

NORTH KOREAN NUCLEAR NEGOTIATIONS: STRATEGIES AND PROSPECTS FOR SUCCESS

HEARING BEFORE THE SUBCOMMITTEE ON ASIA AND THE PACIFIC OF THE COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED NINTH CONGRESS

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THURSDAY, JULY 14, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ASIA AND THE PACIFIC,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 11:35 a.m. in room 2172, Rayburn House Office Building, Hon. James A. Leach, (Chairman of the Subcommittee) presiding.

Mr. LEACH. The Committee will come to order. On behalf of the Subcommittee, I am pleased to welcome our panel of distinguished experts. We appreciate your participation and look forward to a thoughtful exchange of views.

We meet this morning to consider strategies and prospects for success in negotiations to end North Korea's nuclear weapons programs. Since this hearing was announced last week, there has been significant developments that bear directly on the question at hand.

First and foremost, after a boycott of more than a year, North Korea has agreed to return to the Six-Party Talks. The next session will take place in China during the week of July 25.

While we welcome this development, it remains self-evident that talks are seldom an end in themselves. The value of the upcoming sessions will depend on whether denuclearization progress is made.

In other developments, South Korea has publicly disclosed aspects of what it considers an important proposal presented to Mr. Kim Jong Il last month by the South Korean Ministry of Unification. Although key details remain unclear, South Korea apparently has proposed providing North Korea with approximately 2,000 megawatts per year of electrical power if North Korea agrees to end its nuclear programs. South Korea also announced that it will provide the 500,000 tons of rice recently requested by North Korea. Secretary Rice publicly endorsed these decisions during her East Asia travel over the past week.

In this circumstance, the following questions merit review. Is the United States proposal tabled in June 2004 sufficiently specific to serve as a basis for ending North Korea's nuclear weapons programs? Are there supplemental approaches that the United States should be considering in addition to its participation in the Six-Party Talks, or would other venues undercut that multilateral process? How would a nuclear agreement, if successfully negotiated, be verified? What lessons does North Korea's past behavior hold for future verification efforts? Should the United States be

willing to divide and prioritize its approach to the nuclear threat such as by focusing first on securing the reversal of North Korea's plutonium-based program, or would a piecemeal approach simply cause increased friction between the parties? Finally, and most profoundly, whose side is time on, North Korea's or ours?

As we contemplate these issues, it bears continuous reflection that the party that threatens stability in North East Asia remains North Korea. In the weeks ahead the other five parties to the Six-Party process must take care not to fault each other for the dilemmas caused by Pyongyang's singular and intransigence.

But we must also emphasize the positive flip side of that reality even if we deem it unlikely. Pyongyang has the option to effect historic changes that would dramatically benefit North Korea's stature in the world and the welfare of its people. A credible change in strategic direction away from isolation, repression, and nuclearization would put the DPRK's international footing on the basis of amity and cooperation with the world community, putting prosperity for its people in close reach.

One of our many tasks in the days ahead is to make this previously unthinkable possibility easier for the North Korean leadership to imagine.

Mr. Faleomavaega, do you have any comments?
[The prepared statement of Mr. Leach follows:]

PREPARED STATEMENT OF THE HONORABLE JAMES A. LEACH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IOWA, AND CHAIRMAN, SUBCOMMITTEE ON ASIA AND THE PACIFIC

On behalf of the Subcommittee, I am pleased to welcome our panel of distinguished experts to our hearing this morning. We appreciate your participation and look forward to a thoughtful exchange of views.

We meet this morning to consider strategies and prospects for success in negotiations to end North Korea's nuclear weapons programs. Since this hearing was announced last week, there have been significant developments that bear directly on the questions at hand.

First and foremost, after a boycott of more than a year, North Korea has agreed to return to the Six-Party Talks. The next session will take place in China during the week of July 25th. While we welcome this development, it remains self evident that talks are seldom an end in themselves. The value of the upcoming session will depend on whether denuclearization progress is made.

In other developments, South Korea has publicly disclosed aspects of the "important proposal" presented to Mr. Kim Jong Il last month by the South Korean Minister of Unification. Although key details remain unclear, South Korea apparently has proposed providing North Korea with approximately 2,000 megawatts per year of electrical power if North Korea agrees to end its nuclear programs. South Korea also announced that it will provide the 500,000 tons of rice recently requested by North Korea. Secretary Rice publicly endorsed these decisions during her East Asia travel over the past week.

In this circumstance, the following questions merit review:

- Is the U.S. proposal tabled in June 2004 sufficiently specific to serve as a basis for ending North Korea's nuclear weapons programs?
- Are there supplemental approaches that the United States should be considering in addition to its participation in the Six-Party talks, or would other venues undercut that multilateral process?
- How would a nuclear agreement, if successfully negotiated, be verified? What lessons does North Korea's past behavior hold for future verification efforts?
- Should the U.S. be willing to divide and prioritize its approach to the nuclear threat, such as by focusing first on securing the reversal of North Korea's plutonium-based program? Or would a "piecemeal" approach simply cause increased friction between the parties?
- Finally, and most profoundly: Whose side is time on—North Korea's or ours?

As we contemplate these issues, it bears continuous reflection that the party that threatens stability in Northeast Asia is North Korea. In the weeks ahead, the other five parties to the Six-Party process must take care not to fault each other for the dilemmas caused by Pyongyang's singular intransigence.

But we also must emphasize the positive flip-side of that reality, even if we deem it unlikely: Pyongyang has the option to effect historic changes that would dramatically benefit North Korea's stature in the world and the welfare of its people. A credible change in strategic direction away from isolation, repression, and nuclearization would put the DPRK's international footing on a basis of amity and cooperation with the world community, putting prosperity for its people in close reach. One of our many tasks in the days ahead is to make this previously unthinkable possibility easier for the North Korean leadership to imagine.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I would also like to note that we do have our Senior Ranking Member of the Committee here present, and I would like to defer to Mr. Lantos before I give my opening statement.

Mr. LEACH. Mr. Lantos.

Mr. LANTOS. It is very kind of you. I will follow you, Mr. Chairman.

Mr. LEACH. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman, and I do want to commend you for your leadership always in bringing before our Subcommittee issues that are very serious and of great concern not only to our country but certainly to the Asia Pacific region, and I want to commend you for holding this hearing regarding the North Korean nuclear negotiations, strategies and prospects for a successful, hopefully successful solution to this crisis.

The Asia Pacific region has experienced dramatic changes as North Korea publicly announced that it has the capability to produce a nuclear weapon. This in itself has completely changed the entire spectrum of our strategic interests and foreign policy not only in the Asia Pacific region, but also serious implications throughout the world.

On February 10 of this year the North Korean Foreign Ministry issued a statement in which Pyongyang announced that it would increase its nuclear weapons arsenal and suspend its participation in the Six-Party Talks on the North Korean nuclear weapons program.

Now, after almost a whole year now, or even more than a year, North Korean Government has indicated its willingness now to return to the Six-Party Talks and its nuclear weapons program. This announcement comes amidst a flurry of diplomatic activity, but again, Secretary Rice has cautioned, and I quote her:

“We should not spend too much time celebrating the fact that we are going back to talks. It is not the goal of the talks to have talks. It is the goal of the talks to have progress.”

While I agree with Secretary Rice that we must have progress, I believe our foreign policy also must be consistent and fairly applied.

In the Middle East, as in the case of Saddam Hussein in Iraq, we have applied a unilateral approach by simply going at it alone, so to speak, with or without the support of the United Nations. But since then we have now realized the need to work with the world community. For how long the American taxpayer can continue to foot the bill at about a billion dollars a week to fight the war in

Iraq and Afghanistan is anybody's guess, and it is important to note this.

Now, with North Korea, the crisis in North Korea, we have emphasized a multilateral approach by calling other countries, namely, as you will know, Russia, Japan, China, South Korea, and our own country, to negotiate with the North Koreans concerning this serious issue. And our policy toward the Middle East, we refrain from name calling. And regarding North Korea, the Secretary once called it as the outpost of tyranny. In turn, North Korea says that the United States cannot find one single word in coexistence with us. And for obvious reasons, Mr. Chairman, I believe it is time for the United States to reassess its policies in the North Korean Peninsula.

Recently, South Korean President Roh and President Bush met in Washington and reaffirmed their shared commitment to a peaceful negotiated settlement of this issue. In June of this year, the South Korean Minister of Unification met with the North Korean leader, Kim Jong Il, and presented a proposal for a massive South Korean package of non-nuclear energy assistance, as you noted in your statement, Mr. Chairman.

Our United States intelligence community estimates—and I hope this is an accurate figure, Mr. Chairman—that North Korea has possessed enough weapons-grade plutonium for one and possibly two nuclear weapons since the early 1990s. In fact, the United States intelligence community believes that North Korea has enough weapons-grade plutonium now to produce about six to eight nuclear weapons.

North Korea also now has the capability of shooting an ICBM-type missile that can land anywhere in Japan or in the United States. Add a nuclear warhead to the missile and North Korea will then become the distinguished member—a distinguished member of the nuclear club, thereby changing and challenging the military's strategic dynamics of the entire Asia Pacific region.

Let us not forget the disastrous results recently, Mr. Chairman, of a world conference that was held at the United Nations addressing the serious issues that pertain to the nuclear nonproliferation treaty. The most crucial element of the debate centered on the “nuclear have” nations versus the “nuclear have nots.” How is it possible for our own country and Russia and China and France and Great Britain to tell other countries not to develop a nuclear weapons program, but it was all right for the nuclear five club to maintain and continue to hold onto their own nuclear arsenals?

If this is not the height of hypocrisy, Mr. Chairman, I do not know how else one can describe the dilemma we are in, which leads me to my next point, Mr. Chairman, and I always use this as an example to clarify my point.

In 1974, India surprised the world by exploding its first nuclear bomb, and she did this with the help of the nuclear five club. Now, it should be noted that in that same year Prime Minister Gandhi, in a speech before the United States, pleaded with the world community to seriously address the need to get rid of nuclear weapons altogether, and India voluntarily and willingly said she would be the first one to sign up to make sure that there is some kind of

a timetable that the world community should get rid of nuclear weapons altogether.

Well, this was never done. Total silence from the nuclear five club. The Pandora's Box is open. The genie is out of the box, so to speak. And from a layman's point of view, Mr. Chairman, India felt threatened because her neighbors, both the Soviet Union and China, have nuclear weapons and she did not, and to provide for its own national security the development of nuclear weapons capability was necessary.

Pakistan followed suit because of its own security concerns with their neighbor, India. Now North Korea followed suit because, whether real or imagined, that we have nuclear weapons somewhere in South Korea.

Mr. Chairman, this is really a concern not only of our country, but the most crucial issue, in my humble opinion, is that Japan's security also is now seriously questioned. The second most powerful economic power of the world does not even have a seat in the Security Council as a permanent member of the nuclear club.

I am sure that the good people of Japan and their leaders are very concerned about this development. North Korea's nuclear development system is connected seriously to Japan's own security interests.

I look forward to hearing from our distinguished experts that are here with us in the panel, and I look forward to hearing from them, Mr. Chairman, and I just wanted to pass that as a matter of observation of the serious problems that we are faced with. This is not just a North Korean issue. This is an issue that should be taken to the highest levels, not only before the United Nations, but there should be some very serious consideration.

There is a tremendous debate going on right now of whether or not the Sunshine Policy has been a positive result in relations between North and South Korea, and whether or not we should support it. This is another issue that I am sure that our panelists will address.

With that in mind, Mr. Chairman, I look forward to hearing from our panel.

[The prepared statement of Mr. Faleomavaega and the information referred to follow:]

PREPARED STATEMENT OF THE HONORABLE ENI F.H. FALEOMAVAEGA, A
REPRESENTATIVE IN CONGRESS FROM AMERICAN SAMOA

Mr. Chairman:

I want to commend you for holding this important hearing regarding North Korean nuclear negotiations—strategies and prospects for success.

The Asia Pacific region has experienced dramatic change since North Korea publicly announced that it has the capability to produce an atomic weapon. This in itself has completely changed the entire spectrum of our strategic interests and foreign policy in the Asia Pacific region.

On February 10, 2005, the North Korean Foreign Ministry issued a statement in which Pyongyang announced that it would increase its nuclear weapons arsenal and suspend its participation in six-party talks on the DPRK's nuclear weapons program.

Now, after a hiatus of more than one year, the North Korean government has indicated its willingness to return to Six Party Talks on its nuclear weapons program. This announcement comes amidst a flurry of diplomatic activity but, again, Secretary Rice has cautioned that "we should not spend too much time celebrating the fact we are going back to the talks. . . . It is not the goal of the talks to have talks. It is the goal of the talks to have progress."

While I agree with Secretary Rice that we must have progress, I believe our foreign policy also must be consistent and fairly applied. In the Middle East, we agree to unilateral talks. With North Korea, we insist on multilateral talks. With the Middle East, we refrain from name-calling. Regarding North Korea, Secretary Rice calls it an 'outpost of tyranny'. In turn, North Korea says that the U.S. "cannot find one single word on coexistence with us."

For obvious reasons, I believe it is time for the U.S. to re-assess its policies in the Korean peninsula. Recently, South Korean President Roh Moo-hyun and President Bush met in Washington and reaffirmed their shared commitment to a peaceful, negotiated settlement of this issue. On June 17, 2005, the South Korean Minister of Unification met with North Korean leader Kim Jong-II and presented a proposal for a massive South Korean package of non-nuclear energy assistance if North Korea agrees to denuclearize.

In turn, the U.S. has tried to admonish China to use more of its economic and energy leverage to coax North Korea toward progress but China has publicly rebuffed our request. What now?

The U.S. intelligence community estimates that North Korea has possessed enough weapons-grade plutonium for one and possibly two nuclear weapons since the early 1990s. In fact, the U.S. intelligence community believes that North Korea has enough weapons-grade plutonium for about 6 to 8 nuclear weapons.

North Korea also has the capability of shooting an ICBM-type missile that can land anywhere in the United States. Add a nuclear warhead to the missile and North Korea will then become a distinguished member of the nuclear club thereby changing the military and strategic dynamics of the Asia Pacific region.

This said, I am extremely disappointed that the U.S. has turned a blind eye to Pakistan and A.Q. Khan's nuclear network which provided North Korea with the technology it now has. I believe we must make Pakistan accountable and I believe A.Q. Khan must be brought to justice.

I also believe our most important responsibility is to do all in our power to further peace. To this end, I am hopeful that the U.S. will throw away Cold War politics and seriously consider bilateral discussions with North Korea.

Mr. LEACH. Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman.

The resumption of the Six-Party Talks is something we are all happy that it is going to take place. However, I would like to associate myself with what Secretary of State Rice said when she said:

"We should not spend too much time celebrating the fact that we are going back to the talks. It is not the goal of the talks to have talks. It is the goal of the talks to have progress."

It seems like everybody is trying to get the ball rolling in the right direction. The South Korea Minister of Unification, as you stated, met with Kim Jong Il in Pyongyang, and said that they were going to give them two million kilowatts of non-nuclear electricity—\$5 billion worth—across the DMZ if they would agree to dismantle their nuclear weapons program. That is a pretty good deal, and I hope that Kim Jong Il will remember that when they go back to the Six-Party Talks.

Nobody wants to see a holocaust over there on the peninsula, and the South Koreans are willing to do as much as is necessary, and even more, to make sure that that never happens.

Also, on the humanitarian front, I think we would be willing to send foodstuffs up there. I know that North Korea recently requested 500,000 tons of rice from South Korea, and if the free world, including South Korea, starts sending foodstuffs up there in large quantities, we may need to make absolutely certain that it is not going for any purpose other than to feed the people who are starving.

I remember back when Mingistu, the beast of Ethiopia, was in charge of Ethiopia, the free world, including Your Honor, was send-

ing large amounts, huge amounts of food to the starving masses in Ethiopia, and we were even providing the trucks to deliver it to the outlying areas, and Mingistu was selling it at that time during the Cold War to the Russians and to the Chinese.

So that is something else that we have to make sure of if we are going to reach that kind of an agreement or accommodation with Kim Jong Il.

We also, I hope, during the Six-Party Talks, will discuss the human rights issue. There is an estimated 150 to 200 thousand persons held in detention camps for political reasons. We received credible reports of forced abortions in detention centers, and chemical testing on human beings in the prison camps. People have been tortured and killed. All these things ought to be a part of the talks, but the main thing right now, of course, is to get them to stop their nuclear weapons program, and I think the free world, including South Korea, our friend, is willing to do whatever it takes to get that job done.

