sir.

The views expressed in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

In the dawn of a new year and a new U.S. administration, we can again be hopeful of a diplomatic solution to the North Korean nuclear problem, but of all the foreign policy challenges that Barack Obama inherited, North Korea may prove to be the most intractable. Neither the confrontational approach of the first 6 years of the Bush administration nor the largely unconditional engagement strategy of the final 2 Bush years achieved success.

But a U.S. policy that integrates a comprehensive diplomatic approach with accompanying pressure may prove successful, particularly if closely coordinated with our allies—South Korea and Japan. Still, prudence demands that we remember the broken promises and shattered dreams that litter the Korean landscape. North Korea has already sent an early shot across the Obama administration's bow by raising outrageous new demands for fulfilling its previously agreed upon denuclearization commitments.

And Pyongyang's vitriolic attacks, military threats, and near severing of relations when South Korea and Japan merely requested conditionality and reciprocity bodes ill for those of us hoping North Korea will accept future requirements during the Six-Party Talks. Pyongyang is clearly signaling that it will not adopt a more accommodating stance despite the change in U.S. administrations.

Although there will be a perception of a major shift in U.S. policy, President Obama will largely maintain the policy of the final 2 years of the Bush administration. Although President Obama may be more willing to engage in senior-level diplomatic engagement, it is questionable whether such tactical changes will achieve verifiable North Korean denuclearization. After all, during the past 2 years the Bush administration engaged in the kind of direct bilateral diplomacy with Pyongyang that President Obama now advocates. Yet there has been continued North Korea intransigence, noncompliance and brinkmanship.

And turning to verification, creating a sufficiently rigorous verification system is critically important as the best defense against North Korea violating yet another international nuclear agreement. U.S. national technical means, including imagery satellites, are useful, but they are no substitute for on-site inspections. It is now clear that the Bush administration, in return for maintaining a sense of progress, was willing to abandon key verification requirements such as short-notice challenge inspections of non-declared facilities. The United States simply cannot allow North

Korea to play a nationwide nuclear version of Whack-A-Mole or Three Card Monty.

Washington's premature removal of North Korea from the terrorist list angered key allies Japan and South Korea, who now see the United States as unwilling to consider their security concerns. In particular, Tokyo felt betrayed by President Bush breaking his personal pledge that the United States would keep North Korea on the terrorist list until progress was achieved on the abduction issue. Tokyo has now lost considerable leverage in its attempts to get North Korea to live up to its commitment to reopen the kidnapping investigations, and of course the abduction issue is already part of the Six-Party Talks as one of the working groups.

The verification agreement also undermined South Korean President Lee Myung Bak's attempts to impose conditionality, reciprocity, and transparency on Seoul's previously unrestricted economic largess to North Korea.

As President Obama attempts the difficult task of making real progress in North Korean denuclearization, he should look to history for guidance, and history clearly advises that he should avoid several current recommendations. Specifically, he should not double down on a losing hand. The limited action-for-action strategy of the Six-Party Talks has failed, so some advocate broadening the scope of benefits to offer North Korea on an even larger deal.

Secondly, provide concessions to strengthen so-called North Korean engagers. North Korea intransigence has been depicted as a short-term manifestation of a hard-line faction, with Kim Jong Il having fallen under the influence of North Korean neoconservatives. Based on my service in the United States intelligence community, I believe that that concept has been overplayed and in actuality is largely a North Korean negotiating tactic.

Third, use creative ambiguity to maintain "progress" in negotiations. U.S. negotiators have repeatedly acquiesced to North Korean demands for vague text rather than clearly delineating requirements and timelines.

And fourth, sacrifice U.S. allies on the alter of denuclearization.

Now, what should be done? President Obama and Congress should emphasize that the United States seeks to use diplomacy to achieve North Korean denuclearization, but not at the cost of abandoned principles or dangerously insufficient compliance. Specifically, the U.S. should affirm the U.S. objective is the complete and verifiable denuclearization of North Korea and unequivocally state that Washington will not accept North Korea as a nuclear weapon state, as Secretary Clinton did during her confirmation testimony.

Two, use all the instruments of national power. It has a new label now of "smart power," but it is a concept that has been around before and previously was know as using all the instruments of national power. The U.S. military even had an acronym of DIME, D–I–M–E, diplomatic, informational, military, and economic, in the sense of a coordinated integrated strategy. The United States and its allies should also simultaneously use outside pressure to influence North Korea's negotiating behavior.

Third, insist that North Korea fulfill its existing requirements.

Fourth, realizing that talking is not progress. The U.S. should resolve issues rather than repeatedly lowering the bar simply to maintain the negotiating process.

Fifth, insist on a rigorous and intrusive verification mechanism.

Six, define red lines and their consequences. The Bush administration's failure to impose costs on North Korea for proliferating nuclear technology to Syria undermined U.S. credibility and sent a dangerous signal to other potential proliferators.

And seven, establish deadlines with repercussions for failing to meet them. North Korea must not be allowed to drag out the Six-Party Talks indefinitely in order to achieve de facto international acceptance as a nuclear weapon state.

In conclusion, it is not a question of whether the United States should engage North Korea, rather it is a matter of how to do so. Engagement is a means rather than an ends, and it is also important to control the ways in which it is applied. While the United States should continue to strive for diplomatic solution to the North Korea nuclear problem, the Obama administration should also accept that there may not be a magical combination of inducements that ensures North Korea abandons its nuclear weapons.

Therefore, the United States should quietly even now begin contingency planning, in conjunction with our Asian allies, in the event of a failure of the Six-Party Talks to achieve full North Korean denuclearization.

Thank you for the opportunity to appear before you today. I look forward to your questions, sir.

[The prepared statement of Mr. Klingner follows:]

Prepared Statement before
Committee on Foreign Affairs
Subcommittee on Asia, the Pacific and the Global Environment
United States House of Representatives
February 12, 2009

Bruce Klingner
Senior Research Fellow, Northeast Asia
The Heritage Foundation

Thank you Mr. Chairman and the distinguished members of the Subcommittee for asking me to testify on "Remaking U.S. Foreign Policy in North Korea. I will focus my oral remarks primarily on recommendations for the new Obama Administration and Congress as they begin the reformulation of policy toward North Korea. The views expressed in this testimony are my own, and should not be construed as representing any official position of the Heritage Foundation.[1]

In the dawn of a new year and a new U.S. administration we can again be hopeful of a diplomatic solution to the North Korean nuclear problem. Perceptions that President Obama will take a dramatically different approach toward Pyongyang, including an embrace of direct summit diplomacy, have raised expectations for a near-term breakthrough in the Six Party Talks.

But, of all the foreign policy challenges that Barack Obama inherited, North Korea may prove to be the most intractable. Neither the confrontational approach of the first six years of the Bush administration nor the virtually unconditional engagement strategy of the final two Bush years achieved success.

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But a U.S. policy that integrates a comprehensive diplomatic approach with accompanying pressure -- derived from enforcing existing multilateral sanctions, activating effective American led efforts like the Proliferation Security Initiative (PSI) and demanding compliance with hard fought UN Security Council resolutions -- may prove successful, particularly if closely coordinated with our allies South Korea and Japan.

Still, prudence demands that we remember the broken promises and shattered dreams that litter the Korean landscape. Nuclear negotiations are stalemated because North Korea rejects a verification protocol that the Bush administration claimed Pyongyang had previously accepted. And Pyongyang's response—the vitriolic attacks, military threats, and near severing of relations when South Korea and Japan merely demanded conditionality and reciprocity bodes ill for those hoping North Korea will accept future requirements during the Six Party Talks.

While defanging the North Korean nuclear threat remains paramount of U.S. security objectives, the problem must be viewed as embedded in the deeper problem that the regime poses to the international system. What makes the problem so intractable and dangerous is the nature of the regime. Its self-imposed isolation, its horrid human rights record, its easily stirred state of belligerency with South Korea, the massive conventional forces capability it maintains on the DMZ, and its record of missile and nuclear technology proliferation gives important context to the nuclear threat.

North Korea's Nuclear Strategy

Kim Jong-il has shown a great reluctance to make concessions or achieve real progress on diplomatic agreements with the United States or his neighbors. Pyongyang has repeatedly dashed the hopes of those advocating engagement. Perceived movement is habitually followed by threats, cancellations and demands.

Although North Korea welcomed Barack Obama's election, it will await the details of his policies prior to fully revealing its strategy toward the new U.S. administration. North Korea first seeks to attain its goals through formal and informal diplomatic means, manipulating multiple parallel channels of engagement, and playing one opponent off against the other to gain negotiating leverage.

Not content to remain totally silent, however, Pyongyang sent an early signal to the Obama administration. Last month, North Korea asserted that it would only denuclearize following establishment of formal diplomatic relations with the U.S. and the cessation of Washington's "hostile policy." Pyongyang claims to have weaponized all of its fissile material, providing enough for four to six additional nuclear weapons.

North Korea has stepped up its threats to our ally South Korea, threatening an "all-out confrontation posture to shatter" the South Korean government. It previously warned it would turn Seoul into a "sea of fire" and "ashes." Pyongyang has warned of tactical military action, most likely along the western maritime boundary, the site of two deadly clashes between North and South Korean navies in 1999 and 2002.

North Korea has also abrogated all inter-Korean agreements, presumably including the 1991 denuclearization accord in which it pledged not to pursue either a plutonium or uranium-based nuclear accord. Of course, that vow was one of four international agreements that Pyongyang had already violated.

Some analysts will dismiss the North Korean missives as simply "negotiating through headlines." Instead, however, the statements should be interpreted as a shot across the bow of the Obama administration. The rhetoric is consistent with North Korean negotiating tactics of raising the ante, deflecting criticism of its own noncompliance by blaming U.S. actions, insisting on equality of conditions in response to unequal violations, and renegotiating the existing agreement.

On a tactical negotiating level, Pyongyang seeks to undermine the U.S. push for a rigorous verification accord by raising the specter of North Korean inspectors in South Korean and U.S. military facilities as well as on U.S. ships and subs.

On a more strategic level, the North Korean statements send a less than hopeful signal that North Korea will actually adopt a more accommodating stance now that President Bush has left office. Contrary to the terms of the existing Six Party Talks agreement, Pyongyang has now linked new demands over the U.S. "hostile policy" and normalization of relations as a requirement ***before*** abiding by its existing commitments.

Split the US from its Asian Allies. North Korea has engaged in an all-out effort to demonize the Lee Myung-bak government, blaming it for the current impasse in inter-Korean relations. President Lee vowed to maintain South Korea's engagement policy but condition economic, humanitarian, and political benefits with concrete progress toward denuclearization and North Korean implementation of political and economic reforms. His policy is more consistent with the six-party talks' goal of using coordinated multilateral diplomatic efforts to leverage Pyongyang's implementation of its nuclear commitments.

During ten years of progressive South Korean administrations, Pyongyang was able to dictate the parameters of inter-Korean discussion, receiving economic benefits despite repeated belligerence and lack of progress on political and security issues, effectively de-linking the two. President Roh Moo-hyun abandoned any pretense of requiring North Korea reform and pursued an unconditional outreach to Pyongyang.

Instead, Roh's engagement policy became an ends in itself. The process became the justification for maintaining and expanding the program. Roh's policy can be seen as the "Four No's" -- *no* conditionality; *no* change in North Korea's political or economic system despite 10 years and $8 billion; *no* leverage over Pyongyang; and *no* confidence that additional benefits would lead to reform.

Minimizing Japanese Influence. Successive Japanese leaders have underscored the importance to Pyongyang of resolving uncertainties over the fate of Japanese citizens

kidnapped by North Korea during the 1970s and 1980s. Tokyo has conditioned the establishment of formal diplomatic relations as well as providing Japanese assistance in the Six Party Talks on progress on this "abductee" issue. Kim Jong-il admitted North Korea's role in the kidnappings to visiting Prime Minister Junichiro Koizumi in 2002, provided some information, and allowed the return of abductee relatives.

North Korea has since balked at demands for additional resolution. In 2008, Pyongyang promised to establish a joint investigation team with Japanese authorities raising hopes for progress but reneged following the election of Taro Aso as prime minister. North Korea now demands Japan be excluded from the Six Party Talks.

Likelihood of Escalating Tensions

If North Korea concludes it is too long ignored or feels it is not achieving its objectives through either the Six Party Talks or direct talks with Washington, it will initiate a carefully calibrated ratcheting up of tensions. Kim Jong-il will be emboldened by perceptions that Washington does not have a military option due to the proximity of Seoul to the DMZ, the overextension of U.S. military forces, and a potential U.S. face-off with Iran.

Potential North Korean options include restarting operations at the Yongbyon nuclear reactor, prohibited actions in the Joint Security Area; extensive out-of-cycle military training exercises near the demilitarized zone or maritime demarcation line in the West Sea; a long-range missile test; or preparations for a second nuclear test. Pyongyang could conduct such actions in conjunction with diplomatic entreaties to gain additional concessions for returning to the status quo.

Media reports suggest that North Korea is currently preparing to test launch a long-range Taepo Dong-2 missile. A missile launch, or even observable preparations for such a launch, would be a physical manifestation of Pyongyang's escalating efforts to pressure South Korea and the U.S. to soften their policies toward North Korea.

North Korea's increasingly bellicose campaign is directed primarily at forcing President Lee Myung-bak to abandon requirements for conditionality, reciprocity, and transparency in South Korean engagement with the North. Pyongyang is, however, also concurrently sending a signal to the Obama administration that North Korea will not adopt a more accommodating stance in nuclear negotiations despite the change in U.S. leadership.

Pyongyang may seek to achieve its diplomatic objectives without actually launching a missile and thereby escalating tension beyond a counter-productive level. North Korea knows that activity at its missile test facility is monitored by imagery satellites. Pyongyang would hope that concerns over escalating tensions arising from a missile launch would cause South Korea and the U.S. to weaken negotiating positions as the Bush administration did when North Korea threatened in late 2008 to reprocess plutonium.

If North Korea were to successfully launch a Taepo Dong missile, it would significantly alter the threat environment to the U.S. and its Asian allies. Pyongyang's previous Taepo Dong missile launches in 1998 and 2006 failed and its nuclear test in 2006 was only partially successful. A successful launch of a missile theoretically capable of reaching the United States with a nuclear warhead would reverse perceptions of a diminishing North Korean military threat.

Uncertainties Over Kim Jong-il's Health

Questions over the status of Kim Jong-il's health since his stroke in late 2008 overshadow the Six Party Talks. Because North Korea has not announced a formal succession plan, there are concerns that Kim's sudden death or incapacitation could lead to regime instability.

Speculation over a successor centers on Kim's three sons, his brother-in-law Chang Song-taek, or a collective leadership. Regardless of who is chosen, the new leader would pursue the same policies. It is unlikely that there would be any significant change in North Korean resistance to implementing economic and political reform nor in a more opening engaging the outside world. Nor would it be likely that Pyongyang would be any less obstructionist in the Six Party Talks.

The new leader, lacking the inherent legitimacy of Kim Jong-il or his father Kim Il-song, would be heavily dependent on senior party and military officials who are overwhelmingly nationalist and resistant to change. The leadership elite see its fate as directly tied to a continuation of the present regime. They would resist any attempt to alter policy as risking instability and threatening their way of life. The new leader may even have to pursue an even more hardline policy to ensure continued internal support.

There is little evidence of a "reformer faction" that advocates bold economic reform, opening the country to outside influence, reducing the regime's bellicose rhetoric and brinksmanship tactics, or abandoning its nuclear weapons programs. North Korea has perpetuated the image of factional in-fighting between "engagers" and "hardliners" as a negotiating tool to elicit additional benefits.

Establishing an Obama Approach to North Korea

President Obama has asserted the need for "sustained, direct, and aggressive diplomacy" with North Korea. He pledged to be "firm and unyielding in our commitment to a non-nuclear Korean peninsula," and vowed not to "take the military option off the table" in order to achieve "the complete and verifiable elimination of all of North Korea's nuclear weapons programs, as well as its past proliferation activities, including with Syria."[2]

He stated that "sanctions are a critical part of our leverage to pressure North Korea to act. They should only be lifted based on performance. If the North Koreans do not meet their obligations, we should move quickly to re-impose sanctions that have been waived, and

[2] "Barack Obama and Joe Biden's Plan to Renew U.S. Leadership in Asia," at http://obama.3cdn.net/ef3d1c1c34cf996edf_s3w2mv24t.pdf (December 8, 2008).

consider new restrictions going forward."[3] It is interesting to note that his administration's first official act toward North Korea was imposing sanctions on three North Korean companies for violating U.S. law aimed at curtailing the proliferation of technology related to missiles and weapons of mass destruction.[4]

Although there will be a perception of a major shift in U.S. policy, President Obama will likely maintain the largely unconditional engagement strategy of the final two years of the Bush. Although President Obama may be more willing than President Bush to engage in senior-level diplomatic engagement, including a potential summit with Kim Jong-il, it is unlikely that such tactical changes will achieve verifiable North Korean denuclearization. However direct he makes his policy, Obama will face the same constraints in achieving tangible progress with North Korea as did his predecessors.

During the past two years, the Bush administration engaged in the direct, bilateral diplomacy with Pyongyang that Obama advocates. Yet there has been continued North Korean intransigence, non-compliance, and brinksmanship. The Bush strategy of engagement also resulted in the abandonment of important principles, including enforcement of international law and attaining sufficient verification measures. Nor have diplomats yet begun the real negotiations to discuss the actual elimination of nuclear weapons three years after Pyongyang agreed to do so.

Establishing Full Verification

Creating a sufficiently rigorous verification system is critically important to any arms control agreement, particularly if the other party has been shown to have violated its previous commitments. Verification serves several roles, including deterrence, detection, and confidence building.

A proper verification regime would be a key test of the sincerity of Pyongyang's pledge to abandon its nuclear weapons as well as the best defense against North Korea violating yet another international nuclear agreement. The U.S. simply cannot allow North Korea to play a nationwide nuclear version of whack-a-mole or three-card monty.

U.S. national technical means, including imagery satellites, are useful, but they are no substitute for on-site inspections. Classified collection systems can alert us to suspicious activity, but suspicions can be conclusively resolved only by inspectors on the ground. An effective verification regime must include details such as the number of short-notice challenge inspections of non-declared sites, the technical inspection equipment allowed, and a requirement that inspectors be transported expeditiously to desired sites.

During the campaign, Senator Obama stated that a strict verification protocol was an absolute prerequisite for removing North Korea from the list of state sponsors of terrorism, as well as for making further progress in the nuclear negotiations. He called for

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[3] Jonathan Ellis, "McCain and Obama on North Korea," The New York Times, political blog, June 26, 2008, at http://thecaucus.blogs.nytimes.com/2008/0
6/26/mccain-and-obama-on-north-korea (December 8, 2008).
[4] "Shaky Start," *Korea Times*, February 6, 2009.

"a clear understanding that if North Korea fails to follow through there will be immediate consequences." Specifically, "If North Korea refuses to permit robust verification, we should lead all members of the Six Party talks in suspending energy assistance, re-imposing sanctions that have recently been waived, and considering new restrictions."[5]

North Korea demanded its removal from the U.S. state sponsors of terrorism list both as a *quid pro quo* for its agreement to a verification protocol as well to 'improve the atmosphere' of negotiations and stimulate further progress. The U.S. abandoned its previous insistence that North Korea accept international standards of verification, particularly short-notice challenge inspections of suspect sites. Such inspections are part of the International Atomic Energy Agency nuclear safeguards that U.N. Security Council Resolution 1718 directed Pyongyang should abide by. Indeed, North Korea agreed in September 2005 to return "at an early date' to the IAEA safeguards.

It is now abundantly clear that North Korea did not abide by what the Bush administration claimed it had agreed to. Pyongyang provided a "complete and correct" declaration that was neither and then the U.S. was willing to agree to a complete, verifiable, and irreversible dismantlement accord that was none of the above.

Washington's premature removal of North Korea from the terrorist list was a case of naively trading a tangible benefit for an intangible promise. As a result, the U.S. angered key allies Japan and South Korea, who now see the U.S. as unwilling to consider their security concerns.

In particular, Tokyo felt betrayed by the Bush Administration's breaking its pledge to keep North Korea on the terrorist list until progress was achieved on the abductee issue.[6] National Security Council Senior Asia Director Dennis Wilder clearly stated in April 2007, "We aren't going to delink the abductee issue from the state sponsor of terrorism issue" and underscored that President Bush would personally reaffirm that position to then-Japanese Prime Minister Shinzo Abe.[7] It is noteworthy that Libya was required to acknowledge and make restitution for its involvement in the Lockerbie terrorist act.

Tokyo has now lost considerable leverage in its attempts to get North Korea to live up to its commitment to reopen the kidnapping investigations. The verification agreement also undermined South Korean President Lee Myung-bak's attempts to impose conditionality, reciprocity, and transparency on Seoul's previously unrestricted economic largesse to North Korea. Pyongyang was emboldened to continue its brinksmanship strategy and

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[5] "Candidate Statements on North Korea," RealClearPolitics, at http://realclearpolitics.blogs.time.com/2008/10/11/candidate_statements_on_north (December 8, 2008).

[6] North Korean leader Kim Jong-il admitted to Prime Minister Junichiro Koizumi in September 2002 that Pyongyang had engaged in a program during the 1970s and 1980s to kidnap Japanese citizens. See Richard Hanson, "Japan, North Korea Stumble over Abductions," Asia Times, February 16, 2004, at http://www.atimes.com/atimes/Japan/FB16Dh01.html (October 30, 2008).

[7] Yonhap News Agency, "U.S. will not remove N. Korea from list of terror-sponsoring states: official," April 27, 2007, at http://www.freerepublic.com/focus/f-news/1824427/posts (June 26, 2008). Former Deputy Secretary of State Richard Armitage and former NSC Senior Asia Director Michael Green affirmed there was a clear linkage between the abductee and delisting issues.

bombastic rhetoric toward Seoul, including recent threats to sever all relations and turn South Korea into "debris."[8]

Requirements for a sufficient verification protocol include:

- **A role for both IAEA as well as six-party-talks nation inspection teams**. The U.S. has intelligence capabilities, including national technical means, that the IAEA does not. But the U.S. has been hindered by its not wanting to share sensitive information with an international organization;
- **Full disclosure of all plutonium-related and uranium-related facilities**, including geographic coordinates and functions; a list of all production equipment, fissile material, and nuclear weapons; degree of progress of uranium enrichment program; and proliferation of nuclear technology, materials, and equipment;
- **Baseline inspections of declared nuclear-related facilities**, including weapons fabrication facilities, high explosive and nuclear test sites, and storage sites for fissile material and nuclear weapons. Verifying states should have the right to inspect each declared facility prior to determining that North Korea has complied with its requirements;
- **Technical sampling** to refine estimates of the amount of plutonium and enriched uranium produced;
- **Short-notice challenge inspections of non-declared facilities** for the duration of the agreement to redress any questions about North Korea's nuclear weapons programs. This would include the two suspect sites that North Korea refused to allow IAEA officials to inspect in 1992, precipitating the first nuclear crisis;
- **Description of allowable inspection equipment**, composition of teams, and the maximum time between declaration of site to be inspected and arrival by inspectors;
- **Destruction protocol** to identify the method by which production and enrichment equipment would verifiably be destroyed at pre-declared facilities;
- **Defining the linkage between economic and diplomatic benefits to be provided in return for North Korean denuclearization steps**;
- **A denuclearization timetable** to prevent Pyongyang from dragging out negotiations and gaining de facto recognition as a nuclear weapons state; and
- **A dispute resolution mechanism and procedures for suspected North Korean non-compliance**—e.g., cessation of benefits or automatic referral to U.N. Security Council.

Avoiding the Mistakes of the Past

As President Obama contemplates the Sisyphean task of making real progress in North Korean denuclearization, he should look to history for guidance. And history clearly advises what he should ***avoid***. Specifically, he should ***not:***

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[8] Associated Press, "N. Korea threatens to turn S. Korea into 'debris,'" October 28, 2008, at http://cdition.cnn.com/2008/WORLD/asiapcf/10/28/koreas.tension.ap/?iref=mpstoryview (October 30, 2008).

- **Double down on a losing hand.** The limited action-for-action strategy of the Six Party Talks has failed, so some advocate broadening the scope of negotiations to offer North Korea an even larger deal. That's akin to urging a farmer who's lost every hand of poker to go all in and bet his homestead in hopes of winning it all back—and more—on one hand.
- **Put the cart before the horse.** Since Kim Jong-il makes all important decisions, some believe that the U.S. should propose a summit meeting to avoid months of haggling by lower-level officials. A U.S.-North Korean summit meeting without assurances of an extensive denuclearization agreement would be premature and counterproductive.
- **Provide concessions to undermine North Korean hardliners.** North Korean intransigence has been depicted as a short-term manifestation of a hardline faction with Kim Jong-il having fallen under the influence North Korean "neocons." This, despite ample evidence that Kim rules with an iron fist and tolerates no dissension.
- **Use creative ambiguity to maintain "progress" in negotiations.** U.S. negotiators have repeatedly acquiesced to North Korean demands for vague text rather than clearly delineating requirements and timelines. Deferring rather than resolving issues provides a false sense of advancement but allows Pyongyang to exploit loopholes and avoid its denuclearization commitments.
- **Sacrifice U.S. allies on the altar of denuclearization.** South Korean and Japan became increasingly suspicious of U.S. motives and eagerness to achieve progress in 6pt regardless of the cost to the alliance. The Bush administration's premature removal of North Korea from the terrorist list and its unwillingness to integrate South Korean and Japanese security concerns into the Six Party Talks caused strains in bilateral relations.

What Should Be Done

President Obama and Congress should emphasize that the U.S. seeks to use diplomacy to achieve North Korean denuclearization, but not at the cost of abandoned principles or dangerously insufficient compliance. Specifically, the U.S. should:

- **Affirm the U.S. objective is the complete and verifiable denuclearization of North Korea** and unequivocally state that Washington will not accept North Korea as a nuclear weapons state. Secretary of State Hillary Clinton's confirmation testimony properly affirmed this goal as well as emphasizing the requirements for complete and verifiable denuclearization and a full accounting by Pyongyang of its uranium-based nuclear weapons program and proliferation activities.
- **Closely integrate U.S., South Korean, and Japanese initiatives toward North Korea** to enhance negotiating leverage and to secure Pyongyang's full denuclearization.
- **Use all of the instruments of national power** (diplomatic, informational, military, and economic) in a coordinated, integrated strategy. While it is important to continue negotiations to seek a diplomatic resolution to the North Korean nuclear problem, the U.S. and its allies should simultaneously use outside pressure to influence North Korea's negotiating behavior.

  - Maintain international law enforcement measures against North Korean illicit activities. Sanctions should be maintained until the behavior that triggered them has abated.
  - Implement U.N. Resolution 1718 sanctions against Pyongyang's nuclear and missile programs, and require North Korea and Syria to divulge the extent of their nuclear cooperation.
  - In a July 2005 op-ed, Senators Hillary Clinton and Carl Levin underscored that it was the "threat of UN sanctions that led to negotiations concluding in the Agreed Framework."[9]
- **Insist that North Korea fulfill its existing requirements** prior to declaring Phase Two complete or initiating peace treaty discussions.
- **Realize that talking is not progress**. The U.S. should resolve issues rather than repeatedly lowering the bar simply to maintain the negotiating process. Pyongyang should abide by international standards of behavior and not be allowed to carve out another "special status" within the NPT and IAEA Safeguards.
- **Insist on a rigorous and intrusive verification mechanism**, including provisions required under U.N. Resolution 1718; North Korea's accession to the Non-Proliferation Treaty (NPT) and International Atomic Energy Agency (IAEA) Safeguards; and observance of the precedence of previous U.S. arms control treaties.
- **Define redlines and their consequences**. The Bush Administration's abandonment of its stated resolve to impose costs on North Korea for proliferating nuclear technology to Syria undermined U.S. credibility and sent a dangerous signal to other potential proliferators.
- **Establish deadlines with repercussions for failing to meet them.** North Korea must not be allowed to drag out the Six-Party Talks indefinitely in order to achieve de facto international acceptance as a nuclear weapons state. Repeatedly deferring difficult issues in response to Pyongyang's intransigence is not an effective way to achieve U.S. strategic objectives.
  - In July 2005, Senators Hillary Clinton and Carl Levin called for establishing a negotiating deadline with North Korea. "We should…set international – read United Nations – deadlines for solving the crisis…we should seek a deadline for the next meeting with North Korea and another one for a final diplomatic agreement."
- **Emphasize that North Korea's refusal for dialogue with Seoul and Tokyo hinders their providing benefits** through the Six Party Talks process as well as bilateral economic assistance.
- **Begin contingency planning for a failure of the Six Party Talks** to achieve full North Korean denuclearization. Pyongyang's obstructionist antics reflect an intent to be accepted as a nuclear weapons state. Identify measures which could be imposed against those companies and nations in violation of UN Resolutions 1695 and 1718.

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[9] Senators Carl Levin and Hillary Clinton, "North Korea's Rising Urgency," *Washington Post,* July 5, 2005.

- **Forcefully denounce North Korea's abysmal human rights abuses** and take steps to improve living conditions for its citizens. The U.S. should support South Korean and Japanese efforts to secure information on the status of abductees and prisoners-of-war that remain in North Korea. Linking progress in the Six Party Talks to improvement in North Korea's human rights record would be counter-productive. However, Washington should condition establishing diplomatic relations with North Korea on the introduction of a Helsinki Accord-type process to ensure human rights improvements.