The Korean War was one of the most destructive in the 20th century. Four million Koreans lost their lives throughout the peninsula. Two-thirds of those were civilians, so we do not want to see another holocaust like that, and the economic and social damage to the peninsula was unbelievable. South Korea has come back very strongly. North Korea, I think, because of its system, has not, and as a result we have got this current impasse that needs to be resolved.

Our relationship with South Korea has been a very good relationship. They are very good friends and allies, and we need to continue that partnership and work very closely with them to make sure that the problem of nuclear proliferation in North Korea is solved.

With that, Mr. Chairman, I want to thank you for yielding to me, and I yield back the balance of my time.

Mr. LEACH. Thank you. Mr. Lantos.

Mr. BURTON. Mr. Chairman, I have extension of remarks in my comments, could I submit those for the record.

Mr. LEACH. Without objection.

Mr. BURTON. Thank you.

[The prepared statement of Mr. Burton follows:]

PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

Mr. Chairman, thank you for convening this important and timely hearing to highlight the importance of heading back to the Six-Party Talks and securing a genuine and durable commitment from Pyongyang to ultimately end its nuclear weapons program. As we are well aware, the most ominous threat to global security emanating from Northeast Asia is the situation in the Democratic People's Republic of Korea (DPRK), where the Pyongyang regime continues to challenge the international community through its pursuit of nuclear weapons, means of delivery, threats of imminent testing, and active blackmail of its neighbors.

In order to address this growing threat, the Six-Party Talks framework must be reinvigorated and we must not back down from our ultimate goal of dismantling North Korea's nuclear weapons programs in a permanent, complete and verifiable manner. Kim Jong Il has repeatedly balked at returning to the Talks since the third round ended in June 2004, while also deflecting proposals on the table, making it apparent—up until recently—that he had no desire to end his country's isolation nor to improve the plight of his people.

The picture has changed fundamentally within the last year, with North Korea declaring their nuclear capabilities and their desire to return to the negotiating table only as a nuclear power. The real question is: where do we go from here? In order for substantive progress at the next round of Six-Party Talks, the United States must implement a viable and coherent strategy for ending the North's nuclear weapons programs. We must work towards a non-nuclear peninsula and that goal must be the primary objective for our engagement with the North. We must present the North Koreans with a clear picture of the consequences if they reject a path towards complete, transparent and verifiable dismantling of their nuclear weapons program. North Korea's immediate neighbors and the United States must not tolerate Kim's attempt to amass and test nuclear weapons, nor his attempts to export weapons, fissile material or technologies.

As Secretary Rice stated—and I wholeheartedly agree—“[w]e should not spend too much time celebrating the fact we are going back to the talks. It is not the goal of the talks to have talks. It is the goal of the talks to have progress,” and while I am pleased to see North Korea heading back to the negotiating table, we must work to ensure that the Talks end with North Korea's complete dismantlement of their nuclear weapons program.

The President's policy is to achieve the full denuclearization of the Korean Peninsula by peaceful multilateral diplomacy, and the United States—working with our allies, especially South Korea—remains committed to resolving the nuclear issue through peaceful and diplomatic means. Furthermore, as I have been informed, on June 10th South Korean President Roh Moo-hyun and President Bush met in Washington and reaffirmed their shared commitment to a peaceful, negotiated settlement of the nuclear issue. On June 17th, South Korean Minister of Unification Chung Dong-young met with North Korean leader Kim Jong Il in Pyongyang, and offered to break the yearlong stalemate in negotiations with the North by sending two million kilowatts of non-nuclear electricity—approximately \$5 billion—across the demilitarized zone if the North agrees to dismantle its nuclear weapons program. I was pleased to see Secretary Rice hailing this proposal as a creative way to halt the North's nuclear programs, while addressing the growing energy crisis throughout the region. Moreover, on the humanitarian front, North Korea recently requested 500,000 tons of rice from South Korea, but we must make sure these are ending up in the bellies of those who need it the most.

Not only must we walk away from the Six-Party Talks with substantial progress regarding the dismantling of North Korea's nuclear weapons program, but we must also have assurances from the North that they will immediately address human rights abuses. North Korea is the most repressive country in the region and among the worst in the world. Moreover, a collapse of Kim Jong Il's regime could potentially lead to millions of refugees spilling across its borders, which would result in chaos for North and South Korea, as well as China. In fact, there are an estimated 150,000–200,000 persons held in detention camps in remote areas for political reasons, and defectors report that many prisoners have been executed or have died from torture, starvation, or disease. Also, we have received credible reports of forced abortions in detention centers and chemical testing on human subject in DPRK prison camps.

In addition, North Koreans who are caught fleeing from the repression face severe penalties and punishment ranging from a few months to years of “labor correction” and even execution. Refugees and asylum seekers who have had contact with Christian missionaries in China, or those who have contacted South Koreans, or even attempted to defect to South Korea, face some of the harshest treatment.

Today, sadly, millions living behind the prison walls of the DPRK are forced to worship in underground churches and many have been killed because of their religious and political beliefs. Within the prison walls of the DPRK, thousands of lives have been lost because of a penal code that allows for the death penalty of such ill-defined crimes as “ideological divergence,” “opposing socialism,” and “counterrevolutionary crimes.” Tortures, disappearances, arbitrary arrests and detentions are the norm in the DPRK.

Another persistent problem that exists in the DPRK is the trafficking of persons for the purposes of sexual exploitation and forced labor. In fact, according to the Department of States' 2005 *Trafficking in Persons Report*, there exist numerous forced-labor camps, which are used to punish criminals and repatriated North Koreans; and thousands of North Korean men, women, and children are forced to work under these unfortunate conditions of slavery—and many of them meet an untimely and cruel demise. According to the recently-released report, “[t]he Government of North Korea made no effort to protect trafficking victims during the reporting period; reporting instead indicated that the government punished victims.” In fact, press reports indicated that nine women who were trafficked and returned from China were

sentenced to prison terms of two years to 18 years. In addition, the government sent all North Koreans who were forcibly returned from China, including trafficking victims, to forced-labor prison camps where torture and public executions are commonplace; there are also reports that North Koreans who were forcibly returned from China are detained in re-education camps.

Within the DPRK there exists no free speech, no free press, no freedom of religion, no political freedoms, and no rights of association. Living in North Korea is like living in a dark hole, and we must shed light on the deplorable situation in order to break down the barriers and expose the problems that are prevalent throughout North Korea. There is hope for a better future for the millions living in this darkness. Our solidarity with them continues to lift their spirits behind the prison walls.

Once again Mr. Chairman, I thank you for holding this timely and important hearing. I look forward to hearing from the Committee's witnesses and hearing their thoughts on how to successfully proceed in the Six-Party Talks. We must finally get past this inertia and resolve the growing nuclear threat in the Korean Peninsula.

Mr. LEACH. Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman, Mr. Faleomavaega, for giving us the opportunity to look at American policy toward North Korea.

Mr. Chairman, for those of us who work on North Korea policy, a healthy degree of circumspection must greet any announcement of progress in the bilateral relationship between our two nations. That said, the recent announcement that the Six-Party Talks will resume at the end of July is very encouraging.

After a serious substantive and fascinating visit of Pyongyang recently, and meetings with many of the country's top officials, it is clear to me that it will be no easy task to work out a comprehensive and verifiable agreement. Pyongyang has yet to make the strategic decision to give up its nuclear program in exchange for concrete economic and humanitarian benefits.

Having completed five trips to Libya during the course of the last year, I tried to convince the North Korean leadership that the path chosen by Colonel Ghadafi, verifiable elimination of Libya's nuclear program in return for Libya's reemergence into the civilized world, was the appropriate and probably the only model for North Korea.

Only time will tell if North Korea will make the historic and strategic decision to follow the Libyan model.

When the Six-Party Talks reconvene the week of July 25, it is imperative, Mr. Chairman, that our negotiators actually have the authority to negotiate. In the past we have followed a spectacularly unsuccessful approach, American officials reading the American statement, refusing to engage in a give-and-take that could actually produce results. This time our negotiating team must be able to respond to North Korean proposals in real time, and be prepared with counter-offers, if appropriate.

I think the emergence of our Assistant Secretary, Christopher Hill, as our key negotiator is a welcomed phenomenon. Secretary Hill must be given all the authority to engage in serious, meaningful and substantive negotiations with the North Koreans.

Our side must also be prepared to sit down for working lunches and dinners with the North Korean side. As long as the North Koreans are not treated with courtesy, there is no chance whatsoever for success.

At my first meeting with the North Koreans, they greeted me with a great deal of distance, bordering on hostility. They pointed out that as the Democratic author of the North Korean Human

Rights Act, they were wondering if there was any serious attempt on my part to discuss issues.

By the time I left, the climate was cordial, civilized, even pleasant, and I think it is extremely significant that our negotiators understand this—treat the Koreans with dignity, respect and the courtesies the diplomatic discourse mandates.

Given the difficulty in getting North Korea to return to the table, let us keep working as long as there is work to do. Artificial deadlines for concluding this round of the Six-Party Talks, in my judgment, are nonsensical.

For their part, the North Koreans must be prepared to provide the United States with a response to the American proposal laid on the table over a year ago, along with the recent South Korean offer of energy assistance. If North Koreans are serious about the Six-Party Talks, they owe us a serious answer.

Pyongyang must also understand that the United States, Japan, and South Korea will not sign an agreement without a far-reaching and rigorous international inspection regime. “Trust but verify” will be an absolute requirement in any comprehensive deal with the North Koreans, and the sooner that this fact of life is recognized, the better.

Finally, Mr. Chairman, the North Koreans must be prepared to accept that all of the benefits of giving up their nuclear program will come gradually over time, and after the international community has been convinced that their nuclear program has been verifiably dismantled.

Mr. Chairman, I do not envy the American negotiators who must try to breathe life into the Six-Party Talks and actually produce a comprehensive and verifiable deal. But with creative diplomacy by all parties and the strategic decision by Pyongyang to follow the Libyan model, which I am convinced is the only viable formula, I am confident that the denuclearization of the Korean Peninsula is an achievable goal.

Thank you, Mr. Chairman.

Mr. LEACH. Thank you, Mr. Lantos.

Does anyone else seek recognition? Yes, Mr. Ackerman.

Mr. ACKERMAN. Thank you very much, Mr. Chairman, for scheduling today’s hearing and for assembling this very distinguished panel of witnesses.

Like everyone else in the room, I was pleased that the North Koreans announced recently their willingness to return to the Six-Party Talks later this month, and I agree with Secretary Rice that while this is a step forward, we should not rejoice simply because there are talks, but that the talks must yield progress on the question of North Korea’s nuclear program.

I must confess that I was puzzled, however, to read the comments of an unnamed Administration official that either they get on the path of disarmament or we move to Plan B.

Frankly, Mr. Chairman, many of us are still wondering what Plan A is. For 4½ years, this Administration has dithered, dawdled, and dickered with itself over policy toward North Korea, while the so-called neo-cons wrestled with the so-called realists within our Government, the North Koreans withdrew from the NTP, have probably repossessed 8,000 spent fuel rods that had pre-

viously been stored at the Yangbyon nuclear complex, adding to the amount of fissile material that they already had, and declared themselves a nuclear weapon state. Not exactly an excellent track record for the Administration.

The Administration's inability to develop a coherent policy on North Korea also led to strains in one of our most important relationships in Northeast Asia. As Ambassador Gregg correctly notes in his prepared testimony, only after last month's summit do we have an indication that the Administration is actually willing to see South Korea as a partner in this endeavor rather than an afterthought.

South Korea's recent offer to provide conventionally-generated electricity to North Korea, and Secretary Rice's description of the offer as "a helpful step," indicate to me that perhaps the Administration has finally begun to understand that in order to get something we are going to have to give something.

But while this is progress—and the resumption of the Six-Party Talks is progress—I still believe that there is some fundamental questions that remain unanswered.

First, I do not think the Administration has a clear idea of what we want the outcome to be on the Korean Peninsula. Is the current government in Pyongyang minus nuclear weapons an acceptable outcome for the Administration? Does the President's forward strategy of freedom apply to North Korea?

The recent shift in rhetoric by both President Bush and Secretary Rice seem to indicate that we will accept the existence of North Korea and its current government, and are not necessarily pursuing regime change.

Second, it is not clear to me that all the players in the Six-Party Talks are on the same page. In particular, it has never seemed to me that Russia or China share our concern about nuclear North Korea. China's reluctance to use its leverage over North Korea has always led me to believe that China's primary goal is one of avoiding a collapse of North Korea, thereby preventing all the attendant problems of having a failed state on its border. That goal is fundamentally different from ours, I think, and yields, obviously, a different policy choice.

China has used its influence to press North Korea to resume participation in the Six-Party process, but I think the PRC is unwilling to go beyond that to, for example, impose economic sanctions should North Korean intransigence continue.

And third, I think our efforts at reaching an agreement with North Korea over the nuclear question remain hampered because we fundamentally do not understand what North Korea really wants, and if we do not understand what they want, we will never figure out a way to get what we want.

Will the North give up its nuclear weapons program for some price? If so, what is that price, and are we willing to pay it? If not, what are our options?

It is a positive development that after a year's hiatus the Six-Party process is starting up again, and there are glimmers of hope that less confrontational rhetoric will provide an opening for progress, but there is still a great distance to go, and the fundamental problems remain.

I want to thank you, Mr. Chairman, for the hearing, and especially for assembling this distinguished group of witnesses.

Mr. LEACH. Thank you very much.

The gentleman from Texas.

Mr. PAUL. Thank you, Mr. Chairman. I have a very brief statement.

I want to thank you for holding these hearings which, I agree, are very important. I would like to make a suggestion, but in making the suggestion I do not want it to be interpreted as downplaying the significance and the importance of the issue that we are dealing with.

But I think sometimes we concentrate too much on weapons, per se, and not the diplomatic relationships with the various countries, in this case with North Korea. The Soviets had a tremendous number of weapons over many years, and we did not have to confront them. We did not have to go to war, and we did not have to threaten them, but we were able to neutralize that over a period of time, and we have friends who have nuclear weapons—the British, the French, Israelis—and that does not seem to be a problem because of our relationship with them.

It is a little trickier when it comes to Pakistan and India. Pakistan happens to be a military dictatorship that overthrew an elected government, and yet we are not, you know, as extremely concerned about that as we are with North Korea. And some people might even argue the fact that India and Pakistan both have, and maybe there is a diplomatic standoff there, and there is less likely to have war rather than the greater likelihood to have war.

But my point is that we should talk more about diplomacy, and it seems like we have two kinds of diplomacy. Sometimes we try to bribe our so-called enemies by offering them money and think that they will do what we tell them, and then the other side is we threaten them with sanctions and try to intimidate them, and threaten them with force.

I think there is a third option. I think there is a diplomatic option available which means: Why do we not trade and talk to people a lot more and get them more dependent on trade rather than using this either bribery or intimidation? And that, to me, seems like the only thing that we have offered.

I yield back the balance of my time.

Mr. LEACH. Thank you very much.

Ms. Watson.

Ms. WATSON. Thank you, Mr. Chairman, and I also add my thanks along with my colleagues for calling this hearing.

After more than a year of silence, North Korea has agreed to return to the Six-Party Talks on its nuclear weapons program later this month. The announcement comes at a time during Secretary Rice's visit to Asia, and her arrival of South Korea earlier this week.

Shortly before Rice's arrival in Seoul, South Korea announced that it had offered to supply North Korea with an electronic power equivalent—and that is electric power equivalent to the output of two unfinished nuclear plants—if it gives up its nuclear weapons.

Secretary Rice is quoted as having said that the plan is a very creative idea. Rice added that the South Korean offer would blend

nicely with the proposal the United States made last June at the Six-Party Talks, and rejected the idea that the offer constituted a benefit or carrot before North Korea returned to the table.

The current thought on the Six-Party Talk impasse, however, belies the fact that for more than a decade diplomacy has failed to prevent North Korea from acquiring nuclear weapons. The resumption of talks, therefore, raises many more questions than answers, and I would like to throw them out and have the panel deal with them as they respond.