Conclusion

It is not a question of *whether* the U.S. should engage North Korea, rather it is a matter of *how* to do so. The Bush Administration engaged North Korea for several years through the Six Party talks. It is critical to emphasize that engagement is a *means* rather than an *ends* and it is equally important to control the *ways* in which it is applied.

While there is a plausible path to reach a diplomatic solution, the Obama administration should also accept that ultimately there may not be a magical combination of inducements that ensures North Korea abandons its nuclear weapons. There is a growing sense that Pyongyang's obstructionist antics are not merely negotiating ploys but are instead designed to achieve international acquiescence to North Korea as a nuclear power. North Korean officials have repeatedly indicated that is their intention.

Thank you for the opportunity to appear before you today. I am happy to answer your questions.

Mr. FALEOMAVAEGA. Thank you, Mr. Klingner. Mr. Snyder.

STATEMENT OF MR. SCOTT SNYDER, SENIOR ASSOCIATE, INTERNATIONAL RELATIONS, THE ASIA FOUNDATION

Mr. SNYDER. I also want to thank you, Mr. Chairman, for the opportunity to testify before this subcommittee, and my remarks will also be based on my testimony that I have submitted.

I think the North Korean challenge has in fact grown more difficult with the transition to a new administration. The North Koreans have sought to make permanent a new status quo in which North Korean's nuclear weapon status is recognized by the international community while leading analysts are increasingly skeptical that North Korea can be convinced to give up its nuclear weapons. This is a dangerous dynamic which must be corrected by a policy that shows continuing efforts to address denuclearization in the context of a comprehensive approach to North Korea, not simply by pursuing the denuclearization only approach that has characterized the administration's early statements on the North Korea issue.

A comprehensive approach, I would agree with Mr. Pritchard, will require effective coordination across the government to lead interagency coordination, promote coordination with allies and other stakeholders, and negotiate with North Korean counterparts, and so we do need a point person, I think, for the Obama administration who has the capacity to carry-out these functions following a similar approach to that which the administration is using in the Middle East and in Afghanistan and Pakistan.

Past administrations have attempted over the course of the past two decades to present two paths to North Korea: To dramatize the need for the North Korea to make a strategic choice with the idea that either rewards will be forthcoming if North Korea chooses the right road or that isolation and sanctions will be imposed if North Korea chooses the wrong road.

But this model has failed to mobilize sufficient will on the part of the United States and other parties to backup the assertion that North Korea has reached a decision point and has place the onus on North Korea to decide while allowing North Korea to harbor false hope that such a choice might be deferred or avoided.

At this stage I think a better approach would be to seek affirmation from other members of the Six-Party Talks that the principles embodied in the Six-Party Joint Statement of September 2005 now represent the only viable outcome acceptable to all the parties in the region, and that there will be only one road available by which to move toward that objective, via the consensus that is embodied in the Six-Party framework.

I think that this is the path that Secretary Clinton rightly affirmed in testimony at her confirmation hearing, a path that will employ bilateral talks in tandem with the Six-Party process. Via these channels North Korea should no longer be presented with an opportunity to make a strategic choice but rather with a situation in which the strategic choice is recognized as a fait accompli, and the common task is to implement the consensus that all the parties have already agreed upon.

Simultaneously the United States should be in coordination with allies and partners in Northeast Asia to foreclose any perceived North Korean alternative paths that might allow Pyongyang to sidestep negotiations or to arrive at the conclusion that there is a viable path for the North to survive as a nuclear weapon state.

These coordination measures will be necessary to underscore to Pyongyang that there is no only one path available that will assure North Korea's viability in the long run.

As long as North Korea's public commitments to the denuclearization of the Korean Peninsula as outlined in the Six-Party Joint Statement remains in place the administration should affirm its commitments to achieving normal diplomatic relations with a denuclearized North Korea in accordance with the principles embodied in the joint statement.

In my statement I also discuss several other elements of the smart power approach to North Korea. One, which is emphasized in this one-road approach, is related to aligning U.S. alliances and partnerships, but there are three other elements that I would like to also highlight.

One is our strategy related to international development as focus on North Korea has prioritized the provision of humanitarian aid but it has not allowed the opportunity to promote development assistance, and I think the net result of that approach has been anything but smart. It has promoted North Korean dependency on international welfare rather than encouraging them to learn how to work for themselves, and so I think we need to find ways of tying certain forms of development assistance to the denuclearization process as a way to open up North Korea.

Secondly, I think in the area of public diplomacy we should be much more actively promoting exchanges and training with North Koreans without regards to what is happening in the negotiation process. It is important to provide opportunities for the North Korean technical specialists to come and experience other systems. I think that they will take back that experience and that approach is necessary in order for North Korea to be able to build the capacity to support change if indeed the regime comes to a point where it decides it would like to move in the direction of change.

Then lastly, I want to highlight the promotion of North Korea's economic integration into Northeast Asia and I think that one way of doing that is for the DPRK and the World Bank to begin discussions about the requirements for membership in the World Bank. Those requirements require a certain level of conditionality which is going to be very difficult for the North Koreans to accept. It will take time for that process to play itself out, but that discussion in and of itself, I think, can be an important lever for encouraging North Korean reform.

Thank you.

[The prepared statement of Mr. Snyder follows:]

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Adjunct Senior Fellow for Korean Studies, Council on Foreign Relations

February 12, 2009

"Smart Power: Remaking U.S. Foreign Policy in North Korea"

Testimony before the
House Committee on Foreign Affairs
Subcommittee on Asia, the Pacific, and the Global Environment

Hearing on "Smart Power: Remaking U.S. Foreign Policy in North Korea"

House Committee on Foreign Affairs
Subcommittee on Asia, the Pacific, and the Global Environment

Testimony by Scott Snyder
Director, Center for U.S.-Korea Policy, The Asia Foundation
Adjunct Senior Fellow for Korean Studies, Council on Foreign Relations

Mr. Chairman, it is an honor to be invited to testify before this subcommittee on how the new administration should formulate its policy toward North Korea. I particularly appreciate the opportunity to put my own comments and recommendations on the record in this setting at a time when the new administration is formulating its policy to deal with North Korea's nuclear challenge. As you know, this is a vexing issue that has humbled and frustrated both Democratic and Republican administrations during the past two decades. For this reason, it is all the more important for the new administration to design and implement a policy that effectively achieves our critical national security interests and can win bipartisan support on Capitol Hill.

The subcommittee has asked whether "smart power" should be employed to engage North Korea. As defined by Secretary of State Clinton, "smart power" is the use of "the full range of tools at our disposal—diplomatic, economic, military, political, legal and cultural—picking the right tool or combination of tools for each situation." Thus, the challenge is not whether to use "smart power" but how to identify and utilize the right diplomatic and economic tools alongside existing military might as part of a comprehensive approach to achieving U.S. foreign policy objectives on the Korean peninsula.

What will the application of "smart power" to North Korea *actually mean in practice*? Is the new administration laying the right foundation to be able to effectively utilize all the tools at its disposal effectively in concert with each other? Will it be possible to create conditions for a comprehensive resolution—and not management or postponement—of the multiple challenges posed by North Korea? Whether the Obama administration is able to effectively design and implement a strategy in response to these questions will determine the success of failure of its policy toward North Korea.

The Obama administration in its public statements has thus far identified North Korea as an issue primarily in the context of non-proliferation. But North Korea represents a complex challenge with multiple dimensions, peninsular and regional stability and order, economic development, and humanitarian/human rights. It may not be possible to resolve one issue without touching all the others. A "smart power" approach should employ a comprehensive strategy to address all of these issues.

One reason why the North Korean issue has been defined narrowly by the Obama administration thus far may be that the administration has not yet identified a "point person" who can effectively coordinate all the elements of North Korea policy and its implementation. A "smart

power," or comprehensive, approach to North Korea will require effective coordination across the government to lead inter-agency coordination, promote coordination with allies and other stakeholders, and negotiate with North Korean counterparts. It will be necessary for the Obama administration to appoint someone who has the capacity to successfully carry out all of these functions.

Given that other special envoys are already doing their work to address major policy challenges in other regions, Asian allies and the North Koreans themselves may be wondering whether the United States will make the North Korean issue a priority or whether it will be allowed to languish. Secretary Clinton's trip to Japan, South Korea, and China next week may provide some near-term encouragement that this problem is not at the bottom of the in-box and may be an opportunity for her to understand in greater detail the nature of the coordination challenges a special envoy for North Korea is likely to face, but the fact that other envoys are up and running feeds regional perceptions that the United States is not prepared to provide effective and comprehensive leadership to address the North Korea issue.

One-Way Road to Addressing the North Korean Challenge

Past administrations have attempted to present two paths to North Korea to dramatize the need for the North to make a "strategic choice," with the idea that either rewards will be forthcoming if North Korea chooses the right road or that isolation and sanctions will be imposed if North Korea chooses the wrong road. But this model has failed to mobilize sufficient will on the part of the United States and other parties to back up the assertion that North Korea has reached a decision point and has placed the onus on North Korea to decide while allowing North Korea to harbor false hope that such a choice might be deferred or avoided.

At this stage, a better approach would be to affirm—and seek affirmation from other members of the six party talks—that the principles embodied in the Six Party Joint Statement of September 2005 now represent the *only viable outcome acceptable to all the parties in the region* and that there will be *only one road available* by which to move toward that objective—via the consensus embodied in the six party framework. This is the path that Secretary Clinton rightly affirmed in testimony at her confirmation hearing, a path that will employ bilateral talks in tandem with the six party process. Via these channels, *North Korea should no longer be presented with an opportunity to make a strategic choice, but rather with a situation in which the strategic choice is recognized as a fait accompli and the common task is to implement the consensus that all the parties have already agreed upon.*

Simultaneously, the United States should deepen coordination with allies and partners in northeast Asia to foreclose any perceived North Korean alternative paths that might allow Pyongyang to sidestep negotiations or to arrive at the conclusion that there is a viable path for the North to survive as a nuclear weapons state. These coordination measures will be necessary to underscore to Pyongyang that there is now only one path available that will assure North Korea's viability in the long-run. Such a discussion will require effective coordination of diplomatic, economic, and other instruments with the objectives of a) preventing North Korean defection from the principles collectively laid out by the six parties, especially by addressing

specific gaps that North Korea might exploit to avoid moving forward in implementing its obligations under the Joint Statement, b) ensuring that economic and other instruments are effectively coordinated to encourage North Korea to become more integrated with its Asian neighbors, c) lay the ground work for collective pressure by taking concrete, concerted actions to underscore that North Korea's survival depends on its willingness to move forward on the path toward denuclearization and the DPRK's normalization of diplomatic relations with the United States and Japan, d) establish a deeper understanding regarding how various parties would respond in order to limit the negative impact of North Korean instability and to enhance possibilities for coordinated action if the DPRK were to persist as a source of nuclear threat to the region and the world.

A comprehensive, "smart power," approach would be utilized to implement the principles that have already been recognized and agreed to by the six parties, including North Korea. The most recent articulation of North Korea's commitment to denuclearization was made by Kim Jong Il during his meetings with CCP international liaison head Wang Jiarui on January 21-23, 2009.

As long as North Korea's public commitment to the denuclearization of the Korean peninsula as outlined in the six party joint statement remains in place, the administration should affirm its commitment to achieving normal diplomatic relations with a denuclearized North Korea in accordance with the principles embodied in the six party talks joint statement. It is urgently necessary for the administration to clarify the linkage between diplomatic normalization and denuclearization since the DPRK foreign ministry has asserted in January that its nuclear weapons status and prospects for diplomatic normalization are two different issues that have no connection with each other.

Having affirmed that the six party framework remains in place as the basis for regional consensus that all the parties are committed to fulfill, the United States should pursue direct talks with North Korea to review the status of the February 13, and October 3, 2007, implementing agreements and to determine how the United States and DPRK can move forward toward the twin objectives of denuclearization and normalization of diplomatic relations under the six party framework.

Unfortunately, there is significant unfinished business resulting from the failure of the six party talks to establish a proper mechanism for verifying the DPRK's limited declaration of its nuclear facilities, programs, and materials, in addition to the failure to address adequately North Korea's alleged enriched uranium and proliferation activities. There are also questions about whether the DPRK is fully committed to the "action for action" principle outlined as the basis for moving forward in the six party talks, given apparent failures of the DPRK to fully live up to its obligations under the February 13 and October 3rd implementing agreements despite the United States having implemented corresponding actions in full.

If these issues had been resolved in the waning days of the Bush administration, it might have been much easier for the Obama administration to open a new chapter in relations with the DPRK at an early stage. Now, the Obama administration will inherit the task of determining how to ensure effective implementation of "Phase II" obligations instead of focusing solely on how to take the next steps toward implementation of the September 2005 Joint Statement. These

are issues that will require time and extensive direct negotiations—supported by active consultations with other members of the six party talks—to resolve.

Elements of A Comprehensive "Smart Power" Approach to North Korea

Assuming that North Korea maintains its readiness to fulfill the principles agreed to as part of the September 2005 Six Party Talks Joint Statement, there are four elements of smart power as described by the CSIS Commission on Smart Power that deserve further elaboration and application to U.S. policy toward North Korea: a) strengthening U.S. alliances and partnerships by aligning them with the objectives of the six party talks, b) international development strategy, c) public diplomacy—especially exchanges and training with North Koreans, and d) promotion of North Korea's economic integration into Northeast Asia.

a) Aligning U.S. Alliances and Partnerships with the Objectives of the Six Party Talks

A special challenge of U.S. strategy in dealing with North Korea is how to strengthen a coordinated approach, especially in light of DPRK attempts to take advantage of gaps among the other parties in order to preserve its own flexibility and deny the objectives of the other parties. A "smart power" approach emphasizes the need to draw in allies, partners, and institutions more effectively in support of U.S. diplomatic objectives. Strengthened coordination of priorities with each of the other participants in the six party framework is necessary to more effectively limit North Korea's alternatives to the one-way approach outlined above.

1) South Korea—Effective coordination with South Korea is essential to the pursuit of a workable policy designed to provide inducements for North Korea to engage diplomatically with the international community while also limiting North Korea's alternatives to giving up its nuclear program. The Lee Myung Bak administration has positioned itself as a partner that is willing to cooperate closely with the United States on the North Korean nuclear issue by conditioning its own development assistance program for North Korea on North Korea's willingness to abandon its nuclear weapons program. Moreover, the Lee Myung Bak administration appears willing to engage in more active trilateral coordination among the United States, Japan, and South Korea.

   North Korea's strategy of marginalizing South Korea while engaging with the United States (*tongmi bongnam*) is designed to open fissures between the United States and South Korea, but if the United States and South Korea continue to work together closely on a joint strategy for addressing the North Korean nuclear issue, such a strategy on the part of the North is unlikely to yield much success. The United States should take special care to ensure that South Korea is not marginalized by North Korea's wedge-driving strategy.

2) Japan—A major challenge in dealing with Japan is to provide sufficient assurance that North Korea will not be accepted as a de facto nuclear weapons state or to defer addressing the issue of abductions indefinitely. Equally as important, the U.S.-Japan alliance has been hurt by suspicions that the United States has shown too much flexibility

The United States must reassure Japan that it will not accept North Korea as a nuclear weapons state and must continue to impress upon North Korea that it will be necessary to resolve the abduction issue in the course of reaching a comprehensive settlement on the Korean peninsula. Japan will benefit from being brought into a more intensive coordination process with South Korea to allay any anxieties allies might have about U.S. bilateral diplomatic engagement with North Korea. Japan must also continue to be involved in the process, but should be encouraged to support tangible steps toward denuclearization as necessary first steps in a process that will also eventually require North Korea to address the abduction issue as a part of diplomatic normalization between Japan and the DPRK.

3) PRC—China's concerns about stability and suspicions about U.S. strategic intentions persist despite China's willingness to serve as a diplomatic liaison and host for the six party talks. Chinese views of North Korea's willingness to give up nuclear weapons have shifted following North Korea's nuclear test, opening up new possibilities for China to utilize limited forms of pressure in combination with incentives as instruments to encourage North Korea to move toward denuclearization.

   Chinese analysts believe that U.S.-China coordination is essential to signal to North Korea that its nuclear weapons status is not acceptable. In addition, close consultation will be necessary to increase the level of U.S.-China trust necessary to build the types of cooperation that would more effectively utilize pressure as an instrument by which to convince North Korea to give up its nuclear program. Meanwhile, North Korea seeks to play on Chinese anxieties by seeking a strategic bilateral relationship with the United States. The United States must conduct bilateral talks with North Korea with sufficient transparency that such anxieties do not inhibit U.S.-China coordination in dealing with North Korea.

4) Russia—Russia has participated in six party talks, but has not played a decisive role in those talks. Nonetheless, Russia is well-positioned as a potential spoiler, especially when there is tension in the U.S.-Russian relationship. An improved U.S.-Russian relationship might provide a sufficient basis for securing Russian cooperation in both the cases of Iran and North Korea. Russia is also positioned to play a constructive role in verification of North Korea's denuclearization, given its extensive experience on issues and processes related to nuclear arms reduction.

b) International development assistance and North Korea

The United States has underutilized international development assistance as a tool for influencing North Korea, choosing instead to allow humanitarian assistance to North Korea in response to North Korea's systemic crisis. But the use of humanitarian assistance has proven burdensome and ineffective because the DPRK has imposed obstacles on the unfettered access by monitors within North Korea and assistance to North Korea continues to be beset by concerns

about diversion. Moreover, long-term provision of humanitarian assistance has taught the North Koreans exactly the opposite lessons in their interaction with the international community than those they should be encouraged to learn. The net result has been anything but "smart": it has promoted North Korean dependency on international welfare rather than encouraging them to learn how to work for themselves.

The United States should consider tying certain forms of development assistance to the denuclearization process as a means by which to encourage North Korea's reform and opening up. Small-scale development assistance projects, if properly targeted, might enable North Koreans to learn how to help themselves rather than relying on international assistance and would assist in building North Korea's own internal capacity and infrastructure to meet its own needs rather than waiting for help from outside. Funding for small-scale, community-based projects outside of Pyongyang that attempt to focus on certain concrete aspects of knowledge-sharing and treatment in the areas of public health, sanitation, and promotion of entrepreneurship at the local level might serve as catalysts that would reinforce trends toward de facto local autonomy and decentralization. Such efforts should be cast as pilot projects and aim to promote work in regional areas rather than with central government authorities. Such capacity building projects would require enhanced levels of partnership and technical interaction with foreigners while also promoting and delivering local capacity for self-help. This type of project might be gradually expanded in tandem with progress in North Korea's denuclearization.

c) Public Diplomacy, Exchanges, and Training for North Koreans

The U.S. government has often utilized a tit-for-tat or punishment approach to the question of visas for North Koreans to come to the United States, but a "smart power" approach suggests that the widest possible exposure of North Koreans to the United States might facilitate changes in North Korea, regardless of progress in diplomatic talks. Without widespread exposure to the United States and the international community, North Korea's capacity to undertake successful reforms will not exist, regardless of whether the leadership decides that it wants to pursue such a course. While the U.S. government should continue to thoroughly conduct background checks on DPRK applicants for U.S. visas, visa approvals for technical exchanges should be delinked from diplomatic progress in U.S.-DPRK relations.

Participants in such exchanges are likely to become advocates for greater interaction with the outside world. Even if the North Korean leadership continues to sponsor North Korean visits abroad primarily for the purpose of resource extraction, it is in the interest of the United States to promote longer stays that allow deeper understanding of the United States and the international community by technical experts. If North Korean reform and opening is to be sustainable and if it is to be supported by the outside world, it will be necessary for North Koreans to come to the United States in sufficient numbers and to stay long enough that they are exposed not only to the the surface concepts but also the significance and organizational structure underlying those concepts, which are generally in direct opposition to the concepts underlying the structure of North Korean society.

d) Promotion of North Korea's economic integration into Northeast Asia

Although there has been a debate among American experts over whether or not South Korea's Kaesong Industrial Zone has had an impact on North Korean society, the best argument in favor of its influence on North Korean society is that the North Korean side has worked so hard to restrict the "flies and mosquitos" of reform that have come in together with the project itself by reducing the number of South Koreans at the complex to the bare minimum necessary to keep things running, and through the imposition of additional restrictions on communications equipment and newspapers allowed into the zone. This suggests that the Kaesong project deserves more credit for projecting influence beyond the zone itself than many American critics have been willing to admit.

A "smart power" strategy for promoting North Korea's economic integration into Northeast Asia would continue to promote market influences in North Korea. In this respect, China's private sector-led engagement appears to be more reform-inducing than South Korea's government-led model, which has thus far been contained to the Kaesong Industrial Zone and Kumgang tourist projects. The United States is unlikely to engage directly in economic reform efforts, but the United States should consider a policy of encouraging the DPRK to begin technical discussions with the IMF and World Bank in advance of membership at an early stage—with the explicit condition that U.S. support for North Korea's membership itself would not be possible until North Korea's nuclear issue is resolved.

Such technical discussions themselves will be very challenging for the DPRK, since membership in IFIs is conditioned on levels of disclosure and transparency that may be difficult for North Korean authorities to meet. So there is no political reason not to promote early technical discussions of international standards for monitoring and reporting fiscal and monetary information to the international community, since it will probably take the North Koreans time to adjust their own system to be able to fully meet IFI requirements. Nonetheless, the initiation of such discussions can also be seen as a tangible expression of intent on the part of the international community to integrate North Korea into the global economy and to eventually provide North Korea with the assistance necessary to support macroeconomic stability in North Korea.

Conclusion

A "smart power" approach to North Korea is unlikely to consist solely of direct, high-level efforts to build "trust" with North Korea, but it will consist of robust engagement with North Korea across a wide range of new areas that have heretofore been limited by political constraints. It also does not mean the abandonment of hard power, the basis upon which the mission of deterrence against potential North Korean aggression has been carried out for decades. Instead, it means the development of a comprehensive approach to North Korea that integrates and coordinates efforts to resolve a wide range of difficult diplomatic and political challenges into a single approach.

North Korea's nuclear program, its role as a destabilizing regional influence, and its failure to meet international standards of governance require a coordinated inter-agency response and a coordinated regional response involving specific inputs and contributions from all of North

Korea's neighbors. It will mean reaching out a hand to provide new incentives for North Korea to overcome political obstacles and become more integrated with the outside world,

but it will also involve a strategy that includes collective action led by participants in the six party process and that will entail concrete steps to foreclose and deny North Korean efforts to seek an alternative path to the one that has already gained regional support and consensus within the existing six party framework.

The promise of "smart power" is that it will attempt to pursue these steps simultaneously, offering new benefits while also imposing new constraints on North Korea in an attempt to move a denuclearized DPRK toward integration on the only terms that will ultimately be acceptable to the international community.

Mr. FALEOMAVAEGA. Thank you, Mr. Snyder. Mr. Beck.

STATEMENT OF MR. PETER BECK, ADJUNCT PROFESSOR, AMERICAN UNIVERSITY

Mr. BECK. Thank you, Mr. Chairman. I really appreciate this opportunity to get to participate in this effort to try and find a more effective strategy for dealing with North Korea.

I would like to start by presenting you with seven propositions that I think help define where we currently stand with North Korea and constrain our policy options. The first is—I am personally agnostic when it comes to whether the North is really prepared to completely give up its nuclear programs, materials and weapons. I believe anyone who tells you with conviction what the North is or is not prepared to do is telling you more about their own world view than about Pyongyang's intentions.

As time goes by and as North Korea's nuclear arsenal grows, I grow increasingly pessimistic, but that does not mean that we should stop trying to engage the North, alas any nuclear deal with the North would indeed to be to borrow from Samuel Johnson's adage about remarriage, the triumph of hope over experience.

Second, one thing I am reasonably certain of is that, and there are a few things that we can be certain of when it comes to the North, is that they will undertake one or more provocative acts in the coming weeks and months. The rumor de jour is a long-range missile launch. A second nuclear test cannot be ruled out either. Given how poorly the previous missile and nuclear test went it is difficult to say which system in the North is more desperate to test.

As a Californian, I do not stay up at night worrying about North Korean bombs raining down on my family and friends. A military skirmish with the South cannot be ruled out but I think it is less likely if for no other reason than it would highlight and give us further confirmation of the North's military inadequacies.

Third, I think we must assume that Kim Jong Il has made a full recovery from his probable health problems last summer. Since he will soon be 67 or 68, depending on who you ask, and he is still not the picture of perfect health, we must be prepared for a serious disruption in any negotiations that we undertake, particularly given the underwhelming nature of his three sons and not, coincidentally, the lack of a clear succession plan. As long as he is reasonably healthy, I find assertions about a divide between hardliners and softliners in the North to be highly speculative at best, and at worst, disingenuous.

The notion of factions in a one-man totalitarian system is almost absurd. This is not to say that the military has not played a more prominent role of late, but I think this is most likely by design. The North is probably playing a game of good cop/bad cop.

Fourth, having made several visits over the past 5 years to the China/North Korea border where I have spoken with dozens of Chinese and North Koreans, the North is not on the precipitous of famine. There are two reasons for this. The North has had a decent harvest this past year, and China is covering much of the shortfall along with the world food program. That is not to say that there is sufficient food or that there are not pockets of hunger but widescale famine is not in the cards unless Mother Nature strikes hard.

That means that the modest humanitarian assistance that the United States is currently providing, 500,000 metric tons of grain, is unlikely to provide much in the way of leverage over the North. The U.S. and the rest of the world have sought to maintain the Ronald Reagan principle of a hungry child knows no politics, but the reality is that the northern good behavior almost always precedes increased assistance.

Fifth, while the human rights situation is as abysmal as Congress Royce just described, it must invariably take a back seat to our national security interests. The nuclear negotiations are too complex and difficult for the issue to become a focal point, but that is not to say that this issue should merely be given lip service by our diplomats. I was encouraged by this committee's efforts to reauthorize the North Korean Human Rights Act last fall. It took awhile but we finally put our money where our mouths are when it comes to making it easier for North Koreans to resettle in the United States.

Increasing Korean language radio broadcast to the North is also a most worthy endeavor. The folks working at Voice of America and Radio Free Asia are impressive. I have listened to their broadcasts. I have evaluated those broadcasts. They are effective, and I have talked to North Korean defectors who have listened to them. They do have an impact.

My biggest hope is that the funds will be more expeditiously allocated than they were in the original act and I hope that a full-time human rights envoy will be appointed instead of a part-timer residing in New York. I think two can play the good cop/bad cop game.

My sixth proposition is that Japan will continue to be part of the problem in our engagement efforts rather than part of the solution. Despite being one of our most important allies, by allowing the abduction of a handful of citizens decades ago to dominate all policy considerations when it comes to the North Tokyo has become irrelevant at the Six-Party Talks. Most importantly, Japan took the biggest carrot the world had to offer the North, billions of dollars in development assistance in lieu of reparations for its colonial rule off the table. Pyongyang is either unwilling or unable to provide Tokyo with the evidence it demands. Removing North Korea from the list of state sponsors of terror did not weaken our negotiating position with the North as it was essentially a symbolic gesture, but it did lead to a sense of betrayal in Japan.

My final proposition arguably describe the biggest constraint on our North Korea policy options. There are virtually no conditions under with Beijing will curtail much less cut off its assistance to North Korea. The Bush administration liked to insist that the reason North Korea came back to the negotiating table in late 2006 was because China had gotten tough at the North by backing the U.N.'s sanctions resolution. While Beijing was clearly not happy, the bottom line was that China never implemented the resolution nor was there any interruption in economic assistance from China.

For China, stability on its northeastern border is far more important than denuclearization. Even in the face of a global economic crisis, Beijing appears willing to spend several billion dollars a year to prop up the North.

These seven propositions leave us in an undeniably difficult but not impossible place. I would like to suggest a smart power strategy for negotiations with the North. It may very well be that in the end the North will try to play it both ways—continue to negotiate for goodies while never fully giving up its nuclear power. After all, that is what they have really been doing for the last 17 year. We may have to live with the fact that the talks are little more than crisis management mechanism, but managing a crisis is far better than ignoring it, and remarriages happen all the time. I am the product of three of them.

At the core of smart power is leveraging our alliances. The one country I have left out of my discussion so far is the one government we can closely coordinate a potentially more effective policy with them and that is Seoul. Ironically, even though South Koreans have opted for a more conservative President and legislature and Americans the opposite, the prospects for effective coordination have never been better. That is because based on the world views President Obama and Lee Myung Bak have espoused to date and the foreign policy teams that they have put together both are pragmatic moderates.

President Lee is a businessman, not an idealogue. I have met with him and his foreign policy team countless times. Liberals in Seoul and Selig Harrison blame them for the North's increasing bellicose policy toward the South, but really all President Lee and his team have done is recalibrate an unconditional engagement policy that has yielded Seoul little in return. A strong majority of the Korean public, to the extent that they even care about North Korea, continue to favor a more balanced policy toward Pyongyang. In fact, Seoul's approach is no different than the Obama administration's is likely to be.

Given the lack of a major shift in South Korean policy, why has Pyongyang become so bellicose? For the simple reason that the North potentially has much to gain and little to lose. Despite all the North's rhetoric, the joint industrial complex in Kaeseong expanded its output by more than 20 percent last year, and South Korean NGOs have maintained their projects with the North. Like Obama, Lee refuses to let his antagonists get him worked up and has repeatedly stated that he will wait until the North comes around.