I also want to say that we must remember diplomacy when dealing with not only North Korea, but South Korea, China, and the other Asiatic nations, for it is a fundamental belief in this area of the world that you deal with people with respect and dignity. Threatening them is not the way to go.

So questions that I have in mind, and I hope that you can address them: Why was it that more than a decade of diplomacy has failed? Is the Six-Party Talk structure the best structure or the only structure? Can both sides benefit from high-level bilateral talks? And what are the primary objectives of the parties, and are these objectives mutually beneficial? What are the overriding obstacles to our talks? What should be the United States policy toward North Korea, and what should be our policy? And does the United States have a coherent policy with respect to North Korea?

These are some of the issues that I would hope you discuss. Again, I welcome the distinguished panel, and I thank the Chair for gathering us today. Thank you.

Mr. LEACH. Thank you very much.

Let me introduce the panel, and I apologize for the great delay before getting this panel started. Our first witness is Honorable Donald P. Gregg, who is President and Chairman of the Board of The Korea Society in New York City.

During his more than 40 years of public service, the Ambassador served as U.S. representative to the Republic of Korea, National Security Advisor to then Vice President George H.W. Bush, and is a staff member of the National Security Council. Formerly, he also was an employee of the Central Intelligence Agency.

Mr. Scott Snyder is a Senior Associate with the Asia Foundation and Pacific Forum CSIS here in Washington. Previously Mr. Snyder served as Korea country representative for the Asian Foundation, Seoul. He is a former program officer with the U.S. Institute of Peace, and earned a Master's Degree from Harvard.

Mr. William M. Drennan is retired from the United States Air Force with a rank of colonel. During his distinguished professional career, Mr. Drennan served as Deputy Director of the Research and Studies Program, the U.S. Institute of Peace, as Senior Military Fellow at the National Defense University, and is Professor and Chair of the Department of National Security Policy at the National War College.

Mr. David Albright is a physicist, and the President and Chairman of the Institute for Science and International Security (ISIS) in Washington. He is a prolific author and does assessments of nuclear weapons programs around the world. Mr. Albright was the first non-governmental inspector of the Iraqi nuclear program in June 1996. Before founding ISIS, he served as Senior Staff Sci-

entist at the Federation of American Scientists; is a researcher at Princeton University's Center for Energy and Environmental Studies.

I will begin in the order of my introductions. Ambassador Gregg, welcome.

**STATEMENT OF THE HONORABLE DONALD P. GREGG,
PRESIDENT AND CHAIRMAN, THE KOREA SOCIETY**

Mr. GREGG. Thank you, Mr. Chairman. I am delighted to be here. I want to compliment your Committee on your exquisite timing. I cannot think of a better time to hold this hearing given the recent spate of developments coming out of Northeast Asia.

May I also say that I am delighted to see so many young people here at this hearing? I had an opportunity to talk to a number of them during the delay. I think it is a great tribute to our governmental procedure that college students are taking time this summer to come and deal with this important problem, and I hope at the end of the hearing they will feel that their time has been well spent.

I was most impressed by the opening statements. They reflect real thoughtfulness on the part of all of you, and I will try to be responsive.

Assuming that at one point or another my testimony is available to be read, I would like to key my remarks primarily to the questions that were laid out by Chairman Leach and added to by Ms. Watson.

I will start by saying that I think there are three new developments that have helped bring about the sudden return to the Six-Party process, and one and first and foremost is the appointment of Ambassador Chris Hill as our chief negotiator. I have gotten to know him. He is very energetic, very tough, and is determined to establish a responsible negotiating track with North Korea. Even more important is that he has, I think, the full support of Secretary Condoleezza Rice. And so that the second Bush term, I think, is quite different in terms of its internal power structure as far as dealing with North Korea is concerned.

The fact that Chris Hill got North Korea's acceptance to return to the Six-Party process at a dinner in Beijing hosted by the Chinese is to me a very welcomed development. It shows the continuing positive role of the Chinese. It shows Secretary Hill's energy, and it also is indicative of perhaps a change in thinking in North Korea.

Secondly is the rise of South Korea. Mr. Burton and I were so impressed that you said how grateful we need to be to all of the things that South Korea does for us as an ally. I think that is sometimes, unfortunately, neglected or ignored. South Korea sent over 300,000 troops to help us in Vietnam. It gave magnificent support to us during Desert Storm in 1991, and against the wishes of many of its people, it now has the third largest troop contingent in Iraq. So they continue to pay their dues as an ally, and within North Asia they are emerging, in my view, as the hub of that region.

They have the best set of relationships with their neighbors of any country in that region. They are respected for their economic

achievements, for the quality of their diplomacy, and they are also reaching out to North Korea in a new and energetic fashion.

The third new factor comes from within North Korea, and I have been there three times. I will be going there again next month. I am in fairly regular contact with the North Koreans in New York, and I sense a recognition on the part of the non-military leadership that in order to survive—and survival is their number one objective—they have to change the way that they are doing business with themselves and with the outside world. And what they have been offered by South Korea, in terms of power, is truly transformational aid.

If they accept that offer, they will put the leverage of their own economic development in the hands of the South. There is a complete role reversal here because after the end of World War II, North Korea had all the electric power. South Korea was dependent upon it. South Korea was suspicious that North Korea might turn off the power at crucial times, and perhaps they did. That would be absolutely reversed if North Korea were to accept this offer, and it would be a tremendous step away from “Ju Che,” the policy of self-reliance, which has been the touchstone of North Korean policy since the end of the Korean War.

So the fact that Chairman Kim Jong Il was willing to seriously consider this offer is very hopeful. Now, the offer will be spelled out in more crystal-clear detail when the Six-Party process resumes, and also when that process resumes, we will learn more about what you raise, Mr. Lantos, about how fully empowered Chris Hill is going to be as our key negotiator.

The problem with Jim Kelly, a very able man, was that the inter-agency process resulted in his going to most of the meetings with the North Koreans with his hands tied. He was given no flexibility. He was given talking points to read, and he was not given enough leeway to respond. So these are all positive changes which I think bode well for the future.

Now, in light of those remarks, let me just touch briefly on the questions that the Chairman posed.

Is the United States proposal, tabled in June 2004, sufficiently specific to serve as a basis for ending North Korea’s nuclear weapons programs?

My first comment on that was that it has never really been fully discussed. It was tabled a year ago in June. I was in North Korea the following month, in August. The North Koreans said they had an initially positive response to the proposal as it contained some new elements. But then remarks made by senior American officials after the surfacing of this or the tabling of this proposal specifically focusing on CVID (complete verifiable irreversible dismantlement) made the North Koreans feel that this was not so different from anything they had heard before.

So it needs to be discussed, and it needs to be discussed by the team that represents President Bush in his second term, not the team that put it together in his first term.

So the answer to your first question, as far as I am concerned, is I do not know. It needs to be more fully discussed.

Are there supplemental approaches that the U.S. should be considering in addition to its participation in the Six-Party Talks, or would other venues undercut that multilateral process?

I think a new era is evolving in terms of the Six-Party process by means of the rising of North Korea as a full participant in the negotiating process, and I think that really bodes well.

We have pushed the Chinese very hard to use their influence. The Chinese, I think, have been wise in resisting our pressure. They have not yet ruptured their relations with the North Koreans. They still have real viability, and I think if Chris Hill is empowered to be a negotiator, as you suggest he should be, Mr. Lantos, I think that the Six-Party process continues to be the way to go.

I say that because I think there is a growing recognition on the part of the North Koreans that they have a new option available to them in terms of relating to their neighbors, and I think it is very important that they hear not only from us, but that they hear from their neighbors.

One of the most interesting thing that has happened, in my view, with regard to North Korea recently is the discovery through newly declassified documents received from the Russians and the Hungarians that the North Koreans have been in pursuit of nuclear weapons for more than 50 years, or since the sixties, and that their reasons for pursuing nuclear weapons were, one, the fear of us because of what we had done to them by our bombing during the war; and because what they know General McArthur wanted to do, which was to drop a necklace of nuclear weapons across the top of the Korean Peninsula.

They also are motivated because they have never really trusted either the former Soviet Union or the Chinese who they felt betrayed them time and time again, so they are a sole lonely outpost of totalitarianism.

My feeling is that they want a better relationship with us, and I think we have that as a major card to play if we can get over some of these initial hurtles.

So I say stick with the Six-Party process. I think it has been reinvigorated by South Korea's rise and by the new stature of Chris Hill, the support that he has received from Condoleezza Rice, and her interest in Northeast Asia as manifested by the fact that she has been there twice as Secretary of State.

How would a nuclear agreement, if successfully negotiated, be verified?

That is the absolutely most difficult question. In my August visit to the North, I hit them on the issue of the highly-enriched uranium program which we accused them of having started. They denied that they have such a program. We do not know how big it is, where it is, how much equipment they received from Pakistan, and to verify or to prove a negative in terms of that program is truly a daunting prospect. Which leads me to venture an answer to your fourth question, which is: Should we prioritize its approach to the nuclear threat such as by focusing first on securing reversal of the plutonium-based program?

I would think that would be a very sagacious thing to do. It is much easier for the North Koreans to allow inspectors back in to shut down the reactor, to put the fuel rods back in the swimming

pool. These are finite actions which can be monitored, and once some confidence has been established through solving that, then perhaps the more difficult issue of the HEU thing can be more easily approached.

You asked—Ms. Watson has left, but she asked: “Why was diplomacy a failure?” I think it was a failure because it was not really used. I used to teach a course at Georgetown called “Force and Diplomacy” and my thesis of that course was that force and diplomacy worked best in close concert.

I think we have had force applied for years on the Korean Peninsula through the memory of what we did to them in the Korean War and the threat which they saw in our actions in other parts of the world, particularly Iraq, which they found very, very disturbing.

So I think we have demonstrated the power of our ability to apply force. I think we have not played equal emphasis on real diplomacy. I think we have a chance to do that and I think that the evidence that we have received from the North Koreans at the Six-Party process, when it resumes, will be very revealing of their willingness to accept transformational aid from South Korea, which would mean that they are turning away from “Ju Che” (self reliance) and are willing to become a more normal country in order to survive.

Thank you very much, sir.

[The prepared statement of Mr. Gregg follows:]

PREPARED STATEMENT OF THE HONORABLE DONALD P. GREGG, PRESIDENT AND
CHAIRMAN, THE KOREA SOCIETY

My last Congressional testimony, given before the Senate Foreign Relations Committee, took place on February 4, 2003. I concluded that testimony by stating that the two things the Bush administration was willing to say to North Korea; “we are not going to attack you, but we won’t negotiate with you; “only left the North Koreans with a stronger incentive to continue working on their nuclear weapons programs. As hard bargainers, they clearly recognized that the more powerful their nuclear programs became, the less likely that a pre-emptive U.S. attack on their scattered facilities would be launched, and the more they could demand in return for eventually closing the programs down.

Until late last week, that was the essential pattern of events that had taken place over the past 30 months, with North Korea, having further developed their nuclear programs, announcing on February 10, 2005, that it had become a nuclear power, and refusing to return to the stalled six-party talks process. Suddenly, on July 9th, the North Koreans announced that they would return to the talks, which are now slated to resume during the week of July 25th.

In my testimony today, I will suggest possible reasons for this sudden agreement to resume talking, sketch the changing political dynamic among the six parties involved in the nuclear talks, and offer some thoughts on the future of the nuclear negotiations.

During an eight-day visit to Seoul in mid June of this year, I was strongly impressed by South Korea’s growing confidence in its ability to function influentially among all the countries of the North Asian region, including in particular North Korea. South Korea is clearly emerging as a major hub of that region, in both economic and political terms. (Conversely, in two high level conferences that I attended, I heard more anti-Japanese sentiments expressed by Chinese, Russian and South Korean intellectuals and diplomats than I had heard for a couple of decades in the past.)

The South Koreans were also pleased with the June 10th summit held in Washington between Presidents Roh Moo-hyun and George W. Bush. Foreign Minister Ban Ki-moon and a senior Blue House official, who had accompanied President Roh, both told me that increased rapport and confidence had been established between the two heads of state. Minister Ban was particularly pleased with the fact

that the importance and efficacy of relations between North and South Korea had been recognized and accepted in Washington.

On June 12th in Seoul, I met and talked with Unification Minister Chung Dong Young, who was to leave the next day for Pyongyang, to celebrate the fifth anniversary to the 2000 summit meeting between Chairman Kim Jong Il and President Kim Dae-jung. Minister Chung said he hoped very much that he would be able to meet with Chairman Kim, but that this had not been clearly scheduled. Minister Chung's main messages for the North were to express hopes for a return North-South summit meeting, to voice clear opposition to Pyongyang's development of nuclear weapons, and to urge North Korea to return to the six-party talks. Chung hinted at additional matters that he hoped to discuss, but was not specific in talking to me, a person he had just met for the first time.

On June 17, 2005, Chairman Kim did meet with South Korea's Unification Minister Chung in Pyongyang, and stated his willingness to resume talks within the six-party process as long as his country was treated with respect by the United States. Beyond that, Chairman Kim said that he had no reason to think badly of President Bush, and that he remained hopeful that his long-standing goal of a nuclear free Korean Peninsula could be attained. The United States responded adroitly to this demarche, by quickly resuming food aid shipments to North Korea, which is facing a very difficult year in terms of its ability to feed its people. No words were exchanged, but a positive signal had been sent to Pyongyang from Washington.

I believe that a very strained and unproductive period in the U.S.-South Korea alliance, which began with the March 2001 meeting between Presidents Kim Dae-jung and George W. Bush, may now be drawing to an end. The June 10th summit between Presidents Roh and Bush, mentioned above, is evidence that the Bush administration is coming to appreciate the value of Seoul's growing stature and influence in the Northeast Asian region. At least some in the Bush administration appear to have recognized that Seoul's strengthening economic ties with Pyongyang should not be seen as "rewarding bad behavior" on the part of Pyongyang, but should be taken advantage of and used as a powerful inducement for the North to return to the six-party talks and to negotiate away its nuclear weapons programs.

On July 12th, Minister Chung announced that he had offered Chairman Kim a massive inflow of electricity if the North agreed to completely dismantle its nuclear weapons programs. Chairman Kim said that he would "carefully study" the proposed power program, which will be formally and more completely tabled when the six-party talks resume later this month. The amount of power offered (2 million kilowatts annually) would replace the electricity to have been produced by the two light water nuclear reactors being slowly built under KEDO auspices. The Bush administration was dead set against having any nuclear power sources developed in North Korea. This conveniently takes this contentious issue off the table, but seems to sound the final death-knell for the KEDO project.

This is truly creative and dynamic work on the part of Seoul. The confidence that I sensed in Seoul a month ago has been put into play most effectively. South Korea has now become a leading player in negotiating with North Korea, across the full spectrum of issues. On July 12th a report was issued in Seoul documenting agreements reached at the 10th meeting of the Inter-Korean Economic Cooperation Promotion Committee, held from July 9-12 in South Korea. The agreements cover a wide range of issues, including the provision of raw materials to the North, establishing offices of coordination to promote development of the Kaesong Industrial Complex, the establishment of fishing regulations, pushing the re-connection of North-South rail lines, flood control, and science and technology exchanges.

I take all this as powerful evidence that the U.S.-South Korea alliance is now functioning in a more sophisticated manner. If the United States feels it necessary to maintain its hard-line stance about not offering additional inducements to North Korea to return to the six-party talks, it at least allows others, South Korea and China in particular, to be more flexible. This tough posture on the part of the U.S. may have the virtue of consistency with previous hard-line statements by the Bush administration, but it is not a blueprint for success once the talks have resumed.

An additional factor that almost certainly contributed to Pyongyang's decision is the influence of China. Beijing deserves strong credit for the role it has played in consistently urging North Korea to return to the talks. The Chinese have made it clear to me that they do not find it particularly easy to deal with the North Koreans, but that they are determined to do all they can to keep North Korea from either imploding economically or exploding militarily. Several weeks after the U.S. presidential election, I had a chance to talk with China's Vice Minister of Foreign Affairs, Dai Bingguo. Vice Minister Dai said he realized that Chairman Kim Jong Il was not a popular figure with many Americans, but that he is the top decision maker in North Korea, and that Americans need to deal with him in a respectful

manner if any progress is to be made in the six-party process. Vice Minister Dai added that the issue of “face” is very important to the North Koreans, and that “a couple of heart-warming statements out of Washington” would do a lot to get the two sides together.