What does the North have to gain? Really, the North has lost nothing. What do they have to gain? Besides trying to drive a wedge between us and Seoul, the North seeks a return to the era of "No strings attached" largess. The North only see Seoul as a cash register, not as a nuclear negotiating partner. Moreover, they also know that if they cut a deal with Washington, Seoul will have little choice but to pay for it.

A second component of smart power is trying to engage our adversaries in negotiations, both multilaterally and bilaterally. Bilateral negotiations will likely prove to be the key to a breakthrough, but maintaining the Six-Party Talks and reinvigorating trilateral coordination between Washington, Seoul and Tokyo will also be vital. Even if we are essentially on the same page with the South, there are still fears that the Obama administration could get out in front.

Before talks resume, it is imperative that the Secretary of State select a capable negotiator that has experience with the North. We simply do not have time for a new envoy to get to know his counterparts and learn how to effectively negotiate. I can think of at least six former government officials that would fit the bill, one of them is sitting at this table right now.

However, given the daunting nature of the job, it may not be easy to find a taker. The North has no peers when it comes to insults and brinkmanship. Moreover, the heavy diplomatic lifting has only just begun. Based on the eight-stage negotiating formula that I worked on for the International Crisis Group a few years ago, we are only at the beginning of Phase III.

I would like to close by sharing with you my favor Korean proverb, which can serve us not only in dealing with North Korea, but also in the broader economic challenges that we currently face, and that you will be voting on soon, "Even when the sky comes crashing down, there is a hole through which we can pass." Please help the Obama administration find that hole. Thank you for your time.

[The prepared statement of Mr. Beck follows:]

Crafting a More Effective Approach Toward North Korea

Peter M. Beck
Adjunct Professor, American University

February 12, 2009

Testimony before the House Foreign Affairs Subcommittee on Asia, the Pacific and Global Environment Hearing: "Smart Power: Remaking U.S. Foreign Policy in North Korea"

I feel very honored to have the opportunity to discuss with you today how to more effectively deal with North Korea. I will do my best to offer assessments and recommendations that have not already been made by the previous distinguished speakers, at least one of whom has been focusing on North Korea longer than I have been alive!

As with the economy, we face a much more grave and complex situation with the North today than when President Bush took office eight years ago. I wish I could offer you a magic formula for success with the North. What I do know is what does not work: namely, the name-calling and disengagement of the early Bush years, or the unconditional engagement of the previous two South Korean governments. I believe we stand the greatest chance of succeeding if we maintain a two-track (bilateral and multilateral) approach that carefully balances carrots and sticks, in close coordination with the other key players.

I would like to share with you seven propositions that help define where we currently stand. First, I am agnostic when it comes to whether the North is prepared to completely give up its nuclear programs, materials and weapons. Anyone who tells you with conviction what the North is or is not prepared to do is revealing more about their own worldview than about Pyongyang's intentions. As time goes by and North Korea's nuclear arsenal grows, I grow increasingly pessimistic. However, that does not mean that we should stop trying to engage the North. Alas, any new nuclear deal with North Korea would indeed be, to borrow from Samuel Johnson's adage about remarriage, "the triumph of hope over experience."

Second, one thing I am reasonably certain of is that the North will undertake one or more provocative acts in the coming weeks and months. The rumor *du jour* is a long-range missile launch. A second nuclear test cannot be ruled out either. Given how poorly the previous missile and nuclear tests went, it is difficult to say which system the North is more desperate to test. As a Californian, I do not stay up at night worrying about North Korean bombs raining down on my family and friends. A military skirmish with the South cannot be ruled out, but is unlikely if for no other reason than it would most likely provide further confirmation of the North's military inadequacies. Recent *Washington Post* hand-wringing aside, we will have to see a provocation for what it is: A scream for attention. Unfortunately, ignoring North Korea is not an option.

Third, we must assume that Kim Jong-il has now made a full recovery from his probable health problems last summer. Since he will soon turn 67 (or 68) and is not the picture of health, we must be prepared for a serious disruption in any negotiations, given the underwhelming nature of his three sons and (not coincidentally) lack of a clear succession plan. As long as he is

reasonably healthy, I find assertions about a divide between hardliners and softliners in the North to be highly speculative at best and at worst disingenuous. The notion of factions in a one-man totalitarian system is almost absurd. That is not to say that the North Korean military has not played a more prominent role of late. However, I think this is most likely by design: The North is probably playing a game of good cop, bad cop.

Fourth, having made several visits over the past five years to the China-North Korea border, where I have spoken with dozens of Chinese and North Koreans, the North is not "on the precipice of famine." There are two reasons for this. The North had a decent harvest last fall and China is covering most of the shortfall. That is not to say that there is sufficient food or that there are no pockets of hunger, but wide-scale famine is not in the cards unless Mother Nature strikes hard. That means that the modest humanitarian assistance currently being provided by the United States (500,000 metric tons of grain) is unlikely to provide much in the way of leverage over the North. The U.S. and the rest of the world have sought to maintain the Ronald Reagan principle that "a hungry child knows no politics," but the reality is that Northern good behavior almost invariably precedes increased assistance.

Fifth, while the human rights situation in the North is as abysmal as ever, it must invariably take a back seat to our national security interests. The nuclear negotiations are too complex and difficult for the issue to become a focal point right now. However, this is not to say that the issue should be merely given lip service by our diplomats. I was encouraged by Congresswoman Ros-Lehtinen and this committee's efforts to reauthorize the North Korean Human Rights Act last fall. It took a while, but we have finally put our money where are mouths are by making it easier for North Korean refugees to resettle in the United States. Increasing Korean language radio broadcasts to the North is also a most worthy endeavor. The folks working at VOA and RFA are most impressive. I have listened to and evaluated their broadcasts. My biggest wish is that the funds be more expeditiously allocated than they were in the original act. I also hope that a full-time human rights envoy will be appointed this time. Two can play the good cop/bad cop game.

My sixth proposition is that Japan will continue to be part of the problem rather than part of the solution when it comes to engaging North Korea, despite being one of our most important allies. By allowing the abduction of a handful of its citizens decades ago to dominate all policy considerations when it comes to the North, Tokyo has become irrelevant at the nuclear talks. More importantly, Japan took the biggest carrot the world had to offer the North, billions of dollars in developmental assistance in lieu of reparations for colonial rule, off the table. Pyongyang is either unwilling or unable to provide Tokyo with the evidence it demands. Removing North Korea from the list of state sponsors of terror did not weaken our negotiating position with the North as it was essentially a symbolic gesture, but it did lead to a sense of betrayal in Japan.

My final proposition arguably describes the biggest constraint on our North Korea policy options. There are virtually no conditions under which Beijing will curtail (much less cut off) its assistance to the North. The Bush Administration liked to insist that the reason North Korea came back to the negotiating table in late 2006 was because China had gotten tough with the North by backing the UN sanctions resolution after the North conducted a nuclear test. While Beijing was clearly not happy, the bottom line was that China never implemented the resolution,

nor was there any interruption in economic assistance from China. For China, stability on its northeastern border is far more important than denuclearization. Even in the face of a global economic crisis, Beijing appears willing to spend several billion dollars a year to prop up the North.

These seven propositions leave us in an undeniably difficult, but not impossible place. In my remaining time, I would like to suggest a "smart power" strategy for negotiating with North Korea. It may very well be that in the end, the North will try to play it both ways: continue to negotiate for goodies while never giving up its nuclear trump card. After all, that is essentially what it has done for the past 16 years. We may have to live with the fact that the nuclear talks may be little more than a "crisis management mechanism". But managing a crisis is far better than ignoring it, and remarriages happen all the time.

At the core of "smart power" is leveraging our alliances. The one country I have left out of my discussion so far is the one government we can closely coordinate a potentially more effective policy with: Seoul. Ironically, even though South Koreans have opted for a more conservative president and legislature and Americans the opposite, the prospects for effective coordination have never been better. That is because based on the worldviews Presidents Obama and Lee Myung-bak have espoused so far and the foreign policy teams they are currently putting together, both are pragmatic moderates. President Lee is a businessman, not an ideologue. I have met with him and his foreign policy team countless times. Liberals in Seoul blame them for the North's increasingly bellicose policy toward the South, but really all Lee and his team have done is recalibrate an unconditional engagement policy that had yielded Seoul little in return. A strong majority of the Korean public (to the extent they even care about North Korea) continue to favor a more balanced policy toward Pyongyang. In fact, Seoul's approach is no different than the Obama Administration's is likely to be.

Given the lack of a major shift in South Korean policy, why has Pyongyang become so bellicose? For the simple reason that the North potentially has much to gain and little to lose. Despite all the rhetoric, the joint industrial complex in Kaeseong expanded its output by more than 20% last year and South Korean NGOs maintained their cooperation projects. Like Obama, Lee refuses to let his antagonists get him worked up and has repeatedly stated that he will wait for the North to come around. What does the North have to gain? Besides trying to drive a wedge between Washington and Seoul, the North seeks a return to the era of no-strings-attached largesse. The North only sees Seoul as a cash register, not a nuclear negotiating partner. Moreover, they also know that if they can cut a deal with Washington, Seoul will have little choice but to pay for it. Kim Jong-il may also have concluded that he needs at least one major enemy to justify his failed rule.

A second component of "smart power" is trying to engage our adversaries in negotiations, both multilaterally and bilaterally. Bilateral negotiations will likely prove to be the key to a breakthrough, but maintaining the six-party talks and reinvigorating trilateral coordination between Washington, Seoul and Tokyo will also be vital. Even if we are essentially on the same page with the South, there are still fears that the Obama team could get too far out in front.

Before bilateral talks resume, it is imperative that Secretary of State Clinton selects a capable negotiator that has experience with North Korea. We simply do not have time for a new envoy to get to know his counterparts and learn the hard way how to negotiate with the North. I can think of at least six former government officials that would fill the bill. However, given the daunting nature of the job, it may not be easy to find a taker. The North has no peers when it comes to insults and brinksmanship. Moreover, the heavy diplomatic lifting has only just begun. Based on the eight-stage negotiating model I helped develop for the International Crisis Group several years ago (available at www.icg.org), we're at the start of Phase Three.

I would like to close by sharing with you my favorite Korean proverb, which can serve us well not only in dealing with North Korea, but also the broader economic challenges that we currently face, "Even when the sky comes crashing down, there is a hole through which we can pass." Please help the Obama team find that hole. Thank you for your time.

Mr. FALEOMAVAEGA. Can you say that in Korean?

Mr. BECK. [Speaking Korean.]

Mr. FALEOMAVAEGA. [Speaking Korean.]

Well, now that Secretary of State Clinton is fully weighted now with all the tools that she needs before she goes to her trip in Asia. I want to thank all of you gentlemen. I think your statements were most eloquent and very insightful in terms of the issue that this committee is considering and looking and reviewing, and I certainly want to thank you for your testimonies. I am going to withhold my questions for now and turn to my faithful compadres here, to our ranking member, Mr. Manzullo, any questions?

Mr. MANZULLO. I had a chance to look at most of the testimony. I just want to make a couple of comments.

First of all, Professor Beck, when I went to American University, I was the recipient of the studies of the Lord Lyndsey of Berker, who had just established the School of Asian Studies at American University, and William Yandolette who would have been Nixon's secretary of state had he won that election in 1960, and it was a very interesting time in American history.

I had never realized that I would be in the position to be on that very committee studying some of those issues we had studied back then, but let me just throw something out to you. We have five scholars here, and we have press from all over the world, and most of them followed me when I brought Chris Hill out to Rockford College in Rockford, Illinois. I have gotten to know Ambassador Hill quite well, and the tremendous work that he put into the Six-Party Talks, moving incrementally, and under quite a bit of criticism from Americans on both sides of the political spectrum, which is the way things work when you have free and open press.

Let me throw this out and anybody wants to handle it, you can do it. If you were in North Korea in a position of authority and understood the English language quite well, and listened to this distinguished panel and the comments made, what would you do if you were in charge of the next round of talks? Who would like to take a stab at that? Ambassador Pritchard is terrorized that he might be made the next Ambassador there, so if you do not want to handle it, that is possible, Ambassador. Yes?

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. MANZULLO. Yes. Yes.

Mr. FALEOMAVAEGA. I would suggest that you be the leading envoy representing President Obama on both sides.

Mr. MANZULLO. Yes.

Mr. FALEOMAVAEGA. Okay.

Mr. MANZULLO. Who wants to take—who wants to be on the spot?

Mr. KLINGNER. To paraphrase an old phrase, that analysts and fools go where angels fear to tread, I will jump in, sir.

If I were advising Kim Jong Il, so thinking as a North Korean, what I would advise Kim Jong Il is that as much as he wants to ratchet up tension, as much as he wants to use his usual playbook of forcing either the South Korean or a United States leader to jump to his tune, that instead North Korea could be far more effective if they did not engage in brinkmanship right now. If they reached out to the U.S. and even adopted conciliatory approaches

and offered concessions to the United States. That would invigorate engagers in the U.S. who would say this clearly shows that the problem has always been with the Bush administration. The problem did not lay at all with the North Koreans, and that this would lead the Obama administration to adopt a softer or more engaging or more conciliatory, whatever words you want to use, approach to North Korea than if North Korea is bombastic and threatening as they look like they are going to be.

So if North Korea was more conciliatory, I think they would precipitate greater engagement not only in the Six-Party Talks, but perhaps in parallel lanes in the road of other negotiations—missiles or whatever. So I think a North Korean advisor could advise that but I do not think that is what Kim Jong Il will tend to do.

Mr. PRITCHARD. If I may, the North Koreans do follow these hearings. They will look them up and they will read the testimony, so they will have the benefit of the discussion here today. But the one thing that they will go away with is a sense that this panel and your questions are leading to the path has been a little bit too narrow, and we certainly here have recommended opening that up, including more issues, whether it is missiles, proliferation, the question of HEU has to be brought up.

So if you were sitting in Pyongyang, you would be re-calculating what you needed to do when the next American delegation came because it will not be where things left off, at least I do not think so. So they are going to have to think a little bit more broadly on how to handle all of these issues.

Mr. CHA. I think that—I mean, I probably have this kind of—I have had the most recent experience of actually negotiating with the North Koreans in Six-Party Talks, and I have to say if I were them right now I would feel as though my long-term objective is well on the way to being achieved, which is to be accepted as a nuclear weapon state and to try to achieve as much of a working relationship with the rest of the world, including the United States, as I could, and I think we really hit a very important point in the verification negotiations in December 2008, because that would be the point at which the North really would have to show its cards. There are a lot of card-playing analogies, show its cards about whether it was serious about denuclearization, and I think it disappointed everybody, all the parties at the Six-Party Talks when they came in December 2008 and clearly were not ready to talk about verification.

Mr. SNYDER. I think that the North Koreans probably believe that their crisis escalation approach is working. I think they feel that they can keep this process going without facing a situation where they are going to have to make a real choice, and so I imagine that basically what Kim Jong Il and his advisors are looking for are the divisions that they can exploit. That is the reason why in my testimony I suggested really that we needed to focus on mobilizing a coalition, providing a way out but blocking the fire escape.