Chairman James Leach spoke eloquently to the issue of rhetoric in a May 17, 2005 speech in Washington dealing with prospects for U.S. policy toward North Korea in the second Bush administration. I quoted extensively from Chairman Leach’s remarks in a speech I gave in Seoul on June 12, 2005. His remarks were warmly appreciated by the South Koreans, who fully agreed with his statement that “. . . the ‘axis of evil’ description may have been as counterproductive in South Korea as it was in North Korea.” Chairman Leach’s final point on the issue of rhetoric was powerful and apt. He stated: “Thus, in this as in many other circumstances, hard-nosed realism demands attention to soft-power diplomacy. There is simply no credible alternative to attentive engagement with the North.”

I am confident in asserting that had President Bush not been careful to refer recently to Chairman Kim as “Mr. Kim Jong Il,” and had Secretary of State Condoleezza Rice not spoken of respecting North Korea’s sovereignty, the North would not have decided to return to the talks. The change in U.S. rhetoric was an extremely important factor in bringing North Korea back to the negotiating table.

Resumption of the six-party talks is an event to be welcomed, but in itself is no guarantee of success. The great underlying question is whether North Korea will be willing, in a fully verifiable fashion, to end all of its WMD programs. They say that they will be willing to do so, under the proper conditions. What North Korea construes to be the proper conditions remains to be seen. It is also unclear how much leeway will be given the American negotiator, Assistant Secretary Christopher Hill. Mr. Hill is clearly a positive new factor in the situation. He is energetic and seems determined to establish a real negotiating dialogue with Pyongyang. In the first Bush administration, Jim Kelly, Chris Hill’s predecessor, did not fare well in the inter-agency process, in which the Department of State was out-voted and outweighed by the Pentagon, the Vice President’s office and the National Security Council staff, all of which appeared to favor regime change in North Korea over a true negotiating process. It will shortly become clear how much these attitudes may have changed as Mr. Hill’s instructions for resuming the six-party process are worked out in the inter-agency process. The fact that North Korea’s willingness to return to the six-party talks was conveyed to Mr. Hill by Deputy Minister Kim Gye Gwan at a dinner in Beijing hosted by the Chinese speaks volumes about China’s continuing helpful role, Mr. Hill’s activism and perhaps an additional degree of flexibility on the part of the United States.

Secretary Rice’s current Asian trip, including visits to Beijing, Seoul and Tokyo with discussions of nuclear-related issues as a central agenda item, is also a positive indication of the Bush administration’s increased focus on solving the North Korean nuclear puzzle.

When the six-party talks resume, the participants will be seated at a large, hexagonal table, and will exchange views across its highly polished surface. In fact the American and North Korean delegates will be staring at each other across a veritable Grand Canyon of suspicion and mistrust. The Americans think that the North Koreans cannot be trusted, believing that they cheated on the 1994 Agreed Framework by starting a highly enriched uranium nuclear weapons program with equipment secretly procured from Pakistan. The North Koreans deny that they have an HEU program, and accuse the Americans of failing to live up to their obligations under the Agreed Framework. The American have recently learned, through documents made available from the Russian Foreign Ministry and the Hungarian State Archive, that North Korea has sought nuclear weapons for decades, and has doggedly pursued this goal despite strong opposition from China and the former Soviet Union. It has also been learned, through translation of these documents, that North Korea’s longstanding motivation to acquire nuclear weapons grew out of fear of the United States, and a deep mistrust of its former allies in Moscow and Beijing. (Note: Dr. Kathryn Weathersby, senior associate at the Wilson Center, has been in charge of the translation of these documents and is a long-standing authority on the history of the Cold War. She discusses the implications of these documents in an interview with Murray Hiebert of the Wall Street Journal appearing on page A 13 of the May 18, 2005 issue.)

I made my third visit to Pyongyang in August 2004, and got a direct taste of the depths of North Korea’s mistrust of the United States at that time. Deputy Minister of Foreign Affairs Kim Gye Gwan, was, as usual, my host. I had the temerity to raise the Libyan example, where, after months of talk, Col. Qaddafi had agreed to give up his nuclear weapons program. I urged North Korea to follow this example. Minister Kim told me to “stop dreaming about Libya.” He said that that success had

been attained after months of prolonged bilateral negotiations, and that the American refusal to negotiate directly with North Korea ruled out any chance of a Libyan-type success.

Early this year I attended a conference in the United Kingdom where I met one of the British officials who had led the prolonged talks with Libya's leader. This official said that the talks had been long and difficult, that he initially had found Col. Qaddafi hard to fathom, but at the end of the talks he had developed "a lot of respect" for Qaddafi. I cite this case as a hopeful model for the up-coming six-party talks. Patience and determination will be required, and North Korea can be expected to be a very difficult negotiating antagonist. I believe that only as some basis of mutual trust has been established, that the talks will have a chance of achieving significant success. This will clearly take time, and the full support of our chief negotiating partners, South Korea, China and Russia. I do not mention Japan in this connection, as its insistence on raising the question of the fate of a dozen Japanese abducted by the North Koreans is not at all helpful to achieving a solution of the central issue being dealt with by the six-party process—the nuclear weapons question.

In March of this year, a group of over 50 leading foreign policy specialists and government officials, all with responsibility for North Korean issues, met in Shanghai to discuss development of procedures and mechanisms for implementing a denuclearization agreement with North Korea. These people came from the United States, South Korea, Russia, China, Japan and Australia. They were enthusiastic about the value of institutionalizing the six-party process to enable it to monitor North Korea's compliance with denuclearization agreements, as well as to provide North Korea with effective multilateral security assurances. This is a very hopeful study, which I recommend to all those interested in establishing a stable and nuclear-free Korean Peninsula. (See "Building Multi-Party Capacity for a WMD-Free Korea," an IFPA Workshop Report put out by the Institute for Foreign Policy Analysis, 675 Massachusetts Ave., Cambridge, Mass. 02139.)

I was interested to note that during the conference, the participants were polled on a number of key issues relating to the future of the Korean Peninsula. When the conferees were asked if a surgical strike against suspected WMD facilities and storage facilities would evoke a military response from North Korea, 100% of the participants replied that it would. This underlines the great need for the six-party process to succeed, as there is no viable military option open to us and our key allies in Seoul and Beijing are strongly opposed to the imposition of economic sanctions.

Mr. LEACH. Thank you, Mr. Ambassador.

Mr. Snyder.

STATEMENT OF MR. SCOTT SNYDER, SENIOR ASSOCIATE, THE ASIA FOUNDATION AND PACIFIC FORUM CSIS

Mr. SNYDER. Well, thank you, Chairman Leach, for the invitation to testify before this Committee.

As the various Members of the Committee have already noted, this is a critical moment in attempts to resume the negotiation process with North Korea through Six-Party Talks. I also note that in recent months there have been more frequent expressions of concern about the urgency of this issue from Capitol Hill, including the hearings that this Subcommittee has held with Assistant Secretary Hill last May, at which time there was a strong urging for him to meet bilaterally with the North Koreans, and I note that that is what he did in Beijing, and that was the forum in which the announcement that Six-Party Talks would resume has come out.

I think that the challenge inherent in creating any prospect for negotiating North Korea's denuclearization really lies in convincing the North Koreans that they are in fact safer by giving up their nuclear weapons than by keeping them, and the Bush Administration has put forward this hypothesis that North Korean nuclear weapons pursuits are self-isolating, and that the nuclear

weapons status would be regime endangering rather than contributing to North Korea's regime survival.

I think that we have been successful in promoting rhetorical consensus in the region, that a nuclear North Korea is destabilizing, but what we have not seen yet is diplomacy that mobilize actions on the part of our partners to truly convince the North Koreans that in fact nuclear weapons status does not make them secure, and that there is a good way out that would help to respond to some of their own legitimate security concerns that stem from the historical conflicts at the end of the Korean War.

In the end, the North Korean nuclear issue, I think, cannot be fully disaggregated from the facts that the state of war on the peninsula has not been fully resolved.

In order to assure that the North Koreans remain serious about negotiations, the United States must find ways to prove to the North Koreans that their pursuit of nuclear weapons endangers their own survival, but must also provide sufficient reassurance to convince North Korea, as well as our own friends and allies, that the United States is sincere in pursuing a diplomatic approach.

At the same time, the North Korean efforts to take advantage of differences among the parties to the negotiation requires the United States to actively consult with other parties in advance and to narrow the differences prior to the negotiation so that the North will understand that it has only one choice—to accept an offer that fairly achieves North Korea's denuclearization and addresses its legitimate security concerns.

Now that the North Koreans are coming back to the talks the task will be to further convince them that the only way to secure their own objectives is to give up their nuclear pursuits and join the international community.

North Korea must actually be allowed no choice but to negotiate away its nuclear weapons program in line with the consensus that exists among the parties to the negotiating process.

As several of the Members of the Committee have emphasized in their opening statements, the key to this is really an effective diplomatic coordination strategy, especially focused on two parties that, I think, are critical to moving forward, and that is South Korea and China.

I think that to a certain extent our efforts have suffered from the perception in Washington that the South Koreans are no longer responsible or reliable allies, and that, unfortunately, South Korea has come to be seen as setting the lowest common denominator in achieving a consensus in moving forward on North Korea's nuclear development efforts.

I hope that Secretary Rice's recent endorsement of the Chung Dong-young proposal will help to correct that perception and also that that proposal can be effectively melded with the current proposal of the United States that is on the table in the Six-Party Talks.

I also think that the Chinese have been given a lot of priority on this issue, and that the Bush Administration has assumed that China can be a responsible partner in addressing the North Korean nuclear issue. At the same time, how China manages this issue has

become a critical litmus test for judging whether or not China is indeed ready to play a responsible regional and global role.

The Chinese have taken several constructive steps thus far in response to American urgings, but there is still a fundamental Chinese dilemma with regards to the North, and that is: At what point does the strategic asset of even a weak North Korean buffer state become a strategic liability, and what is China willing to do to reign in North Korea's threat at the United States' behest at the same time that they have their own ideas about strengthening their position and role on the peninsula?

In fact, in the longer term, we may face the situation where United States and Chinese objectives come into conflict with regards to the future configuration of a unified Korea.

I want to take the opportunity to endorse and expand on Congressman Lantos' suggestion as really my main policy recommendation, and that is, I think that before the next rounds of talks President Bush needs to make clear that Assistant Secretary Hill is speaking for the President at the next round of talks, and that he is empowered to lead international coordination with all concerned parties to resolve the North Korean nuclear issue.

A Presidential clarification that Assistant Secretary Hill is the point person for leading our diplomatic strategy on the North Korean nuclear issue would achieve several objectives.

One, it would underscore that the President sees the North Korean nuclear weapons threat as a priority, and that he is behind the negotiation process as the proper means to settle the North Korean nuclear issue.

Secondly, it would reenforce that the Bush Administration speaks with one voice on policy toward North Korea.

Thirdly, it would provide an effective means by which to discuss with South Korea and other neighbors of North Korea the specifics of the proposal that we tabled in June 2004.

Fourth, I think that it would help to hold South Korea to a principled position that indeed a resolution of the North Korean nuclear issue is a necessary prerequisite for broader engagement with North Korea.

Fifth, I think it would ensure that the commitment of all parties to a non-nuclear Korean Peninsula goes beyond rhetorical statements to actions designed to deny North Korean nuclear weapons components and fissile material from entering or leaving North Korea.

And, sixth, I think it would also ensure that there is someone who would be available to go to Pyongyang and to deliver President Bush's message and directives in support of the Six-Party dialogue directly to North Korea's top leaders as necessary.

In the end, I think that we have to face the fact that if we are going to be involved with the negotiation process it will be necessary through various means and methods to engage the decision-makers in North Korea in that process, and that means finding ways to interact with North Korea's leader, Kim Jong Il.

I would note that all of the limited progress that has occurred in the context of the Six-Party process has come directly as a result of indirect contact by the Chinese leadership, or the South Korean leadership, or the Japanese leadership, directly with Kim Jong Il,

and that that has had positive impact in a limited way on the Six-Party process. I think it is probably likely that we are going to have to see more of that type of contacts.

I would like to conclude simply by addressing one of the questions that Congressman Leach raised and that others have mentioned, and that is the issue of the challenge for the negotiating process related to verification.

Here, I think that the Libyan model really does hold an important distinction, especially from what we have seen before in the US-DPRK context. The implementation of the agreed framework remained an adversarial process, but I think that the Libyan model key to its success thus far has been that it was a cooperative process.

I think that that does involve North Korea's willingness to make a strategic decision. I would hope that if they truly want to see a change in the relationship with the United States away from what they call a hostile policy, that they would be willing to engage in precisely that type of cooperative process, and I will stop there. Thank you.

[The prepared statement of Mr. Snyder follows:]

PREPARED STATEMENT OF MR. SCOTT SNYDER, SENIOR ASSOCIATE,¹ THE ASIA FOUNDATION AND PACIFIC FORUM CSIS

I would like to thank Chairman Leach for the invitation to testify before this committee on the current situation and prospects for resolving the second North Korean nuclear crisis. As you all know, a protracted stalemate over this issue has simmered for almost three years since October 2002. Following North Korea's escalation of the crisis, North Korea's decision to kick out IAEA inspectors and to announce its withdrawal from the NPT, and the unraveling of most components of the U.S.-DPRK Geneva Agreed Framework, a new negotiation process among six parties most directly concerned with the North Korean nuclear issue was established with the PRC as the host in August of 2003. It was not until the third round of dialogue in June of 2004 that the United States and North Korea respectively put forward formal proposals to address the core issues in dispute.

Although the respective proposals made at that time are regarded by some as opening positions in a negotiation process, there has been an extended pause in the negotiations of over one year. With the announcement last weekend that the negotiations will resume and with Secretary Rice currently completing her second visit to the region in five months, this is clearly a critical moment in attempts to resume the negotiation process and to build on the proposals tabled in June of last year. The task of this panel is to assess the administration's strategy and prospects for success in achieving the commonly-held objective of the six party dialogue: the denuclearization of the Korean peninsula.

I believe it is mistaken to assume that the approach of the second Bush administration to North Korea will inevitably be identical to that of the first Bush administration, especially as the six party dialogue appears ready to resume. While there are many continuities, there is also room for course corrections and now some evidence of revised approaches based on news of current developments. The administration is pursuing the same policy objectives toward North Korea, but there is an opportunity for a new team to consider more effective methods by which to achieve those goals. In recent months there have been more frequent public expressions of interest and concern about the urgency of the North Korean issue from Capitol Hill including Chairman Leach's steady encouragement not to be fixated on a single process at the expense of the opportunity to achieve substantive progress. One presumes that this might be one factor that could catalyze a redoubling of efforts within the administration to enhance both the effectiveness of and to achieve early returns on its approach to North Korea.

¹This testimony represents my personal views, and does not represent the views of The Asia Foundation or Pacific Forum CSIS. Comments or questions can be directed to Scott Snyder at 202-588-9420 or SnyderSA@aol.com.

Another challenge to continuity in policy implementation is that the fundamental problem has taken a different and more worrisome form following North Korea's announcement that it has nuclear weapons and the suspension of its participation in the six party dialogue on February 10th and its call for negotiations on mutual disarmament on March 31st. It will be important for the DPRK to reaffirm that the original agenda for Six Party negotiations—the denuclearization of the Korean peninsula—has not changed in light of these statements when North Korea returns to the negotiating table. Finally, the external circumstances and priorities of North Korea's neighbors are not precisely the same as each other or as those of the United States—a factor that is of critical importance as we consider prospects of success of current strategy in the context of a return to the negotiating framework.

AN ASSESSMENT OF SIX PARTY TALKS

The Six Party Talks have emerged as the primary diplomatic vehicle for seeking North Korea's denuclearization. All parties to the Six Party Talks have agreed that a nuclear North Korea represents a threat to regional stability and have identified dismantlement as their shared objective. It is not yet clear, however, whether all the participants in the talks can agree on a satisfactory solution on how to achieve dismantlement of North Korea's nuclear program.

In adopting the six party talks as its preferred vehicle for negotiation with the North, the Bush administration is arguably applying lessons learned from the experience of the first North Korean nuclear crisis. Although the Clinton administration successfully concluded the Agreed Framework through bilateral negotiations with the North in 1994, had to rely on allies in South Korea and Japan during the course of implementation. Some critics in Seoul and Tokyo claimed "no taxation without representation" as a criticism of the expectation that they would pay for the implementation of the Agreed Framework despite their exclusion from negotiations with the North that directly affected the national security interests of South Korea and Japan. More importantly, the North Korean nuclear issue involved South Korean and Japanese vital security interests that should have required their presence at the negotiating table.

Thus, the prior experience of the Agreed Framework—and North Korea's subsequent failure to live up to the spirit and letter of the agreement—carried with it two lessons in the view of the Bush administration: a) don't negotiate bilaterally with North Korea, and b) only a regional solution to the North Korean nuclear crisis is likely to be viable. Thus, the six party talks as a format for addressing the North Korean nuclear issue are seen to have the potential to successfully serve a variety of important needs:

- The six party dialogue allows for third party participants in the dialogue process to play a mediating role in overcoming the substantial mutual mistrust on key issues that exists between the United States and DPRK.
- The six party process provides for "witnesses" among the third party participants in the dialogue process. These third parties can provide greater assurance that United States and DPRK will meet their commitments and hopefully strengthen the likelihood that both sides will implement any agreement faithfully.
- The six party process is perceived to contain and neutralize North Korea's penchant for crisis escalation and brinkmanship, as each tactical maneuver North Korea takes to escalate the crisis proves to be self-isolating because it unites other members of the process against North Korea's pursuit of a nuclear program. In other words, the six party process has been used not only to negotiate with North Korea, but also to consult with others about how to isolate North Korea's destabilizing behavior.
- The six party framework provides a mechanism by which each participant can share responsibility for achieving the objective of a denuclearization of the Korean peninsula. It provides a means by which to allow each party to show support for the specific measures taken to address North Korea's denuclearization and to meet its legitimate security concerns. This potential buy-in from affected neighbors can help strengthen regional security and alleviate concerns in the same way that the "quartet" currently tries to provide support for the Middle East peace process.
- Some observers also believe that the six party dialogue constrains the United States from prematurely escalating a confrontation with North Korea; i.e., by providing a negotiating venue and process that is an alternative to pursuit of sanctions via the UN Security Council.

However, there are also some serious criticisms of the six party process as it has been implemented thus far:

- The three plenary sessions have not provided for sufficient interaction and sharing of ideas away from the table at the working level.
- The six party process facilitates interaction between countries with no formal diplomatic ties (US-DPRK, Japan-DPRK), but the mechanism is unlikely to be sufficient to make progress in the absence of direct, bilateral negotiations between these parties in addition to the six party dialogue itself.
- Substantial progress on the six party talks agenda is likely to require more intensive interaction at a higher level, directly or indirectly involving the decision-makers from all the countries involved, especially the United States and the DPRK. (Given North Korea's top-down decision-making structure, it is especially the case that six party talks by themselves are unlikely to be successful absent a process that involves direct interaction through supporting bilateral channels from each country with the DPRK's key decision-maker, Kim Jong Il.)

CAN NORTH KOREA NEGOTIATE AWAY ITS NUCLEAR WEAPONS PROGRAM?

Now that the resumption of the next round of six party talks has been announced, it is important to remember that the diplomatic objective of achieving the denuclearization of the Korean peninsula is served not simply by the establishment of a dialogue process. Instead, it is important that the parties make substantive progress at the next round of talks and use the various means at their disposal to create the environment necessary to achieve a successful peacefully negotiated outcome of the process. Diplomacy through six party negotiations is only one tool among several types of diplomatic and other measures required to convince the North Koreans to give up their pursuit of nuclear weapons.

The challenge inherent in creating any prospect for negotiating North Korea's denuclearization lies in convincing the North Koreans that they are in fact safer by giving up their nuclear weapons than by keeping them. The Bush administration has put forward the hypothesis that North Korean nuclear weapons pursuits are self-isolating and that nuclear weapons status would be regime-endangering rather than contributing to North Korea's regime survival. The United States has been successful in promoting a region-wide rhetorical consensus that indeed a nuclear North Korea is destabilizing rather than security-enhancing. This consensus has led to the withholding of some potential benefits to North Korea by both South Korea and China as a result of North Korea's nuclear pursuits. But the United States clearly has more work to do to convince allies and friends to continue to take concrete actions to block North Korea from continuing pursuit of its nuclear program.

For instance, although neither the PRC nor South Korea is a member of the Proliferation Security Initiative, one relatively uncontroversial form of cooperation that falls under that initiative involves the enhancement of export control measures to stop potential dual-use or nuclear component materials from going to North Korea. While there has been a great deal of media speculation about whether China might stop oil or food from going to the North, recent literature on smart sanctions suggests that the most effective approach to North Korea's illicit activities might involve application of financial controls on international financial transfers that directly benefit the top leadership of the regime.

However, it is also the case that the United States must convince North Korea that the tangible benefits of a negotiated agreement through the six party process are sufficient that the North Koreans perceive that an agreement to give up the nuclear weapons option really does enhance North Korea's regime survival. Although South Korean and Chinese friends of the United States have criticized the June 2004 proposal for its lack of "flexibility," the real problem is a lack of specificity that as a practical matter can only be resolved in the context of a resumption of negotiations. Although many observers focus on controversial economic incentives that might be perceived as a reward for North Korea's bad behavior, it is also fair to consider the possibility that the North has legitimate security concerns stemming from its historical conflict with the United States. In the end, the North Korean nuclear issue can not be fully disaggregated from fact that the state of war on the Korean peninsula has not yet been fundamentally resolved.

If indeed North Korea will not give up its nuclear weapons program under any circumstances, there is really no point in pursuing six party diplomacy. The key to success in gaining a favorable negotiated outcome of the six party talks process lies in the ability of the United States to work together with all the other parties both inside and outside of the six party process to convince the North Korean leadership

that there is no independent option for survival through gaining nuclear weapons status. As one former senior administration official has stated, “you can’t eat plutonium.” In addition, all the parties need to be convinced that diplomatic means have been exhausted before it will be possible to effectively pursue other measures. At that point, the United States and its allies may be faced with only coercive options to respond to the danger of a nuclear North Korea, but this most aspects of this option also would require cohesion among allies to be effective.

North Korea’s February 10th announcement that it would “indefinitely suspend” its participation in the six party dialogue and its assertion that it is a nuclear weapons state represented defiance of the U.S. logic that North Korean pursuit of nuclear weapons is destabilizing to its own survival. With the suspension of its participation in the six party talks last February, the North Koreans essentially challenged the United States to prove that this hypothesis is true, implying that the North Koreans have an alternative to negotiating their own denuclearization. North Korean leaders assessed that they would be under greater pressure to give up their nuclear weapons program if they went to Beijing than if they stayed away.

In order to assure that the North Koreans remain serious about negotiations, the United States must continue to find ways to prove to the North Koreans that their pursuit of nuclear weapons endangers their own survival, but must also provide sufficient reassurance to convince North Korea—as well as our own friends and allies—that the U.S. is sincere in pursuing a diplomatic approach. At the same time, the North Korean effort to take advantage of differences among the parties to the negotiation requires the United States to actively consult with other parties in advance and to narrow the differences prior to the negotiation so that the North will understand that it has only one choice: to accept an offer that fairly achieves North Korea’s denuclearization and addresses its legitimate security concerns. Now that the North Koreans are coming back to the talks, the task will be to further convince them that the only way to secure their own objectives is to give up nuclear pursuits and join the international community. North Korea must be allowed no choice but to negotiate away its nuclear weapons program in line with the consensus that exists among all the parties to the negotiation process.

THE EMERGING DIPLOMATIC CHALLENGE OF SIX PARTY TALKS: EXTENDING DUAL COORDINATION WITH SOUTH KOREA AND CHINA

The primary challenge for the Bush administration is to find ways to utilize all possible diplomatic means—including both carrots and sticks—to enforce a regional consensus on the unacceptability of North Korea as a nuclear state. The consensus must be backed up by action to ensure that there is no viable alternative for North Korea to acceptance of a negotiated elimination of its nuclear program. In the context of six party talks, this increasingly means having a coordinated strategy that is designed to simultaneously bring along both South Korea and China, as partners of the United States that have critical points of leverage with North Korea (with additional support from Japan and Russia, the other participants in the talks), to utilize that leverage in ways that will yield positive diplomatic results at the six party talks.

Although South Korea and China have different relationships, respectively, with the United States, both countries have increasingly complementary positions and interests in the types of actions they are willing to take to push the North Korean nuclear crisis toward a resolution. As long as China and South Korea are taking into account each other’s position while trying to delicately prod the North Korean leadership to action, any successful American strategy for addressing the North Korean nuclear issue must simultaneously mobilize both countries to move in concert with each other and the United States to address the issue. The only likely means by which to get a satisfactory negotiated outcome to the crisis is if North Korea recognizes that the positions of the other parties (including the United States, South Korea, and China) are both firm and aligned with each other, so that there is no room for North Korea to play on differences among the parties as a way to spur division and create space for itself to avoid making hard choices.

a) U.S.-ROK Alliance Coordination toward North Korea

American efforts to contain North Korea’s nuclear weapons have suffered from a perception in Washington that South Koreans are no longer responsible or reliable allies. In fact, there is a growing divergence in perspectives between American and South Korean leaders about the future of the region, but those differences have thus far not inhibited issue-based cooperation or consultation between the two governments. The likelihood that the United States can achieve its strategic objective of eliminating the North Korean nuclear program without close cooperation from South Korea is quite low. In fact, one of North Korea’s objectives as it pursues its

nuclear weapons development efforts is to weaken the alliance and divide South Korea and the United States from each other.

This perception of divergence among allies has grown despite the fact that the United States, South Korea, and Japan have closely coordinated their positions throughout the crisis and prior to each round of six party negotiations via the trilateral coordination process. Trilateral coordination toward North Korea is a fundamental part of U.S. strategy in managing policy toward North Korea (a strategy with which Japan is closely aligned), but South Korea has come to be seen as setting the lowest common denominator (the member of the six party process most sympathetic to North Korea) in achieving an uncompromising consensus toward North Korea's nuclear development efforts. Even China, as convener of the talks and with its own interest in perpetuating North Korea's survival while formally opposing its nuclear development efforts, has increasingly taken its cues from South Korea in deciding how hard it will press North Korea to come back to negotiations. Perceptions that South Korea is an obstacle to a tougher stand towards North Korea have hurt South Korea's standing in Washington and could have a corrosive effect on alliance cooperation longer-term.

An ongoing strategic dialogue at the highest levels, building on last month's summit between President Roh Moo-hyun and President Bush, is an essential prerequisite to achieving the level of U.S.-ROK cooperation necessary to resolve the North Korean nuclear issue through negotiations. The United States needs to listen carefully to South Korean security concerns and consider how to satisfy those concerns and also achieve a non-nuclear Korean peninsula. The United States also needs to keep in mind that the South Korean public is a vital constituency in determining the latitude and direction of South Korea's policy towards the alliance and toward North Korea. While the administration's public criticisms of Kim Jong Il may be aimed at weakening his rule in North Korea, the collateral damage has come in the form of South Korean public resentment about those comments in Seoul, making the Bush administration's pursuit of a united front against North Korea more difficult. Continuing American public diplomacy efforts designed to show that the United States is indeed pursuing all available options to peacefully resolve the North Korean nuclear crisis are likely to pay off in the form of greater South Korean public understanding and support for South Korean government cooperation with the United States through the alliance.

In view of the direct impact of the North Korean nuclear issue on South Korea's vital interests—whether through strengthened North Korean extortion efforts likely to accompany *de facto* nuclear status or through the costs deriving from continued escalation of the U.S.-DPRK crisis—the United States must recognize South Korea's need to play a responsible role in addressing the issue by making its interests heard more effectively in both Washington and Seoul. The recent resumption of inter-Korean ministerial dialogue, along with Minister of National Unification Chung Dong-young's meeting with Kim Jong Il, are indicative of South Korea's desire to play a constructive role in addressing and resolving the crisis. Strong coordination is important to allow South Korea to take a share of responsibility for the nuclear issue while ensuring that the key issues are fully addressed and resolved.

Given the broader strategic environment in Northeast Asia, it is hard to imagine that it will be possible to keep the Korean peninsula non-nuclear absent the continuation of a U.S. security guarantee and the promise of reliance on the U.S. nuclear umbrella to protect Seoul from potential aggression from either China or Japan. The United States may find that if it is willing to go to extra lengths to seek a peaceful solution to North Korea's nuclear weapons development efforts and support concrete measures intended to promote inter-Korean reconciliation in the near-term, there is a greater likelihood that it would be possible to strengthen alliance coordination to face less palatable scenarios.

b) Enhancing U.S.-PRC Strategic Cooperation on North Korea

By choosing to pursue a regional solution to the North Korean nuclear crisis, the Bush administration has assumed that China can be a responsible partner in addressing the North Korean nuclear issue. At the same time, how China manages the North Korean nuclear issue has become a critical litmus test for judging whether or not China is indeed ready to play a responsible regional and global role. The Chinese have taken several constructive steps thus far in response to American urgings. The Chinese took the initiative to host and facilitate the initial rounds of the six party talks, both to facilitate dialogue and—from a Chinese perspective—to prevent the consequences of the failure diplomacy that occurred prior to the U.S. invasion of Iraq.

Chinese diplomats have pursued a form of shuttle diplomacy in an attempt to present American concerns to North Korea's top leaders (including Kim Jong Il) as

well as to convey North Korean perceptions to the United States. However, there is frustration that the Chinese have tried to confine their role to that of convener in the dispute without fully expressing China's own opinions to North Korea as an interested party in the dispute. As the crisis has escalated, China's hesitancy to "rein in" the North Koreans by using its considerable leverage as North Korea's primary supplier of food and oil has been a source of frustration among those already skeptical about whether Beijing sees it as truly in China's interest to see the North Korean nuclear program shut down. From China's perspective, the leverage it has is primarily the type of influence that can prevent North Korea's destabilization, but is highly unlikely to persuade the North Koreans to take positive actions in response to U.S. pressure. Rather, the Chinese remain convinced that the United States holds the key to ending the crisis by providing the North with recognition in return for and end to North Korea's nuclear program. The Chinese do not want a nuclear North Korea, but do not yet perceive preventing a nuclear North Korea as such an overriding interest that it is willing to risk North Korea's destabilization to achieve the denuclearization objective. The Chinese also have their own long-term interest in maintaining and expanding their influence on the Korean peninsula, an objective that is likely to come into fundamental conflict with a continued U.S. presence there.

China has continued to work with the United States to convey a wide range of messages to North Korea, but there is clearly a limit to the amount of effort the Chinese are willing to expend on behalf of America's interests. The challenge for the United States has been to convince the PRC that North Korea's pursuit of nuclear weapons is in itself destabilizing and that there is no choice between a nuclear North Korea and a destabilized North Korea. The problem is that Chinese policy makers may doubt where U.S. demands to act more responsible end and where those same demands may also be part of an attempt to shift the blame and the responsibility for the North Korean crisis onto the PRC. One result is that the policy debate within China on North Korea has become more polarized within the Chinese bureaucracy in response to U.S. pressures.

China clearly has an interest in a non-nuclear North Korea and has shown much more active cooperation with the United States in the past several years than it did during the course of the first nuclear crisis of the 1990s, when the Chinese role was considerably more passive. As a beneficiary of globalization, the gaps in economic development and political/strategic thinking between the Chinese and North Korean leaderships, respectively, are dramatic, but these gaps also illustrate the fundamental Chinese dilemma with regard to the North: at what point does the strategic asset of even a weak North Korean buffer state become a strategic liability, and what is China willing to do to rein in North Korea's threat while at the same time maintaining and potentially even strengthening China's role on the Korean peninsula? Given the broader nature of the U.S.-China relationship and the complex strategic rivalry that is emerging with China's economic rise, the most difficult challenge at this delicate time is for the United States and China will find a way to deal with North Korea that provides reassurance to both sides and enhances regional stability in Northeast Asia.

CHALLENGES FOR THE NEXT ROUND OF SIX PARTY TALKS

The DPRK's traditional counterstrategy has been to take advantage of divisions among the other five parties to preserve its own space and options for maneuver. To the extent that the DPRK discerns differences in the positions of the other five parties, it will attempt to take advantage of the lowest common denominator and exploit alternatives to negotiation to maintain its independence of action. To the extent that divisions among the parties are visible, the DPRK will have room to manipulate those divisions.