Mr. FALEOMAVAEGA. Mr. Beck, did you want to comment?

Mr. BECK. I am ready for another question.

Mr. FALEOMAVAEGA. Dana?

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

I would like to raise an issue that I think is of utmost importance for us to look at rather than ignore. It is a very easy issue to ignore because it is only dealing with perhaps a small number of people, and the scope of the actual issue at hand seems to be tiny, but I believe that sometimes there are issues like this that can be of great importance because they relate directly to let us say the moral status or the moral situation at the heart of what is going on at the challenge, the heart of the challenge that people face. So let me just get right to it.

Mr. Beck, you mentioned in passing how the Japanese Government has made such an issue over these kidnapped victims, their citizens who have been kidnapped by the Koreans and the North Koreans will not let them come back. Nobody else seems to think that is an important issue.

Let me state for the record right now that I admire the Japanese for the fact that they will not simply ignore that 12 of their citizens were kidnapped by this brutal gangster regime in North Korea, and that the North Koreans will now not give them back, and that they are willing to take a stand on that. I think that speaks very well of the Japanese, and I think it speaks very poorly of other people in this world who would simply gloss that over and say that does not matter.

Well, it does matter. It matters because if we have a regime in North Korea which is basically headed by gangsters who would go and kidnap people from other countries, and then not give them back once they are trying to say, you know, we want to have a better relationship but we are not going to give back these people that we kidnapped, well, then that says we should not necessarily be treating them as a legitimate government. We should not be treating them as decent people or try to make deals. How can you make a deal with a regime in North Korea that refuses to even release 12 or 15 kidnapped victims from Japan? How can we trust them with the lives of hundred—not hundreds, but thousands, even tens of thousands and millions of people, in which an agreement with Korea would affect our security and certainly the security of South Korea and Japan, how can we trust them if they will not even give those people back?

Now, that is number one and I would like to just throw that out to the panel, but make sure that this is clear. Our last witness, I respect him, he is obviously an expert, but he just exemplified that theory about trying to—just try to be nice. It is smart power—that is what we are talking about here—if smart power means just being nice and trying to get along and be cuddly, and warm and cuddly to the dictators and gangsters of this world, thinking that that is going to make us safer, they will fail, and quite usually—usually, I might add, the policy behind a warm and cuddly relationship with dictators usually there is some U.S. corporations that are benefitting behind that, I might add. Usually what you have got are corporate interests who are making a profit off dealing in a monopoly relationship with those decisions with that dictator, but I do not know about that in terms of the Korean situation. But I do know that the North Korean Government is still run by people who would not agree to give back kidnapped victims. Should that not

be part of our consciousness when we are trying to make a deal with them?

Mr. BECK. I certainly think it is important, but I think we have to establish priorities, and if we stick to this moral principle that until they completely come clean on this issue, and that prevents us from making progress on the nuclear issue, then we are undermining our own national security. The nuclear problem, you know, the first 6 years of——

Mr. ROHRABACHER. But how can you trust them to be honest with us on a nuclear issue when they will not even be honest with us for 12 kidnapped victims?

Mr. BECK. You know, we could go into detail, but they actually did start the process of coming clean on this issue, and it was actually the Japanese that slept under the rug the evidence about Yokota Megumi that the remains that they received—we do not know whose remains they are. The Japanese Government reached its conclusion that they are not hers, but they are cremated remains. You cannot conduct a DNA test on cremated remains, yet they maintain that they are not her remains, and this fiction has been put onto the Japanese public.

The North Koreans feel burned. They feel like they gave back remains, and let family——

Mr. ROHRABACHER. I have got to tell you something. When I see the nature of the Japanese Government and the amount of freedom they have in Japan as compared to the oppression and brutality of what is going on in North Korea, I am not going to give the benefit of the doubt to the North Koreans, that they are the ones who are in the right side of that argument, and it is the Japanese who are burning these sincere North Koreans who are trying to solve an issue.

I have seen so much duplicity, and you always find this among gangsters and dictators. They are duplicitous. You cannot trust their word on things like this or anything else because they are willing to murder their own people. This regime that we are talking about in North Korea they are willing to starve their own people. The average height of the North Korean is two inches shorter than the people in South Korea because they have been squandering all the money that should be going to food for their people on weapons to give themselves power and leverage over other human beings.

I think when you take moral stands, even when it is related to 12 people who have been kidnapped, that that moral stand will help guide you in big decisions that will be important like the nuclear weapons thing you are talking about. Cannot make a stand on one, you certainly cannot make a stand on the other.

Thank you, Mr. Chairman.

Mr. FALEOMAVAEGA. I thank the gentleman from California. This is why we have a democracy. Everybody is entitled to their opinion.

Mr. Royce.

Mr. ROYCE. Well, it is not always democracy, Mr. Chairman. There was not one in the Soviet system but Andrei Sakharov, one of the dissenters there, spoke along the same lines that Mr. Rohrabacher just spoke. He said, you know, the way in which a country mistreats its own people—in terms of concentration camps is what

he was talking about—might tell you a lot about the way that country will treat its neighbors, and hence that takes us to some of the concerns here. I know that it is not popular to put that into the calculus in terms of how North Korea is going to react.

I wanted to ask Mr. Klingner. Specifically, I wanted to raise a couple of points because, one, there were 100 items related to uranium enrichment that North Korea was buying. Many of those came, as I reported earlier, from A.Q. Khan, who we investigated.

Khan himself described the transfer of those centrifuges to North Korea. That presents a certain problem. A.Q. Khan says he gave them the centrifuges. We know how many trips A.Q. Khan sent north from Pakistan to North Korea. A year ago the Director of National Intelligence McConnell testified that, while North Korea "denies a program for uranium enrichment and they deny their proliferation activities, we believe North Korea continued to engage in both."

And then you have got the very real problem that the aluminum tube samples that they gave to prove to us that they were not involved in highly enriched uranium business had HEU traces all over it. So also the 18,000 pages of Yongbyon operating records were covered with what? Highly enriched uranium. That is a problem.

So, Mr. Klingner, you have a background in intelligence. Give me your thoughts on that, if you would.

Mr. KLINGNER. Yes, sir, thank you. I think people have been dismissive of the small amount of information that has leaked out to the public domain about the highly enriched uranium program that North Korea was pursuing, and then say they are not convinced by that evidence that North Korea was or is continuing to pursue such a program. It is presumptuous for any of us outside of government now to assume that what has been reported in a few newspapers is the totality of the information that the United States intelligence community has on North Korea's pursuit of an HEU program.

The DNI has said that, prior to the confrontation in 2002, all 16 components of the intelligence community had assessed with a high level of confidence that North Korea was pursuing an HEU program. After the confrontation, when we obviously let them know we knew of this pursuit, the intelligence community continued to have a medium-level of confidence. That did not mean the U.S. intelligence community was lowering its assessment, it was merely that after North Korea was confronted with it there was less level of confidence that they were continuing to do so, either because they realized they had been caught and perhaps were stopping it, or more likely they now knew we were on to them and they were able to prevent continuing acquisition of intelligence.

As you pointed out, in addition to the various tidbits that have leaked out, there are others. There is the 20 tons of aluminum tubes that the Germans and others intercepted. There was not only Prime Minister Musharraf who said that A.Q. Khan or Pakistan had provided centrifuges, but also Prime Minister Bhutto said that in the early nineties she transported computer disks with information on uranium-based nuclear weapons program.

So these are the tidbits that have leaked out, and I assume that the information, some of which I saw when I was still in service, you know, is of a far greater totality. So we do not know how far along the program is but I think they clearly were pursuing it, which is a violation of four international agreements for them to denuclearize, so it is certainly something of grave concern to the United States and its allies, and I think as part of the verification regime that we need to have, that we not only must focus on plutonium but we also must focus on the HEU program as well as the proliferation activities that occurred clearly with Syria and perhaps with others.

More recently there was a North Korean fight from Burma to Iran that was stopped——

Mr. ROYCE. Intercepted by the Indians.

Mr. KLINGNER. I am sorry?

Mr. ROYCE. Intercepted by the Indian Government.

Mr. KLINGNER. Yes, sir, and the U.S. invoked the proliferation security initiative to do so, and the PSI only pertains to WMD or missile.

Mr. ROYCE. Right.

Mr. KLINGNER. So clearly even late last year the U.S. Government believes North Korea is attempting to proliferate something to Iran.

Mr. ROYCE. Well, I would like to go to another argument. Mr. Harrison had pointed to his 2005 Foreign Affairs article on North Korea's HEU program. There is a rebuttal to that in Foreign Affairs magazine written by Mitchell Reiss and Robert Gallucci. It is a bipartisan article rebutting the claims, and I would just like to—we will put it in the record. But I would just like to focus on the point on A.Q. Khan. They say,

> "A.Q. Khan, who ran a black market nuclear supply ring for Pakistan, has confessed to providing North Korea with centrifuge prototypes and blueprints which enabled North Korea to begin its centrifuge enrichment program. North Korea's decision to begin acquiring materials in larger quantities for uranium enrichment facility with several thousand centrifuges suggests that its R&D level enrichment endeavors have been successful. Likewise, its procurement of equipment suitable for use in uranium, hexoflorid feed and withdrawal system also points to planning for uranium enrichment facility."

This was back in 2005.

Now we have subsequently got the hard evidence. They argued at the time,

> "To focus solely on the more visible plutonium program would mean turning a blind eye to a parallel program that has the potential to provide North Korea with a covert steady supply of fissile material for the fabrication of nuclear weapons or export to terrorist groups. To start a new relationship, North Korea must foreswear its nuclear ambitions and the Six-Party Talks offer the best opportunity for resolving this issue through peaceful multilateral diplomacy."

It is that underlying problem of constant proliferation, constant duplicity, as I said, going back to the 1994 framework agreement. Those of us who have been on this committee and have in the past given the benefit of the doubt to North Korea have over time witnessed only one strategy—a street that goes only one way. And bringing up again this question about the way a society treats its own citizens. When you begin to liquidate people, and they allowed 1.9 million to starve, but hundreds of thousands have been worked to death in those camps. I have never seen photographs like the ones of some of the children in North Korea that exist in those camps other than the ones my father took with his brother's camera when they liberated the camp at Dachau. That is exactly how people looked—not two inches shorter—six inches shorter. I have been in North Korea. They are a half-foot shorter because of malnutrition. Fifty percent of those kids have malnutrition to the point where it is affecting their physical ability to really function as an adult, and you see that and you see the starvation, and you realize that people who are sent to those camps are sent there to be worked to death. In this day and age the international community should, frankly, find the time and effort to broadcast into North Korea the kind of information we broadcast into the former Soviet East Bloc, and let people know fully what is actually going on in that society. As one of those North Korean politburo members said, "If you are not listening to those broadcasts, you are like a frog in a well" because you don't actually know what is happening in the rest of the world.

Our goal should be to have the people inside North Korea, besides the head of state, understand what is going on in their country, and understand what is going on in the rest of the globe, and bring the pressure to bear to get some kind of change. You know, we wish the people well, but transferring another $1 billion to this government so it can send people into camps like that, I do not know where that is going to go. My fear is that the hard currency is going to be used instead to develop ICBMS to miniaturize these nuclear weapons, and they certainly are going to use their network out there that they proliferate with abandon given what they have done in Syria.

Mr. Chairman, that is my view, but I appreciate the opportunity to talk to the witness.

Mr. FALEOMAVAEGA. I thank the gentleman for his questions and his thoughts on this issue.

I think in fairness to Secretary Clinton I thought I would get portions of her statement that were made before the Senate Foreign Relations Committee in defining what "smart power" means because we seem to have a difference of interpretation here from my friend Mr. Rohrabacher. I just want to quote a portion of the statement:

> "The President-elect and I believe that foreign policy must be based on a marriage of principles and pragmatism, not rigid ideology. On facts and evidence, not emotion or prejudice. Our security, our vitality and our ability to lead in today's world oblige us to recognize like overwhelming fact of our interdependence. I believe that American leadership has been wanting but is still wanted. We must use what has been called

> 'smart power' meaning the full range of tools in our disposal, diplomatic, economic, military, political, legal and cultural, picking the right tool or combination of tools for each situation. With smart power diplomacy must be the vanguard of foreign policy."

I just wanted to make clear because I purposefully used that phrase "smart power" as the basic topic of our discussion this afternoon.

Ambassador Pritchard, I know you have been sitting there quite patiently. You recommended that there should be a continuation of the Six-Party Talks. My question is how long are we going to continue talking? There has got to be some point—we have already done this for 6 years now, and I suppose for the hawks in Pyongyang they love talking for the next 30 years as long as they continue getting what they want and nothing from us. So could you comment on this?

Mr. PRITCHARD. Well, Mr. Chairman, I would suggest that we have not been talking for 6 years. We have probably been talking for about 2 years out of the last 8, and part of my testimony, as I mentioned, that I am not anxious to see us continue talking for the sake of talking, and my concern, as I mentioned, is this Phase III as a continuation of these discussions and negotiations that really does not get us where we need to go, and that, as you point out, potentially years more of negotiations.

So what I have offered up is a suggest that we just skip that and move directly to the end game of negotiations and determine whether or not North Korea is willing to give up their fissile material, their nuclear weapons. Are we willing to provide that degree of normalization that they are seeking? And can we do that in a very prompt matter of time?

I do not put a timeline on that, but I certainly do not want to see this drag out for another 4 years.

Mr. FALEOMAVAEGA. Would it be predictable that—I ask Professor Cha—would it be predictable for me to say now that as far as denuclearization issue is concerned it is a stalemate, it will not happen?

Mr. CHA. Much as I would hope that I could disagree with you, I cannot. I think that many of the things that Mr. Harrison was talking about in his earlier testimony about non-aggression pact, normalization, if people go back and read the 2005 joint statement, we have put a lot of those things in there. In fact, there is a statement—if you go back to the 2005 joint statement, it says that the United States will not attack North Korea with nuclear or conventional weapons.

I remember when we sent that language back to Washington from Beijing overnight to get approval I did not think it was going to get approved. It came back the next morning approved, and I think many of us were quite surprised, including the Russian delegation, and the Russian delegation actually asked for a separate meeting with the North Koreans to say to them the Americans are serious because we tried to get this language from them during the Cold War and could never get it from them.

So, I think that they have many of the statements that they want from us. They have the—as laid out in the joint statement—

the prospect of normal political relations. They have the promise of energy and economic assistance. They even have the vision of a Northeast Asian peace and security regime in which they would live after they gave up their nuclear weapons.

But in spite of putting all those things on the table they do not appear to be very interested in doing more than simply disabling portions of their program and not moving forward to the final end game—the fissile material and the full dismantlement of those programs.