The fundamental underlying division that has become apparent as talks have proceeded is over whether or not a second, multilateral understanding with the DPRK along the lines of the Agreed Framework is politically feasible. While Asian participants in the Six-Party Talks may prefer a new agreement with the DPRK as a way of relieving the crisis and bounding some key aspects of North Korea's nuclear development efforts, some American officials and many nongovernmental analysts remain doubtful that the DPRK will live up to any agreement that is not accompanied by a robust inspections regime. This fundamental difference in perspective over expectations for the talks may prove to be the most difficult one for the United States to bridge with its friends and allies, and it is the difference that offers the DPRK the most opportunity to exploit as discussions proceed. These fundamental differences are most starkly illustrated in attempts to define the scope, phasing, and potential benefits to North Korea in return for dismantlement.

There are two sets of more specific divisions among the six parties that have emerged at the talks. The first is how to determine the scope of North Korea's nuclear program that would be subject to inspections in any future agreement. This set of divisions is related to the question of whether or not the DPRK is required to admit that it has a uranium enrichment program. After DPRK Vice Minister Kang Sok Ju implied—if not asserted—the existence of a uranium enrichment program in his conversations with Assistant Secretary Kelly in October 2002, the DPRK has backtracked and now states that it will neither confirm nor deny the existence of a uranium enrichment program. The PRC government has publicly requested that the United States reveal the underlying proof behind its accusation that the DPRK has a uranium enrichment program and the DPRK continues to deny its existence, all the while quietly asking on the sidelines of negotiations what benefits would come to the DPRK if it were to give up such a program. In the end, the existence of the DPRK's uranium enrichment efforts is not so likely to be a sticking point or area of disagreement among the six parties given the availability of proof that might be offered by third parties among the suppliers, in combination with ongoing procurement efforts that point to the DPRK's continuing work in this area.

A more complex area of divergence among the six parties relates to whether the DPRK is entitled to maintain a nuclear program for "peaceful purposes" as part of the negotiation process. The DPRK's return to an IAEA and NPT-consistent position would not alone deny the DPRK the right to use nuclear materials for peaceful purposes, an argument that the DPRK may bolster by pointing to the need for continued productive employment of scientists with nuclear backgrounds, not to mention its growing energy shortages. However, the Bush administration seeks a result that demonstrates the penalties of noncompliance with NPT obligations. One way of achieving that objective, while also underscoring that the DPRK through its actions over decades has failed to draw an effective distinction between peaceful nuclear applications and nuclear weapons development, is to deny the DPRK any involvement in nuclear-related research or applications. As long as nuclear production or research facilities, and hence access to spent fuel, exist in the North, the capability exists to easily reverse any denuclearization agreement. Thus far, the PRC, Russia, and ROK are not convinced that it is necessary to deny the DPRK an IAEA-compliant (including new obligations under the Additional Protocol) nuclear program if there are assurances that it will be used only for peaceful purposes.

Based on these broad differences in the positions of the six parties, it is reasonable to anticipate that there would be further divisions over what might constitute an effective verification regime and what types of monitoring activities might need to take place as part of that regime. Since these differences may exist quite apart from what the DPRK is likely to accept, it is easy to imagine that technical discussions over verification regimes and principles may require considerable time and effort to hash out at the negotiating table in Beijing.

CONCLUSION: STRATEGIES AND PROSPECTS FOR SUCCESS

If the Six Party Talks mechanism is to be effective, all parties must take steps to upgrade the talks and to treat the dialogue with greater urgency. Such an approach will require much more intensive efforts and support at higher levels from the parties concerned. (In addition, there are a variety of supplementary technical needs that can be anticipated if a true negotiation path were to actually develop through the six party process. I have attached a set of potential additional supporting activities intended to bolster the six party dialogue process. These activities have been identified through an ongoing/forthcoming study currently underway under the auspices of the Pacific Forum CSIS.)

Prior to the next round of talks, President Bush should make clear that Assistant Secretary Hill is speaking for the President and is empowered to lead international coordination with all concerned parties to resolve the North Korean nuclear issue. In order to succeed as a viable venue for negotiations, the Six Party Talks process—and U.S.-ROK alliance coordination as part of the process—must be strengthened by underscoring the role of Assistant Secretary of State Christopher Hill as the key spokesman and point person for President Bush in managing full-time diplomacy with all members of the talks.

President Bush's public endorsement of Assistant Secretary Hill as the key point person for six party diplomacy would have a positive impact on the U.S.-ROK alliance relationship, as it would demonstrate to South Korea the seriousness with which the United States regards the North Korean nuclear issue and would provide a vehicle for public leadership through U.S.-ROK alliance coordination as a critical basis upon which to resolve the crisis. Assistant Secretary Hill should make coordi-

nation with South Korea one of his main priorities through active consultations with top South Korean counterparts. At the same time, it will be important for him to take into consideration South Korean concerns and policy objectives as part of a strengthened coordination process.

A precedent for this type of cooperation already exists through the efforts that former Secretary of Defense William Perry made in 1998 and 1999 that led to the establishment of the Trilateral Coordination and Oversight Group (TCOG). That coordination has continued to provide an important institutional support for effective alliance coordination in the face of the second North Korean nuclear crisis. On the basis of a trilateral consensus, Assistant Secretary Hill should also reach out to China and Russia to ensure that there is unity among the participants about the importance of both stopping North Korea from developing a nuclear weapons program and endorsing an alternative that addresses North Korea's legitimate security concerns.

A Presidential clarification that Assistant Secretary Hill is the point person for leading our diplomatic strategy on the North Korean nuclear issue would achieve six objectives: a) underscore that the President sees the North Korean nuclear weapons threat as a priority and that he is behind the six party negotiations as the proper means by which to settle the North Korean nuclear issue, b) reinforce that the Bush administration speaks with one voice on policy toward North Korea, c) provide an effective means by which to discuss with South Korea and other neighbors of North Korea the specifics of the proposal tabled in June of 2004; i.e., how to pursue practical steps toward international financial assistance toward the rehabilitation of a non-nuclear North Korea, d) hold South Korea to a principled position that indeed a resolution of the North Korean nuclear issue is a necessary prerequisite for broader engagement with North Korea, e) ensure that the commitment of all parties to a non-nuclear Korean peninsula goes beyond rhetorical statements to actions designed to deny nuclear weapons components and fissile material from entering or leaving North Korea; i.e., promotion of effective and practical PSI-type measures involving all five of the six parties at the negotiating table, f) ensure that there is someone who is available to go to Pyongyang and to deliver President Bush's messages and directives on the six party dialogue directly to North Korea's top leaders as necessary.

In the end, high-level interaction with the key decision-maker in North Korea is probably unavoidable if negotiated progress is to be achieved. The PRC has already initiated a regular ad hoc bilateral dialogue with the DPRK through which it has been possible for senior party and military officials, including Kim Jong Il, to exchange views on progress in the Six Party Talks. Prime Minister Koizumi's personal involvement has proved helpful in the run-up to the third round of six party talks in June of 2004 as a result of his one-day visit to Pyongyang in May of that year, but the primary focus of that visit was the abduction issue, naturally Prime Minister Koizumi's number one policy objective. Most recently, the meeting of ROK Minister of National Unification Chung Dong-young with Kim Jong Il on June 15th played an important role in securing Kim Jong Il's statement that North Korea would return to the six party talks before the end of July. It is likely that continued bilateral interaction in various forms by other parties to six party talks with Kim Jong Il will be a prerequisite for progress at the negotiation table in Beijing.

The United States should take the following additional steps to enhance the likelihood of success through the Six Party Talks mechanism. First, the United States should continue to demonstrate the attractiveness of the "Libyan model" through demonstrating that Libya is indeed gaining substantial benefits from the strategic decision Moammar Qhadafy made in December of 2003 to give up Libya's nuclear weapons program. The United States has announced diplomatic normalization with Libya and should find other ways to support Libya's expanded economic integration with the international community. Second, the IAEA should maintain a firm stance with Iran on enforcement of the Additional Protocol and abandonment of uranium enrichment as the basis for Iran to maintain a positive relationship with the international community. Showing resolve in the Iranian case will also be important as an object lesson for North Korea in the Six Party Talks.

Beyond the immediate diplomacy designed to resolve the North Korean nuclear issue, the Six Party Talks process has already been recognized by many of the participants as having the potential to make an ongoing contribution to regional stability as the first official sub-regional dialogue in Northeast Asia. This consultation mechanism might in principle play an important role as part of an expanded dialogue on other regional security issues in Northeast Asia beyond the North Korean nuclear crisis. However, thus far the Six Party Talks has been driven solely by diplomacy surrounding the North Korean nuclear issue, with little if any practical consideration having been given to developing a broader formal discussion on other

security issues facing the region. U.S. policy makers should take these developments into account as they consider how to most effectively preserve future American influence in Northeast Asia.

APPENDIX

THE SIX-PARTY TALKS: DEVELOPING A ROADMAP FOR FUTURE PROGRESS

By Scott Snyder, Ralph A. Cossa, and Brad Glosserman, Pacific Forum CSIS

EXECUTIVE SUMMARY

In June 2005, North Korean leader Kim Jong-il hinted that he may lift Pyongyang's indefinite suspension of its participation in the Six-Party Talks if conditions mature. If the talks resume, the record from the first three rounds casts doubt on whether such a forum is truly up to the challenge of denuclearizing the Korean Peninsula. Thus far, efforts by all of the parties have fallen short of the rhetorical commitments they have made to use the six-party process to resolve the second North Korean nuclear crisis.

However, circumstances suggest that no member of the Six-Party Talks favors military action as a vehicle for resolving the crisis, and there is little evidence that China or Russia is willing to take the North Korean nuclear issue to the UN Security Council or to devise some other forum for addressing this issue. There is also no sign that the Bush administration is ready to submit to North Korean demands to return to bilateral talks. Such a move would be viewed as an unacceptable capitulation to North Korea's negotiation demands and an unnecessary concession to North Korea's vexing negotiating tactics and strategy. Thus, for the time being, an eventual return to the six party talks is the only vehicle that might be able to satisfactorily address the North Korean nuclear issue.

In order to promote the chances that diplomacy through six party talks will succeed, we recommend the following lines of potential future research and activity:

- A. *Clearly define shared objectives.* All six parties agree to a common objective: the denuclearization of the Korean Peninsula. But what does this mean? Washington had previously called for the complete, verifiable, irreversible dismantlement of all North Korean nuclear weapons programs (CVID). While this term has not been used recently, it remains the U.S. objective. But, Washington has never clearly defined the components much less reached agreement with the other five as to what this objective entails.
- B. *Clearly Define Lessons from the "Libyan Model" for the Six-Party Talks.* The U.S. has promoted the "Libyan model" for North Korea, but it is less than clear what this fully entails or what aspects of the Libyan experience are most applicable to North Korea. Additional research should capture the experiences, shortcomings, and lessons learned from the Libyan case for potential application to other cases.
- C. *Determine the Functions and Modalities of a Six-Party Verification and Monitoring Regime for the DPRK.* A combination of official and unofficial efforts are needed to examine the comparative strengths and weaknesses of the various approaches of verification and monitoring DPRK compliance with six-party agreements. An examination of the regional and "IAEA Plus" formats might include a preliminary feasibility component to examine the requirements, structure, and governance of a new regional organization designed to implement verification requirements of any agreement achieved at the Six-Party Talks. Lessons might be drawn from other efforts, including the U.S.-Russian threat reduction effort and KEDO's experience as an international organization tasked to implement an agreement with the DPRK. There should also be an assessment of skills and capabilities of potential participants in any multilateral verification regime, and the development of training materials for inspectors to develop a rigorous approach that applies high standards to such a process.
- D. *A Comprehensive Assessment of Technical Verification Needs and Modalities With Reference to Past Experience with the DPRK on Verification and Monitoring Issues (Verification Lessons from the First North Korean Nuclear Crisis).* Verification is an essential component of any six-party agreement. A program of research or an associated workshop designed to examine the technical lessons learned from the first North Korean nuclear crisis and their implications for future verification efforts with the DPRK could help in developing a future verification regime. This might involve specialists from other members of the six party dialogue to broaden understanding of

the verification challenges that will be faced in implementing any future agreement with the DPRK on denuclearization.

- E. *Assess Future Needs of Six-Party Talks and Next Steps Toward Nuclear Transparency in Northeast Asia.* One possible vehicle for discussing nuclear transparency issues and the development of regional institutions in Northeast Asia while also supporting any likely verification vehicle that might develop through the Six-Party Talks would be a dialogue designed to build linkages between European officials and energy experts involved or familiar with EURATOM cooperative efforts and East Asian officials and nuclear specialists. Such an effort would follow along the lines of recently established dialogues between the OSCE and ROK and the OSCE and Japan, and might pave the way for discussion of what an effective regional institution might look like to respond to the challenges of nuclear transparency in Northeast Asia.
- F. *Enhance Monitoring and Enforcement to Prevent Illicit DPRK Procurement or Trade Activities.* History has demonstrated this need for monitoring and enforcement regimes to prevent circumvention and the threat of proliferation. A program of research, focused primarily on maritime and air security is needed, to determine whether there are newly available monitoring technologies that might be effectively applied to support international and regional non-proliferation regimes such as the Proliferation Security Initiative (PSI), especially in the area of interdicting fissile materials transfers from the DPRK.
- G. *Beyond the Nuclear Issue: Missile Verification and the Six-Party Talks.* Solving the nuclear crisis is an essential first step but, by itself is insufficient to address all regional security concerns. The Japanese, in particular, have legitimate concerns about DPRK missile capabilities. Research is needed to determine if joint U.S.-Japan efforts on missile defense are able to fully respond to Japan's security concerns. This research should also explore the tools Japan might use to induce the DPRK to give up its missile development program and how the missile issue should be dealt with in relation to multilateral security assurances that might be offered as part of the Six-Party Talks.
- H. *Beyond the Nuclear Issue: Security Assurances and the Six-Party Talks.* One point that all parties agree upon is the need for multilateral security assurances as part of the final settlement. All six parties have legitimate security concerns (like Tokyo's missile concerns) that must be addressed. The first step must be a clear articulation of the respective security concerns of each participant, so that a comprehensive settlement can one day be reached.

Mr. LEACH. Thank you very much.

Let me just say that without objection all the statements of the witness we put in the record in full, and that you may proceed in an informal or formal way, as you see fit.

Mr. Drennan.

STATEMENT OF MR. WILLIAM M. DRENNAN, CONSULTANT AND AUTHOR, COLONEL USAF (RETIRED)

Mr. DRENNAN. Mr. Chairman, thank you for the opportunity to discuss the North Korean nuclear negotiations with the Committee. This is the first time I have been invited to testify at a congressional hearing, and I must say it is a real honor.

In my written testimony, I address four issues: The limitations of the Six-Party Talks; the likelihood of North Korea ever negotiating away its claimed nuclear capabilities; the extent to which the priorities of other countries, especially China and the Republic of Korea, can be made to coincide with those of the United States; and finally, a description of a possible alternative diplomatic initiative aimed at resolving the crisis on the peninsula.

While I will be happy to respond to the Committee's questions on the first three, in the interest of time, I thought I would confine my remarks to the fourth, the possible alternative diplomatic ini-

tiative; one, Mr. Chairman, that could possibly, among other things, qualify as a supplemental approach that you, in your opening statement, referred to.

Should the upcoming round of the Six-Party Talks fail, the United States may feel it necessary to move to what one official recently called Plan B, as Congressman Ackerman pointed out just a few moments ago. The specific measures to be employed in Plan B were not specified, but presumably they would include taking the matter to the United Nations Security Council.

There is at least one alternative, however, that the Administration may want to consider, an approach formulated at the United States Institute of Peace several months after the fall 2002 revelation of North Korea's highly-enriched uranium program.

In the spring of 2003, Dr. Richard Solomon, the President of the institute, convened a small group of experts to consider next steps and alternative approaches to the North's nuclear challenge. As part of that effort, I drafted a paper that was subsequently published by the institute as a special report.

The essence of the report is a recommendation that the United States urge the U.N. Security Council to convene a peace conference, seeking a comprehensive political settlement to the Korean War as a means to address both the North Korea nuclear challenge and the larger issue of the lack of security on both sides of the demilitarized zone flowing from the unresolved state of war on the peninsula.