So, you know, I think that we will be stalemated for awhile. I do not think that means that we should give up on negotiation because what it does do is it enables us to keep people on the ground in North Korea at these facilities, to keep them disabled and slowly degrade them, and that is important. We need to be able to do that. We do not want them to restart some of these programs.

If I could make one point on human rights as well. I think Congressman Royce is absolutely right, that when you have a regime that treats its people the way that North Korea does, it is very difficult to trust them, and I think one of the mistakes of the policy in the Bush administration was we tended to separate the human rights discussion from the denuclearization discussion because people were concerned if you upset the North Koreans on human rights you are not going to make progress on denuclearization.

I think the fact of the matter is I would take very small steps by the North Koreans on denuclearization if they were also making big steps on human rights. That is a lot more credible than big steps on denuclearization with no change in the human rights policy. So, I think those two things actually come together a lot more than we did in the past.

Mr. FALEOMAVAEGA. Mr. Klingner?

Mr. KLINGNER. I think if 20 years from now we are still discussing the size and shape of the table, as we seem to be doing now, then U.S. diplomacy will have failed. I think we do need to set deadlines and timelines and a roadmap toward achieving denuclearization. The actual denuclearization may take some time, but I think we do need to have a more clearly defined blueprint and strategy for getting there.

If North Korea is allowed to continue to drag out talks and continue to have agreements which are vaguely worded enough that there are very large loopholes so they do not have to comply, then they will have achieved their objective of achieving de facto, of not de jure recognition as a nuclear weapons state.

So, I think that we should continue to seek a diplomatic resolution to the North Korean nuclear problem. That is one of the aspects of smart power. But also I do not think we should abandon other avenues of trying to influence our negotiating opponent, including continuing law enforcement efforts. I do not think we should abdicate enforcing U.S. and international law against counterfeiting, drug running, and other illegal activities by the North. That should not be negotiable. Just as I do not think humanitarian assistance should be linked to progress in the denuclearization. I do not think enforcing our laws and international laws should be linked to denuclearization. It is something that we should do anyway.

Also, I think we should begin implementing U.N. Resolution 1695 and 1718, which the United Nations Security Council passed but which has largely been held in abeyance for over 2 years. North Korea has been in violation of two U.N. Security Council resolutions for 2 years. I think we should begin implementing that, so along with that pressure you also have diplomacy.

The Chinese military strategist San Tzu said never surround your enemy totally because they will just fight all the fiercer. In this way the avenue of exit is the Six-Party Talks. You pressure them but you also say we are willing to meet with you, we will not insult you, we will not threaten you, but we are opening negotiations but we will not allow those to go on indefinitely.

We can pick a deadline. I could say after the Obama administration has got all its officials in place and its North Korea policy all set, we could say, why not give a year? There is nothing magical about a year, but why don't we say, a year after the Obama administration has said we are ready to engage, why not evaluate at the end of that year?

It is not a binary decision in which we call diplomacy to a halt on the 366th day, but I think after a year we would have a very good sense of whether we feel North Korea has changed its tactics, its strategy, its approach with the new U.S. administration.

Mr. FALEOMAVAEGA. Mr. Snyder, since you like smart power so much, what would be your recommendation to Secretary Clinton on her upcoming trip to Asia, especially in dealing with the North Korean situation?

Mr. SNYDER. Well, what I have been trying to emphasize today, which is really I think my core recommendation is that we need to—the United States——

Mr. FALEOMAVAEGA. No, I think you made a very good point. We ought not to continue having North Korea to be totally dependent on foreign assistance programs, becoming a welfare state, and then continue without becoming independently self-sufficient if you want to put it in those terms. So, how can the world community or the United States for that matter, give that kind of assistance?

Mr. SNYDER. Well, with regard to the negotiations, I think that it is important for the United States to work with our allies and partners to mobilize support, active support to block North Korea from continuing to move in this direction.

What I also tried to do, I think, and recommend is a kind of delinking of some of the issues that we have not been able to move forward on in the area of development and in the area of economic integration from the negotiation process in a very selective way. And so, you know, bringing North Koreans out to learn about specific technical processes should not be underestimated.

In the previous administration we played a tit-for-tat game. If they imposed restrictions on United States access inside North Korea, the U.S. Government did the same. But I think that we should unconditionally be trying to support engagement of North Koreans understanding of what is happening in the outside world quite apart from a nuclear strategy.

Mr. FALEOMAVAEGA. I do not speak for my colleagues but I have been always a strong, strong supporter of Foreign President Kim Dae Jung's sunshine policy, the idea that some way or somehow

the two Koreas work things out together. I am one of the two members that have visited Kaesong Industrial Complex, and I come away very, very impressed about the fact that a seed has been planted. Of course, the money goes to the government, but at least giving some 40,000 North Koreans an opportunity to work for, whatever is opening the door to some sense of commerce to be established between the two Koreas.

Now I know that some of my colleagues do not agree with that policy, the sunshine policy, but I certainly for one believe in that. Mr. Beck, I note with interest your mention of Japan's non-help providing the 200,000 tons of heavy oil—that was because of the kidnapping situation. Help me, how did we ever come about in saying that with North Korea we need to have five other countries to negotiate with, but with Iraq, full speed ahead?

There seems to be some ideological play here, at least, and correct me if I am wrong on this, Ambassador Pritchard. On the one hand we practice unilateralism, and then on the other hand we practice multilateralism. Was there any possibility that maybe we could have handled the situation differently with Iraq than we did with North Korea of having Six-Party Talks? Could we have done the same thing in bringing Iran and Jordan and Egypt and the other countries in the Middle East who do have a direct interest of what we were about to do with Iraq before we went ahead preemptively and attacked Saddam Hussein who, by the way, never attacked us on 9/11?

But let me ask Mr. Beck. As I try to figure what really—what national interest, what really—real important interests that Japan has toward this whole thing dealing with North Korea. Of course, the security—Russia, PRC, because China is next to North Korea; South Korea obviously because of our security alliance with South Korea. So as you mentioned in your statement that Japan has become somewhat irrelevant because what it is demanding from North Korea is not in anyway related to the question of the denuclearization efforts that we are supposed to be making as part of our foreign policy here.

Mr. BECK. I have talked to numerous Japanese officials who in private have told me that they share my views that privately that they feel that they have been hamstrung by the issue. The problem is public opinion——

Mr. FALEOMAVAEGA. Mr. Beck, I am informed that Ambassador Pritchard has to catch a flight, and please convey to your son my best regards. Tomorrow, I am going to be seeing my soldiers in Kuwait, and I know the feeling, Ambassador, and I think all of us here have relatives, brothers and sisters, wives, husbands, who have been involved in this terrible conflict that we have been involved in with Iraq, and God speed to you, Mr. Ambassador, if you have to catch a flight.

Mr. PRITCHARD. Thank you very much, Mr. Chairman. I appreciate the opportunity to speak here, and thank you for allowing me to leave.

Mr. FALEOMAVAEGA. Please. Mr. Beck.

Mr. BECK. I was just going to say, I have spoken with many Japanese officials who are privately very frustrated with the position that they have been placed in because they would like to be rel-

evant to the Six-Party Talks and do feel that 120 million Japanese citizens takes light presence over 12 people. Principles are great, but the reality is we have to deal with Nazi regimes unless we want to potentially undermine our own national security.

Mr. FALEOMAVAEGA. Well, I could add that 200,000 Asian women who were abducted and raped and forced into prostitution during World War II by Japanese soldiers, that is not a very pretty picture to recite or to explain what happened historically. I did not mean to——

Mr. BECK. No, no, you are quite right. The Japanese are not morally pure either when it come to this issue. They have their own past that they still have not confronted, I think, in a responsible manner.

But I, like you, I have also visited the Kaesong complex a couple of times and was very impressed. It is very frustrating because you really cannot talk to anyone there that is actually working there. I have tried and I get shooed away every time. But I too was very impressed with the prospects for cooperation. But the fact is the North Koreans are, I think, seriously contemplating scraping Kaesong.

We can debate whether they are just bluffing but they have sent military officials to Kaesong and I have talked to South Korean officials that say—you know, I ask them, do you think the North Koreans are bluffing? No, we do not. Even a person working in the Kaesong complex said they are not bluffing. This is a dilemma for them to accept South Korean companies, 90 some South Korean companies, have hundreds of South Koreans, thousands of South Koreans working there. They like the money but they do not like having the exposure that their people, even in limited numbers are getting to this complex, and we like to say that the Chinese have the most leverage with North Korea, and that is what really constrains our policy, and even the neocons realize that they could not go it alone. They could more or less on Iraq, but they really could not go it alone on North Korea, and particularly without China's support. Any get-tough measures just are not going to work with North Korea, and in the meantime we are risking more, so we really do not have any choice but to negotiate, and unfortunately I mistakenly thought that the South had developed leverage over the North with Kaesong, with the tourism, with all the trade. South Korea is North Korea's second leading trade partner. The North Koreans seem perfectly willing to turn their backs not only on South Korea but potentially even China, and when you have a regime that is willing to starve its own people, and do what is not in the best interest of its country, it makes it very hard to negotiate with them. No question. But again, I do not think—it is still our least bad option and I do not think we have any other choice but to continue trying.

Mr. FALEOMAVAEGA. Have we done any studies, Professor, Cha, on the potential value of the minerals, all that is there in North Korea? I am told that it is pretty substantial. I do not know about oil and gas, but other things that are of value there as far as North Korea is concerned. Do you know anything about that?

Mr. CHA. I do not know if there are any official studies. There may be some private U.S. companies that have looked it. One

group that we know has looked at it very carefully has been China because the Chinese have been working very hard to keep their fingers in and their interest, economic interests in the——

Mr. FALEOMAVAEGA. Like they have done in Africa and almost every other place in the world.

Mr. CHA. Yes. So I think that they certainly have been quite interested in that.

If I could answer your earlier question about Six-Party. I think one of the reasons that the Bush administration became interested in the concept of a multilateral dialogue on North Korea was that there was a realization that while the North Korean nuclear problem was an American problem, it was also a regional problem, and that there was a need for other parties to play a role both in terms of incentives as well as disincentives, and the two key countries that had the levers in many ways both in terms of incentives and disincentives were the Chinese and the South Koreans, and I think for that reason it was very important to try this multilateral process and try to mobilize regionally support in getting the North—persuading the North Koreans to take the right path.

With regard to Japan, while I certainly understand the concerns that many people have about Japan being hamstrung by the abductions issue, we also have to remember that for the Japanese people the whole question of whether citizens were abducted was a rumor that was out there for decades that, frankly, most of the Japanese public did not take seriously.

Then to have this movement where the Japanese Prime Minister goes to North Korea and the North Korean leader admits that they undertook these actions, I think, was really a shock, a heartfelt shock by many Japanese, and I think for that reason there was an emotional reaction that has colored the total political landscape in Japan.

I think that there is a separate Japan-North Korea Working Group within the Six-Party process, and there has been an effort to try to move Japan-DPRK relations forward both through that formal process as well as through informal contacts, but the North Koreans really do not want to do anything on this abduction issue and that, of course, makes it politically very difficult for the Japanese Government to move.

Mr. FALEOMAVAEGA. Well, gentlemen, there seems to be a consensus from your statements that the first thing the Obama administration needs to do is to appoint an envoy of George Mitchell's caliber, maybe to be part of the delegation in conducting the negotiations. Perhaps that could be our offered recommendations or suggestions to Secretary Clinton. Whether she does it before or after the return from her trip, we will see what happens. But I have a couple other questions but I think we have taken so much of your time already, and look forward to calling you back again when we see what might happen not only in North Korea, but maybe other areas in Asia.

Thank you very much for your coming. The hearing is adjourned.

[Whereupon, at 4:07 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

SUBCOMMITTEE ON ASIA, THE PACIFIC, AND THE GLOBAL ENVIRONMENT
Eni F. H. Faleomavaega (D-AS), Chairman

February 5, 2009

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend the following OPEN hearing of the Subcommittee on Asia, the Pacific, and the Global Environment, to be held in Room 2172 of the Rayburn House Office Building:

DATE: Thursday, February 12, 2009

TIME: 1:00 p.m.

SUBJECT: Smart Power: Remaking U.S. Foreign Policy in North Korea

WITNESSES: **Panel I**

Mr. Selig S. Harrison
Asia Director
The Center for International Policy

Panel II

The Honorable Charles L. Pritchard
President
Korea Economic Institute
(Former Ambassador and Special Envoy for Negotiations with North Korea)

Victor Cha, Ph.D.
Associate Professor
Director of Asian Studies and D.S. Song-Korea
Foundation Chair in Asian Studies and Government
Georgetown University

Panel III

Mr. Bruce Klingner
Senior Research Fellow, Northeast Asia
The Heritage Foundation

Mr. Scott Snyder
Senior Associate, International Relations
The Asia Foundation

Mr. Peter Beck
Adjunct Professor
American University

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee as noted above.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON ASIA, THE PACIFIC AND THE GLOBAL ENVIRONMENT

Day: Thursday

Date: February 12, 2009

Room: 2172 Rayburn House Office Bldg.

Start Time: 1:05 p.m.

End Time: 4:08 p.m

Recesses: Six minute interruption (microphone failure). 1:25 p.m. to 1:31 p.m.

Presiding Member(s): Chairman Eni F.H. Faleomavaega

CHECK ALL OF THE FOLLOWING THAT APPLY:

Open Session	X
Executive (closed) Session	
Televised	X
Electronically Recorded (taped)	X
Stenographic Record	X

TITLE OF HEARING: "Smart Power: Remaking U.S. Foreign Policy in North Korea"

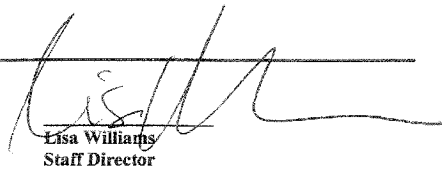
COMMITTEE MEMBERS PRESENT: Sherman, Royce, Manzullo, Rohrabacher

NONCOMMITTEE MEMBERS PRESENT:

WITNESSES: Same as meeting notice attached? Yes X No ____ *(If "no", please list below and include title, agency, department, or organization.*

ACCOMPANYING WITNESSES: *(Include title, agency, department, or organization, and which witness the person accompanied.)*

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record)*
Chairman Faleomavaega
Ranking Member Manzullo
Selig Harrison (witness)
Charles Pritchard (witness)
Victor Cha (witness)
Bruce Klingner (witness)
Scott Snyder (witness)
Peter Beck (witness)



Lisa Williams
Staff Director

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE DONALD A. MANZULLO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Red-Handed

By Mitchell B. Reiss, Robert Gallucci, et al.