I remain convinced that the concept has merit and offer it as an alternative diplomatic initiative for the Committee's consideration. I would point out that the report is still available on the institute's Web site.

The 27th of this month will mark the 52th anniversary of the signing of the Korean War Armistice. The 1953 agreement envisioned that within 3 months a political conference of a higher level would be convened to finalize a peace settlement of the Korea question.

I would point out that we are now in the 624th month of the armistice agreement and the envisioned settlement remains as illusive as ever.

The nuclear confrontation is but the latest manifestation of the dangers of a war that has been suspended but never resolved.

Negotiations addressing specific elements of the security challenge posed by North Korea, still technically in a state of war, would, even if successful, cover only a part of the fundamental problem of the continuing dangers inherent in the unresolved state of war.

It is worth recalling that 14 years ago it seemed that the architecture to prevent North Korea from going nuclear was in place. They were a signatory to the Nuclear Nonproliferation Treaty. They had signed an IAEA full-scope safeguards agreement, and they had concluded a joint denuclearization agreement with the South.

After the North violated each of these agreements, the United States, as the Committee well knows, entered into the 1994 agreed framework with Pyongyang, only to discover in 2002 that it had taken but only about 3 years for the North to violate that agree-

ment, as well, by launching a clandestine program to enrich uranium.

North Korea now insists that it needs nuclear weapons. Rather than attempting to craft a better agreed framework at the Six-Party Talks, the United States might find that a comprehensive peace proposal, one that addresses the fundamental cause of insecurity, the ongoing state of war, better serves U.S. interests.

I point out in the paper that there are 19 countries that qualify as belligerents to take part in a peace settlement of the war. However, the participation of all 19 is not required, and I point out that there are four participants, four belligerents who qualify as the principal belligerents in that conflict based upon the number of troops that they employed in the war and their subsequent substantive involvement in the armistice since then, and those four are South Korea, North Korea, the United States, and China.

A peace conference convened by the Security Council would have certain advantages. All four of these principal belligerents are members of the U.N., and two, the United States and China, are members of the Security Council.

A UNSC-sponsored peace conference would meet the Bush Administration's requirement for a multilateral setting in which to engage North Korea. More importantly, a comprehensive settlement at the political level will address both North Korea's professed sense of insecurity regarding the United States as well as the threat that the North poses to the Republic of Korea and to United States interests.

Finally, a UNSC-sponsored political settlement would address the root cause of insecurity on the peninsula, as I have already pointed out, the continuing state of war, rather than the manifestations of that insecurity: The deployment of large numbers of conventional forces and the North's quest for nuclear weapons.

A comprehensive peace settlement would usefully include the following elements: A formal end to the hostilities and the establishment of diplomatic relations between the United States and North Korea; recognition by all parties of the sovereignty of both Koreas; the renewed commitment by North Korea to the nonproliferation treaty, IAEA safeguards, the joint denuclearization agreement, and the 1992 basic agreement with the South, which together would require Pyongyang to fully, permanently, and verifiably dismantle its weapons of mass destruction.

It would also have the advantage of conventional force reductions on both sides of the DMZ, and security guarantees for both Koreas by the United States and China.

Any settlement should have three, or should meet three essential criteria.

First, it must resolve the civil war aspects between North and South Korea, and as well as the international aspects, the involvement of other states, particularly the United States and China.

Secondly, states' sovereignty must be honored. The U.S.-ROK alliance is a matter solely for Washington and Seoul, and I would point out that subsequent to the publication of the report, the United States has stated its recognition of North Korean sovereignty as a member of the Six-Party Talks and as a member of the United Nations.

Finally, a settlement should leave all parties better off now than they are under the current—excuse me—all parties would be better off under the settlement than they are under the current armistice agreement. In other words, each party's security would be enhanced as a result.

I go on in the paper to address various sequencing that could be used. Those entries are illustrative only, certainly not prescriptive, but I would recommend them to the Committee.

The benefits to the United States to permanently settling the Korean War through the auspices of the Security Council would include that it would be well received by both the government and people of South Korea shoring up that important alliance. A political settlement would also assist in transitioning from the current state of hostile division on the peninsula to one of benign division where the two Koreas coexist peacefully. This could eventually set the stage for peaceful reunification.

Mr. Chairman, in the report, we also hedge against rejection. The report notes that if a permanent peace is to be achieved, a fundamental shift away from the hostility that North Korea exhibits to the world would be necessary, but there is little in the history of North Korea or the nature of the Kim Il Sung system and the Kim Jong Il regime to suggest that such a transformation is likely any time soon. It is more likely that North Korea would reject a proposal for a comprehensive resolution of the Korean War, but low expectations should not deter the United States from making such a proposal. Even a failed attempt would leave the United States in a better position than it is today. Relations with the ROK would likely improve as a result of the proposal, and building a coalition to pursue more coercive measures should be easier in the face of North Korean recalcitrants.

Pyongyang's rejection of a genuine peace proposal initiated by the United States and supported by the ROK and China would shift blame for continued tension away from the United States and on to North Korea where it rightfully belongs, again as you pointed out in your statement, Mr. Chairman.

The United States would recapture the diplomatic initiative and be better positioned to create a united front with other regional states to heighten deterrence, tighten sanctions, and garner support for action in the Security Council.

Finally, a United States offer to address comprehensively the insecurity in that North Korea claims to suffer as a result of United States belligerence could, at a minimum, generate a debate within the ranks of the North Korean leadership, possibly leading to a change in policy or even a split among the elite.

The North Korean regime has demonstrated clearly its capacity to handle outside pressure. Indeed, it may require such pressure to justify its continued existence. What it may not be capable of handling is a genuine offer to settle the Korean War once and for all, thereby removing the "threats" Pyongyang claims to be under from a hostile United States.

The United States would be in an enhanced position regardless of North Korea's reaction. If a proposal to craft a permanent settlement were to succeed, the last vestiges of the Cold War would be brought to a close. If North Korea rejects a peace settlement, sub-

sequent United States initiatives to contain, coerce, and possibly even collapse the regime and system would be more likely to be supported by other states in the region.

Mr. Chairman, that concludes my statement. Thank you once again for the invitation to address the panel.

[The prepared statement of Mr. Drennan follows:]

PREPARED STATEMENT OF MR. WILLIAM M. DRENNAN, CONSULTANT AND AUTHOR,
COLONEL USAF (RETIRED)

This paper addresses four main issues: the limitations of the current Six Party Talks in addressing the North Korean nuclear weapons programs, the likelihood of North Korea negotiating away its claimed nuclear capabilities, the extent to which the priorities of other countries, and especially China and the Republic of Korea (ROK) can be made to coincide with those of the United States, and finally a description of a possible alternative diplomatic initiative aimed at resolving the crisis on the Korean Peninsula.

LIMITATIONS OF THE SIX PARTY TALKS

Despite North Korea's agreement this week to return to the talks, the prospects for a breakthrough do not look promising. U.S. officials point out that North Korea's response in the months since the last round of talks in June 2004 has been to stall on re-convening the next round (it has originally agreed to reconvene in September 2004), proclaimed that it has manufactured nuclear weapons, announced the lifting of its missile test moratorium, and announced that it was reprocessing another load of spent fuel rods from the Yongbyon reactor. There are other limiting factors for the Six Party Talks as well.

- The foundation for comprehensive negotiations does not yet exist, since North Korea currently acknowledges only the plutonium portion of its two-pronged nuclear weapons program. After having first admitted to U.S. officials that it had a highly-enriched uranium (HEU) program, North Korea now attempts to deny it. Several months after admitting to Assistant Secretary of State James Kelly that it had an HEU program, the North began insisting that its U.S. interlocutors had misunderstood the North's vice foreign minister, Kang Sok Ju. Later Pyongyang accused the United States of lying. Today, even in the face of the A. Q. Khan revelations, the North continues to deny that it has an HEU program.
- North Korea has yet to respond to an enhanced U.S. offer presented thirteen months ago at the last round of the talks. That offer includes provisional security guarantees and the lifting of some sanctions in return for full disclosure of North Korea's nuclear programs, IAEA inspections, and a pledge to begin eliminating those programs after a three-month preparatory period. The U.S. offer, however, remains on the table, awaiting a North Korean response. Administration officials say there are no plans to update or enhance it ahead of the talks scheduled for the week of July 25th.
- The 1993–1994 nuclear crisis was not resolved until former president Jimmy Carter conducted his personal crisis-negotiation with Kim Il-sung. Lower level officials had not been able to deliver in bilateral negotiations, and it is not clear that those same officials can deliver this time, either. A peaceful resolution, if one is indeed possible, may again require that the North senses a genuine crisis and that the most senior levels of government become personally involved, as was the case in June 1994. Both of these elements are currently lacking in the Six Party Talks.

WILL NORTH KOREA NEGOTIATE AWAY ITS NUCLEAR CAPABILITIES?

If North Korea has concluded that only nuclear weapons give it the security essential to the survival of the regime—and most evidence points to this conclusion—then diplomacy cannot succeed. To date, though, North Korean intentions have not been truly tested. It has paid no price for the crisis it has generated. Indeed, it has benefited handsomely from it, to the extent that, for North Korea, the current situation can hardly be called a crisis at all.

Why would North Korea change course, given that its brinkmanship continues to be so effective? It has stalemated the international community and undercut the international norms against the proliferation of nuclear weapons. It has co-opted much of South Korean society and politics. It has created serious divisions in the

U.S.-ROK alliance. And in the process it has apparently become a nuclear weapons state with few if any restrictions on its further development of larger, more advanced nuclear systems.

Several other factors are at play with regard to the question of whether the North would ever be willing to negotiate away its nuclear capabilities.

The North Korean elite likely do not see the offers from the outside world—opening up, joining the international community, etc.—as positive inducements. Rather, they likely see these as a threat. In that regard, the elite and their families are trapped. While they surely realize the deplorable condition to which the vast majority of North Koreans have been reduced, alternatives to the status quo—for them personally—are worse. Change, opening up, reforming, risk losing control, which could mean losing everything.

The elite also know that without nuclear weapons, North Korea would be inconsequential, little more than an irritant—one that the ROK and the United States would have to continue guarding against, but one that could continue to be deterred, an entity steadily growing weaker in both relative and absolute terms.

All previous efforts by the United States and the ROK to resolve the North Korean nuclear issue—the 1992 South-North joint denuclearization agreement, the 1994 U.S.-North Korea Agreed Framework, the “Perry Process” of the late 1990s, Kim Dae-jung’s Sunshine policy, and Roh Moo-hyun’s Peace and Prosperity policy—have failed. North Korea seems determined to acquire nuclear weapons systems regardless of the agreements it signs with, or the assistance it receives from, the outside world.

Finally, reiterate, the current nuclear confrontation is not yet a crisis for North Korea. The traditional Korean approach to conflict resolution in general, and North Korea’s negotiating style in particular, strongly suggest that the current challenge is not likely to be peacefully resolved (if it is indeed still capable of peaceful resolution) before we descend once again to a dangerous crisis situation.

OTHER COUNTRIES’ PRIORITIES

The other four members of the Six Party Talks—the ROK, China, Japan and Russia—agree on the desirability of a nuclear-free Korean Peninsula. However, on the key question of how far they, and especially China and the ROK, are willing to go to prevent North Korea from going (or remaining) nuclear, the answer is less clear.

Until recently, U.S. policy rested in part on the assumption that China would use her influence with Pyongyang to convince the North Korea leadership to abandon its nuclear programs and avail itself of the offers put forth to ease its transition into international society. China has consistently disappointed in this regard, and the administration now has lowered its expectations regarding China. Beijing’s role now appears chiefly to be that of communications conduit and convener of the Six Party Talks. At this stage it appears that China’s interest in maintaining North Korea as a buffer state trumps other concerns, including that of the proliferation of nuclear weapons on the Korean Peninsula.

The ROK government’s position is that North Korea’s acquisition of nuclear weapons is intolerable, and that the issue must be resolved peacefully. The ROK has never resolved the inconsistency in this position, raising the question: If the North Korean nuclear challenge cannot be resolved peacefully, is it still intolerable?

Heading into the next round, Administration officials have indicated that they are prepared to move to “Plan B” if the talks do not result in genuine progress. In a move applauded by Seoul and Beijing, the U.S. has signaled its readiness to be flexible regarding the elements in the June 2004 offer, provided that the North responds to that offer in a constructive way that opens the door to real negotiations. But the United States has also indicated its readiness to move to more punitive sanctions if the talks fail.

AN ALTERNATIVE PROPOSAL

Should the upcoming round of Six Party Talks fail to break the impasse over North Korea’s quest for nuclear weapons—as seems likely, given the North’s history of obstructionism and coercion, and the unwillingness to date of both China and the ROK to consider the use of tougher measures designed to compel North Korean compliance with international norms—the United States may feel it necessary to move to what one official recently called “Plan B”. The specific measures to be employed in Plan B were not specified, but presumably they would include taking the matter to the United Nations Security Council, which has the power to impose sanctions and other coercive measures.

There is at least one other alternative that the administration may want to consider, however, an approach formulated at the United States Institute of Peace sev-

eral months after the fall 2002 revelation of the North's HEU program. In the spring of 2003 Dr. Richard H. Solomon, the president of the Institute of Peace, convened a small group of experts to consider next steps and alternative approaches to the North's nuclear challenge. As part of that effort, and building on the work of Patrick Norton and Robert Bedeski, I drafted a paper that was subsequently published by the Institute as a Special Report with the title "A Comprehensive Resolution of the Korean War".

The essence of the report was the recommendation that the United States urge the United Nations Security Council (UNSC) to convene a peace conference seeking a comprehensive political settlement of the Korean War as a means to address both the North Korean nuclear challenge and the larger issue of the lack of security on both sides of the Demilitarized Zone flowing from the unresolved state of war on the peninsula. Two years and three unproductive rounds of the Six Party Talks later, I remain convinced that the concept has merit, and offer it as an alternative diplomatic initiative for the Subcommittee's consideration. The Report is available on the Institute's website (www.usip.org). A (slightly updated) summary of the report follows.

The 27th of this month will mark the 52nd anniversary of the signing of the Korea War Armistice Agreement. The 1953 Agreement envisioned that within three months a "political conference of a higher level" would be convened to finalize a "peaceful settlement of the Korean question". We are now in the 624th month of the Armistice Agreement and the envisioned peaceful settlement remains as elusive as ever. The nuclear confrontation is but the latest manifestation of the dangers of a war that has been suspended but never resolved. Negotiations addressing specific elements of the security challenge posed by a North Korea still technically in a state of war would, even if successful, cover only a part of the fundamental problem of the continuing dangers inherent in the unresolved state of war.

The North's quest for nuclear weapons systems has increased the danger exponentially. It is worth recalling that fourteen years ago it seemed that the architecture to prevent North from "going nuclear" was in place. In the early 1990s the North was a member of the Nuclear Nonproliferation Treaty, had signed an IAEA full-scope safeguards agreement, and had concluded a joint denuclearization agreement with the South in which it had vowed not to "not test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons" nor to "possess nuclear reprocessing and uranium enrichment facilities." After the North violated each of these agreements, the United States entered into the 1994 Agreed Framework with Pyongyang, only to discover in 2002 that it had taken but three years or so for the North to violate that agreement as well by launching a clandestine program to enrich uranium. North Korea now insists that, in the absence of security assurances from the United States, it needs nuclear weapons. Rather than attempting to craft a "better Agreed Framework" at the Six Party Talks, the United States might find that a comprehensive peace proposal, one that addresses the fundamental cause of insecurity—the ongoing state of war—better serves U.S. interests.

Pyongyang has long asserted (erroneously) that since North Korea and the United States signed the Armistice Agreement, only they have the standing to participate in a permanent political settlement of the war. This claim is without merit. Nineteen countries fought in the war—seventeen under the United Nations Command flag on one side, North Korea and China (in the form of the "Chinese People's Volunteers") on the other. All nineteen thus qualify as belligerents, with standing to participate in a peace conference. However, the participation of all parties is not essential to a permanent resolution of the conflict. In terms of numbers of troops committed and subsequent sustained involvement in the Armistice, four of the nineteen—the ROK, North Korea, the United States and China—are indisputably the principal belligerents, and a peace agreement between them would be adequate to bring the war formally to an end.