From *Foreign Affairs*, March/April 2005

As individuals who have negotiated with North Korea and are well versed in the development of Pyongyang's nuclear programs through our service in the Clinton and Bush administrations, we feel compelled to comment on Selig Harrison's "Did North Korea Cheat?" (January/February 2005) in order to clarify a number of the misstatements and misunderstandings in Harrison's article. The most serious of his allegations are that the Bush administration has politicized the question of North Korea's uranium-enrichment program; that U.S. allies and partners in the six-party talks do not share Washington's assessment of that program; and that the enrichment program is somehow not central to resolving the nuclear challenge Pyongyang poses to its neighbors and the world.

The United States, for a number of years, has had well-founded suspicions that North Korea has been working on the enrichment of uranium. Indeed, in both 1999 and 2000, the Clinton administration was unable to certify to Congress that North Korea was not pursuing a uranium-enrichment capability. (This fact alone should dispel claims of partisanship on this point.) In mid-2002, the Bush administration obtained clear evidence that North Korea had acquired material and equipment for a centrifuge facility that, when complete, could produce enough weapons-grade uranium for two or more nuclear weapons per year.

Harrison asserts that North Korea could not have financially afforded such items. He is mistaken. North Korea has more than enough funds; indeed, the revenue Pyongyang gets from its illicit activities (currency counterfeiting, narcotics smuggling, and cigarette pirating) alone nets it hundreds of millions of dollars every year.

Although there is a great deal of information in the public domain about North Korea's enrichment activities, two points are particularly worth noting. First, as the news media have reported, Abdul Qadeer Khan (who ran a black-market nuclear supply ring from Pakistan) has confessed to providing North Korea with centrifuge prototypes and blueprints, which enabled Pyongyang to begin its centrifuge enrichment program. North Korea's decision, apparently reached in 2000, to begin acquiring materials in larger quantities for a uranium-enrichment facility with several thousand centrifuges suggests that its R&D-level enrichment endeavors have been successful. Likewise, its procurement of equipment suitable for use in uranium hexafluoride feed and withdrawal systems also points to planning for a uranium-enrichment facility. Pyongyang has yet to address these points and denies the existence of uranium-enrichment activities of any kind.

Second, in April 2003, French, German, and Egyptian authorities intercepted a 22-ton shipment of high-strength aluminum tubes acquired for North Korea by a German firm. In November of that year, a representative from Urenco, the European uranium-

enrichment consortium, testified in a German court that the dimensions of those tubes--which were intercepted en route to North Korea--matched the technical requirements for vacuum casings for a Urenco centrifuge. A German newspaper reported that North Korea had attempted to circumvent German, and presumably Chinese, export controls by claiming that the tubes were intended for a Chinese company, Shenyang Aircraft Corporation. It is particularly noteworthy that the specifications for the German aluminum tubes are essentially identical to those used by a Malaysian company in manufacturing outer centrifuge casings for Libya's formerly clandestine gas-centrifuge uranium-enrichment program. Details on those tubes were publicized in the February 2004 press release issued by the Malaysian Inspector-General of Police.

Notwithstanding this accumulation of evidence in the public record, could it still be possible, as Harrison argues, that all of this activity was directed solely at achieving a low-enriched uranium (LEU) capability? Hardly. Harrison's speculation is based on a fundamental misstatement of the technology involved. It is not "much easier" to make LEU than it is to make highly enriched uranium (HEU), as Harrison claims. It typically takes three times as much separative work to enrich uranium from its natural state to 5 percent LEU than it does to enrich LEU to 90 percent HEU. It also makes little economic and technical sense to assert, as Harrison does, that North Korea was planning to produce LEU fuel for the light-water reactors it anticipated getting from the Korean Peninsula Energy Development Organization (KEDO) under the 1994 deal Pyongyang had struck with Washington. KEDO was committed to assisting North Korea in securing a foreign supply of reactor fuel, making it unnecessary for North Korea to undertake the expensive process of domestic LEU production. Moreover, Pyongyang would also have had to construct specialized fuel-fabrication facilities keyed to particular specifications, which North Korea did not possess, for the far-from-complete light-water reactors.

Harrison also argues that North Korea lacks the capability to produce enough electricity for a "multi-centrifuge" uranium-enrichment facility. This is not correct. Unlike the gaseous-diffusion plants the United States constructed during the Manhattan Project, enrichment plants using Urenco-type centrifuges are not significant consumers of electrical power. The same electricity-generating facilities used for normal commercial operations are more than adequate to power gas-centrifuge operations.

Harrison also asserts that the Bush administration has not made a "credible case" to Congress or to U.S. partners in the six-party talks. In fact, the case has been made and is credible. In both open and closed sessions, the intelligence community has briefed Congress on the evidence concerning North Korea's uranium-enrichment program. Deputy Secretary of State Richard Armitage, Undersecretary of State Marc Grossman, Assistant Secretary of State James Kelly, and other officials involved in the negotiating process also have frequently briefed Congress on this issue.

Furthermore, the United States has shared information with all of its partners in the six-party talks concerning North Korea's uranium-enrichment program. And the United States' partners have reciprocated, sharing information they have acquired from their own sources on North Korea's enrichment activities.

Of most concern in Harrison's article is his position that somehow North Korea's uranium-enrichment program is a secondary or tangential issue, so minor that it should be put aside in the interest of negotiating a rollback of North Korea's plutonium-based nuclear weapons program. He discounts the fact that the enrichment program is a clear violation of North Korea's international commitments under the Nonproliferation Treaty (NPT), North Korea's safeguards agreement with the International Atomic Energy Agency (IAEA), the 1994 Agreed Framework, and the 1991 North-South Denuclearization Declaration; he is attempting to make a distinction between "good" cheating and "bad" cheating. Pyongyang's dismal record demonstrates both the centrality of the uranium-enrichment issue to the six-party process and the need to ensure that any solution to the North Korean nuclear issue is thorough and verifiable.

The United States and its partners in the six-party talks are not willing to negotiate over part of North Korea's nuclear-weapons program while leaving Pyongyang in possession of the capability to continue its nuclear weapons effort. To focus solely on the more visible plutonium program would mean turning a blind eye to a parallel program that has the potential to provide North Korea with a covert, steady supply of fissile material for the fabrication of nuclear weapons or export to terrorist groups.

The United States and its partners have been waiting for months for North Korean officials to return to Beijing to engage in serious negotiations and follow up what all other parties had believed to be a productive third round of talks. Washington awaits Pyongyang's formal response to the offer the United States placed on the table last June, as well as the ideas tabled by South Korea and other countries. To start a new relationship, North Korea must forswear its nuclear ambitions, and the six-party talks offer the best opportunity for resolving this issue through peaceful, multilateral diplomacy.

Harrison concludes that the U.S. objective should be, eventually, "to put the North Korean nuclear genie back in the bottle." We respectfully disagree. The U.S. goal should be to remove the nuclear bottle from North Korea entirely. And the time to do so is now.

Mitchell B. Reiss is Vice Provost of International Affairs at the College of William & Mary. From July 2003 to February 2005 he served as Director of Policy Planning at the State Department. Robert L. Gallucci is Dean of the School of Foreign Service at Georgetown University. From September 2000 to February 2005 he served as a member of the CIA's National Security Advisory Panel.

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FOREIGN AFFAIRS

Red-Handed

Mitchell B. Reiss, Robert Gallucci, et al.. **Foreign Affairs**. New York: Mar/Apr 2005. Vol. 84, iss. 2; pg. 142

Abstract (Summary)

As individuals who have negotiated with North Korea and are well versed in the development of Pyongyang's nuclear program through service in the Clinton and Bush administrations, the authors feel compelled to comment on Selig Harrison's "Did North Korea Cheat?" in order to clarify a number of misstatements and misunderstandings in Harrison's article. The most serious of his allegations are that the Bush administration has politicized the question of North Korea's uranium-enrichment program; that US allies and partners in the six-party talks to not share Washington's assessment of that program; and that the enrichment program is somehow not central to resolving the nuclear challenge Pyongyang poses to its neighbors and the world. The US has had well-founded suspicions that North Korea has been working on the enrichment of uranium. Indeed, in both 1999 and 2000, the Clinton administration was unable to certify to Congress that North Korea was not pursuing a uranium-enrichment capability.

Full Text (3338 words)

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Mitchell B. Reiss and Robert L. Gallucci

As individuals who have negotiated with North Korea and are well versed in the development of Pyongyang's nuclear programs through our service in the Clinton and Bush administrations, we feel compelled to comment on Selig Harrison's "Did North Korea Cheat?" (January/February 2005) in order to clarify a number of the misstatements and misunderstandings in Harrison's article. The most serious of his allegations are that the Bush administration has politicized the question of North Korea's uranium-enrichment program; that U.S. allies and partners in the six-party talks do not share Washington's assessment of that program; and that the enrichment program is somehow not central to resolving the nuclear challenge Pyongyang poses to its neighbors and the world.

The United States, for a number of years, has had well-founded suspicions that North Korea has been working on the enrichment of uranium. Indeed, in both 1999 and 2000, the Clinton administration was unable to certify to Congress that North Korea was not pursuing a uranium-enrichment capability. (This fact alone should dispel claims of partisanship on this point.) In mid-2002, the Bush administration obtained clear evidence that North Korea had acquired material and equipment for a centrifuge facility that, when complete, could produce enough weapons-grade uranium for two or more nuclear weapons per year.

Harrison asserts that North Korea could not have financially afforded such items. He is mistaken. North Korea has more than enough funds; indeed, the revenue Pyongyang gets from its illicit activities (currency counterfeiting, narcotics smuggling, and cigarette pirating) alone nets it hundreds of millions of dollars every year.

Although there is a great deal of information in the public domain about North Korea's enrichment activities, two points are particularly worth noting. First, as the news media have reported, Abdul Qadeer Khan (who ran a black-market nuclear supply ring from Pakistan) has confessed to providing North Korea with centrifuge prototypes and blueprints, which enabled Pyongyang to begin its centrifuge enrichment program. North Korea's decision, apparently reached in 2000, to begin acquiring materials in larger quantities for a uranium-enrichment facility with several thousand centrifuges suggests that its R&D-level enrichment endeavors have been successful. Likewise, its procurement of equipment suitable for use in uranium hexafluoride feed and withdrawal systems also points to planning for a

uranium-enrichment facility. Pyongyang has yet to address these points and denies the existence of uranium-enrichment activities of any kind.

Second, in April 2003, French, German, and Egyptian authorities intercepted a 22-ton shipment of high-strength aluminum tubes acquired for North Korea by a German firm. In November of that year, a representative from Urenco, the European uranium-enrichment consortium, testified in a German court that the dimensions of those tubes--which were intercepted en route to North Korea--matched the technical requirements for vacuum casings for a Urenco centrifuge. A German newspaper reported that North Korea had attempted to circumvent German, and presumably Chinese, export controls by claiming that the tubes were intended for a Chinese company, Shenyang Aircraft Corporation. It is particularly noteworthy that the specifications for the German aluminum tubes are essentially identical to those used by a Malaysian company in manufacturing outer centrifuge casings for Libya's formerly clandestine gas-centrifuge uranium-enrichment program. Details on those tubes were publicized in the February 2004 press release issued by the Malaysian Inspector-General of Police.

Notwithstanding this accumulation of evidence in the public record, could it still be possible, as Harrison argues, that all of this activity was directed solely at achieving a low-enriched uranium (LEU) capability? Hardly. Harrison's speculation is based on a fundamental misstatement of the technology involved. It is not "much easier" to make LEU than it is to make highly enriched uranium (HEU), as Harrison claims. It typically takes three times as much separative work to enrich uranium from its natural state to 5 percent LEU than it does to enrich LEU to 90 percent HEU. It also makes little economic and technical sense to assert, as Harrison does, that North Korea was planning to produce LEU fuel for the light-water reactors it anticipated getting from the Korean Peninsula Energy Development Organization (KEDO) under the 1994 deal Pyongyang had struck with Washington. KEDO was committed to assisting North Korea in securing a foreign supply of reactor fuel, making it unnecessary for North Korea to undertake the expensive process of domestic LEU production. Moreover, Pyongyang would also have had to construct specialized fuel-fabrication facilities keyed to particular specifications, which North Korea did not possess, for the far-from-complete light-water reactors.

Harrison also argues that North Korea lacks the capability to produce enough electricity for a "multi-centrifuge" uranium-enrichment facility. This is not correct. Unlike the gaseous-diffusion plants the United States constructed during the Manhattan Project, enrichment plants using Urenco-type centrifuges are not significant consumers of electrical power. The same electricity-generating facilities used for normal commercial operations are more than adequate to power gas-centrifuge operations.

Harrison also asserts that the Bush administration has not made a "credible case" to Congress or to U.S. partners in the six-party talks. In fact, the case has been made and is credible. In both open and closed sessions, the intelligence community has briefed Congress on the evidence concerning North Korea's uranium-enrichment program. Deputy Secretary of State Richard Armitage, Undersecretary of State Marc Grossman, Assistant Secretary of State James Kelly, and other officials involved in the negotiating process also have frequently briefed Congress on this issue.

Furthermore, the United States has shared information with all of its partners in the six-party talks concerning North Korea's uranium-enrichment program. And the United States' partners have reciprocated, sharing information they have acquired from their own sources on North Korea's enrichment activities.

Of most concern in Harrison's article is his position that somehow North Korea's uranium-enrichment program is a secondary or tangential issue, so minor that it should be put aside in the interest of negotiating a rollback of North Korea's plutonium-based nuclear weapons program. He discounts the fact that the enrichment program is a clear violation of North Korea's international commitments under the Nonproliferation Treaty (NPT), North Korea's safeguards agreement with the International Atomic Energy Agency (IAEA), the 1994 Agreed Framework, and the 1991 North-South Denuclearization Declaration; he is attempting to make a distinction between "good" cheating and "bad" cheating. Pyongyang's dismal record demonstrates both the centrality of the uranium-enrichment issue to the six-party process and the need to ensure that any solution to the North Korean nuclear issue is thorough and verifiable.

The United States and its partners in the six-party talks are not willing to negotiate over part of North Korea's nuclear-weapons program while leaving Pyongyang in possession of the capability to continue its nuclear weapons effort. To focus solely on the more visible plutonium program would mean turning a blind eye to a parallel program that has the potential to provide North Korea with a covert, steady supply of fissile material for the fabrication of nuclear weapons or export to terrorist groups.

The United States and its partners have been waiting for months for North Korean officials to return to Beijing to engage in serious negotiations and follow up what all other parties had believed to be a productive third round of

talks. Washington awaits Pyongyang's formal response to the offer the United States placed on the table last June, as well as the ideas tabled by South Korea and other countries. To start a new relationship, North Korea must forswear its nuclear ambitions, and the six-party talks offer the best opportunity for resolving this issue through peaceful, multilateral diplomacy.

Harrison concludes that the U.S. objective should be, eventually, "to put the North Korean nuclear genie back in the bottle." We respectfully disagree. The U.S. goal should be to remove the nuclear bottle from North Korea entirely. And the time to do so is now.

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