A peace conference convened by the UNSC would have certain advantages. All four principal belligerents are members of the United Nations, and two—the United States and China—are permanent members of the Security Council. Such a UNSC peace conference would also meet the Bush administration's requirement of a multi-lateral setting within which to engage North Korea. More importantly, a comprehensive settlement at the political level would address both North Korea's professed sense of insecurity regarding the United States, as well as the threat the North poses to ROK and to U.S. interests. Finally, a UNSC-sponsored political settlement would address the root cause of insecurity on the peninsula—the continuing state of war—rather than manifestations of that insecurity—the deployment of huge numbers of conventional forces on both sides of the DMZ, and the North's quest for nuclear weapons.

A prerequisite for convening a peace conference should be adherence by all parties to the principle of “no negotiation under duress.” North Korea should be required to verifiably suspend all nuclear weapons activities under IAEA monitoring. The United States should reiterate its pledge not to attack North Korea or to seek regime change.

Elements of a permanent settlement

A comprehensive peace settlement would usefully include the following elements:

- The formal end to hostilities and the establishment of diplomatic relations between the United States and North Korea.
- Recognition by all parties of the sovereignty of both Koreas.
- The renewed commitment by North Korea to the NPT, IAEA safeguards, the 1992 joint denuclearization agreement, and the 1992 Agreement on Reconciliation, Non-aggression, Exchanges and Cooperation between the South and the North (the 1992 “Basic Agreement”)—which together would require Pyongyang to fully, permanently and verifiably dismantle its weapons of mass destruction programs.
- Conventional force reductions on both sides of the DMZ.
- Security guarantees for both Koreas by the United States and China

Criteria

Any political settlement should meet three essential criteria. First, it must resolve both the civil war aspect (South vs. North) as well as the international aspect (the involvement of other states, especially the United States and China, in the war).

Second, state sovereignty must be honored. The North must recognize that the U.S.-ROK alliances, and the presence of U.S. forces in the ROK, are exclusively the domain of Washington and Seoul. In a development subsequent to the publishing of the Report, the United States has stated its recognition of North Korea’s sovereignty as a participant in the Six Party Talks and as a member of the United Nations.

Finally, the settle should leave all parties better off than they are under the Armistice Agreement; in other words, each party’s security should be enhance as a result of a settlement.

Sequencing

The following illustrates one way in which key actions could be sequenced to implement a comprehensive peace settlement.

Implementation of the tension reduction and confidence-building measures of the South-North Basic Agreement could be matched by the lifting of sanctions against the North, removing North Korea from the list of states sponsoring terrorism, and allowing North Korea access to international financial institutions. The signing of a South-North peace agreement (or the full implementation of the Basic Agreement) could be followed by the establishment of diplomatic relations between the United States and North Korea, thus ending the state of war between the two. Finally, the Armistice Agreement and its supporting structures—the Military Armistice Commission and the Neutral Nations Supervisory Commission—could be retired.

Benefits

A proposal by the United States to permanently settle the Korea War through the auspices of the UNSC would likely be well received by both the government and people of South Korea, shoring up an important alliance in an area of vital importance to the United States.

A political settlement would also assist the peninsula in transitioning from its current state of *hostile* division to one of *benign* division—a condition where the two Koreas co-exist peacefully and where genuine reconciliation has an opportunity to take hold. This could set the stage for eventual reunification under terms acceptable to Koreans in both the South and the North.

Hedging against rejection

If a permanent peace is to be achieved, a fundamental shift away from the hostility that North Korea exhibits to the world will therefore be necessary. But there is little in the history of North Korea or the nature of the Kim Il-sung system and the Kim Jong-il regime to suggest that such a transformation is likely anytime soon. It is far more likely that North Korea would reject a proposal for the comprehensive resolution of the Korean War.

But low expectations should not deter the United States from making such a proposal. Even a failed effort could leave the United States in a better position than it is today. Relations with The ROK would likely improve as a result of the proposal,

and building a coalition to pursue more coercive measures should be easier in the face of North Korean recalcitrance. Pyongyang's rejection of a genuine peace proposal initiated by the United States and supported by the ROK and China would shift blame for continued tension away from the United States and onto North Korea, where it rightfully belongs. The United States would re-capture the diplomatic initiative, and be better positioned to create a united front with other regional states to heighten deterrence, tighten sanctions, and garner support for action in the UNSC.

Finally, a U.S. offer to address comprehensively the insecurity North Korea claims to suffer as a result of U.S. belligerence could at a minimum generate a debate within the ranks of the North Korean leadership, possibly leading to a change in policy or even a split among the elite. The North Korean regime has demonstrated clearly its capacity to handle outside pressure; indeed, it appears to require such pressure to justify its totalitarian rule to its oppressed people. What it may not be capable of handling is a genuine offer to settle the Korean War once and for all, thereby removing the "threat" Pyongyang claims to be under from a hostile United States.

The United States would be in an enhanced position regardless of North Korea's reaction. If a proposal to craft a permanent settlement to the Korea War were to succeed, the last vestige of the Cold War would be brought to a close. If North Korea rejects a peace proposal, or fails to act in good faith after having agreed to the peace process, subsequent U.S. initiatives to contain, coerce and possibly even collapse the North Korean regime and system would more likely be supported by other states in the region.

CONCLUSION

In a claim echoed by some in the ROK and elsewhere, North Korea has asserted that its nuclear weapons program is a defensive reaction to the hostility of the United States. It is worth keeping in mind that North Korea got U.S. hostility the old fashioned way—it earned it, beginning with the invasion of the South in 1950, the innumerable violations of the Armistice Agreement resulting in the deaths of thousands of ROK and scores of American soldiers over the years, assassination attempts against ROK presidents at home and abroad, terrorist attacks against ROK targets, and other egregious actions that the members of the Asia and Pacific Subcommittee know well.

More to the point, North Korea has broken every nuclear agreement it has ever signed. When we catch it cheating, as we have done twice now, first with its plutonium program and more recently with its HEU effort, North Korea has been willing to enter into negotiations, leveraging its cheating for maximum advantage by parceling out aspects of its program a bit at a time, with every action easily reversible at Pyongyang's whim.

But while it has been willing from time to time to *negotiate*, it has never been willing to *negotiate away* its nuclear capabilities, permanently, completely, verifiably. North Korea has been single-minded in its pursuit of a nuclear weapons capability, a quest that has consumed a tremendous amount of the country's scarce resources. That record, and the nature of a regime that needs an outside enemy to justify the nature of its oppressive rule, are not prescriptions for optimism concerning the Six Party Talks or any other negotiation aimed at eliminating the North Korean nuclear threat.

Mr. LEACH. Thank you, Mr. Drennan. I appreciate that very much.

Mr. Albright.

STATEMENT OF MR. DAVID ALBRIGHT, PRESIDENT, INSTITUTE FOR SCIENCE AND INTERNATIONAL SECURITY

Mr. ALBRIGHT. Thank you.

A verifiable irreversible dismantlement of North Korea's nuclear weapons program is achievable if all parties have the political will. Toward this goal, North Korea needs to believe that its vital interests are served by an agreement to verifiably dismantle its nuclear weapons program. Along with some of the other witnesses and the Members of the Committee, I do not believe North Korea is there yet, but I do believe that there are some indications that it may be moving toward that decision.

Verifiable dismantlement requires two intertwined actions. The first is the process of accomplishing dismantlement; namely, what is dismantled when something is dismantled, and how a program or item is actually dismantled. Particular dismantlement will need to be irreversible. Achieving irreversible dismantlement in North Korea will require that certain key items such as plutonium and enriched uranium would be removed from North Korea. Other items will need to be destroyed or rendered unusable in North Korea.

The general process of achieving irreversibility has been followed successfully in several countries, in particular, South Africa and Libya. The process of achieving irreversible nuclear dismantlement, I believe, is well understood.

The second and more important action toward verifiable dismantlement is the verification of the actual dismantlement of North Korea's nuclear weapons program. Verification arrangements will need to be robust, going way beyond the monitoring of the freeze under the agreed framework, but not as far as the verification conditions imposed on Iraq after the 1991 Persian Gulf War.

As Scott Snyder mentioned, the verification will be done cooperatively with North Korea. It cannot be imposed. This means that North Korea will have to agree to the level of verification applied, and achieving adequate verification arrangements will be, I believe, the key challenge to the negotiations of any nuclear disarmament agreement with North Korea.

I would like to briefly discuss some major aspects of verifiable dismantlement of North Korea's program.

First, what is the goal of verified dismantlement? And I want to just state it to be clear. The goal is to obtain high confidence that the program no longer exists and reconstitution is difficult and likely to be detected relatively quickly.

The dismantlement itself would be largely done by North Korea, although any removals of key items, such as plutonium, would be the responsibility of other parties.

The dismantlement would be verified by an international organization, and there has been quite a bit of discussion with the Administration of what is the best group to do that. I think based on our own look, we believe something called "IAEA Plus" is the best verification organization, and IAEA Plus is basically the IAEA safeguards department supplemented by experts and assistance from key states, particularly the parties to the agreement.

Critical to the success of this effort will be North Korea's transparency and cooperation with the verification organization. North Korea will need to grant the verification organization a series of rights, including permitting broad access to sites and facilities, providing very detailed declarations, allowing access to records, allowing interviews with program staff and officials, and permitting environmental sampling at declared sites and elsewhere.

And while this may sound onerous, it is actually pursued in many countries as we speak today, particularly right now in Iran. It was certainly done in Libya, and in South Africa, and in a sense it is the norm for international verification associated with the non-proliferation treaty and with nuclear disarmament efforts.

There are four main disarmament tasks. The first involves the plutonium production program, and I would just like to show some recent commercial satellite imagery taken by Space Imaging of the Youngbyon nuclear site, and this is a satellite image of the 5-megawatt reactor, which we are all so familiar with. This one, I wish—we tried to get something July 10th, but we were unsuccessful. But what I wanted to point out here is that if you look at this object on the right side, the cooling tower of the reactor, there is no steam coming from it, and that would support that the reactor has not been restarted as of June 10, which in itself is a bit surprising given that we think that if they had—when they shut it down they certainly have had plenty of time to unload the reactor.

Could you show the next image?

This is an image of the 50-megawatt electric reactor taken on the same day, and this reactor was not finished when the agreed framework went into effect in 1994, and it has not been worked on. This image from June 10 basically says to us that no construction had restarted there. We have been looking at this image for 3 years, or since—well, for a long time, but with great scrutiny since late 2002, and it has not changed much at all.

Now, I understand, based on a statement to Christoff in the *New York Times*, that the North Koreans recently said that they have restarted construction, and we do understand that after this image was taken on June 10 there appears to have been a mobile crane brought to the site.

So while I do think that there is a great deal of support that the North Koreans have resumed construction at this reactor, the reactor construction is not very far along, or in terms of restarting construction, and it will probably be several years before they can finish the reactor based on people like Sig Hector who have been at the site and have technical expertise. The reactor has a lot of problems in it. It is laying there on—basically not protected for 10 years.

So I think it is very serious that North Korea is saying it is going to restart, and I think the Committee is familiar with the reasons. This is the reactor that could produce a lot of plutonium. It can produce enough plutonium for 10 nuclear weapons a year if it was finished, where the 5-megawatt reactor can produce enough plutonium for about one nuclear weapon a year.

So it is the statement to restart that is quite serious, but at the same time I believe that it is—the North Koreans will be several years from actually being able to make plutonium in that reactor.

But anyway, let me quickly talk about the tasks involved in disarmament. We would want these reactors shut down permanently and dismantled, that would be a key goal of any nuclear disarmament agreement, and that the other facility, which I did not show, is the radio-chemical laboratory, which is able to separate the plutonium from the irradiate fuel, would likewise need to be shut down.

But more importantly, the North Koreans would need to provide information about what they have done at these facilities and convince the verification organization that they have actually accounted for all the plutonium they have produced. In essence, that the verification organization can say that the North Korean de-

laration is both correct and complete, and as a final part of that task is to get the plutonium and irradiate fuel out of North Korea.

The second task involves the nuclear weaponization program, and this task focuses on any nuclear weapons and the means to research, develop, test and manufacture them. It also involves the verified dismantlement of any nuclear weapons, and the dismantling of all facilities associated with their production.

Task three involves the uranium enrichment program, and this task focuses on the dismantlement of gas centrifuge, whatever the status is of the gas centrifuge program.

We followed the debate very closely on the status of North Korean efforts to build a gas centrifuge plant, and I do not think there is consensus on how quickly or when they would put together a gas centrifuge plant, but I think there is consensus that there is a program there, and that the North Koreans need to admit it and then be willing to get rid of it.

Then the last task is implementing the North Korean IAEA Safeguards Agreement and bringing North Korea into compliance with the NPT, and therefore, it does need to rejoin the NPT, and it is also going to have to implement the additional protocol in order to be able to again come into compliance with the modern ways of doing verification under the nonproliferation treaty.

To accomplish verifiable dismantlement, the Six-Party Talks need to agree upon an approach to accomplish verified dismantlement, and the United States, and I would say North Korea, have each described outlines of an approach, and neither proposal is acceptable to the other.

I would like to just briefly describe what we have called progressive dismantlement that really just draws upon these two approaches, and I just want to quickly give three areas involved in, in a sense a time sequent of verified dismantlement.

The first one is the halt-freeze, or using Bush Administration terms, "disablement of nuclear activities." And there the focus is on monitoring, receiving and verifying North Korean declarations, and building confidence in the process.

I would say that from our point of view the problem in the United States offer is that it does not allow enough time for this phase; that North Korea feels that the United States offer is just too quick. And they use terms, and they have used it with us, that it is like a unilateral nuclear disarmament, and then we are supposed to just trust the United States for some benefits, or from their point of view, that they would not be attacked.

So I think that lengthening this part of the agreement or proposal makes a lot of sense, and for our own inner deliberations we cannot get much less than a year for this part of the process to go on.

I want to emphasize that building confidence is critical, and also if it is done for a year, you can first try to deal with the plutonium, and then deal with the enriched uranium. I personally believe that the HEU program in North Korea is being held back because as a—for their own security in a sense; that they may need to—if they give up plutonium and it does not work out, then they will still have HEU, and the U.S. and the verification organization would

know nothing about it, essentially, except what they have learned from the outside.

The second phase, which is really where you get into dismantlement, would probably last 1 or 2 years, and it is at that point where you would take plutonium out. You would remove enriched uranium to the extent it exists. You would destroy centrifuges, maybe even take those out, destroy other types of machine tools or the fixtures on machine tools, and basically try to make the whole program either disappear or be rendered inoperable.

Again, this is a process that has been gone through in Libya and in South Africa, and if the country is committed to it, it is quite easy to do.

The hard part is really phase three, which hopefully would be overlapping phase one and two, and that is the long-term verification, and that would include North Korea coming into compliance with the NPT.

In that part of the work the emphasis would focus on ensuring what we call in the business the absence of undeclared nuclear activities. You can never prove a negative. You cannot prove there is no undeclared activities, but you can develop a procedure, and it has been developed many times now by the International Atomic Energy Agency and by the U.S. Government, to try to build confidence that there are not, or what I said—build confidence about the absence of undeclared nuclear activities.

It also means because you cannot prove a negative that it is ongoing indefinitely; that the activities would concentrate in the earlier years, but they would continue into the later years.

Let me just close by saying again that I believe that verified dismantlement can be done, and it is being done in other countries. The procedure, processes, techniques are known. They can be applied in Plaintiff if North Korea has the will.

However, much needs to be thought about ahead of time, and we need a well-planned approach with some flexibility to deal with unforeseen events, but verification must be integrated right from the beginning in the negotiation process. I would say that was not done in the agreed framework, and it was a fault that, unfortunately, was, I believe, one of the reasons why the agreement was undone.

There have been important lessons learned from the Iran, Libyan, and South African experiences on detecting undeclared activities, and those will have a lot of relevance to designing this system in North Korea, and then in implementing that system.

I also want to close by saying that unlike the agreed framework, robust verification will need to start immediately when the agreement is implemented, and I do not think we can get away from that. I think it was tried with the agreed framework, and it is not a strategy that can be brought back into context of North Korea.

Thank you very much.

[The prepared statement of Mr. Albright follows:]

PREPARED STATEMENT OF MR. DAVID ALBRIGHT, PRESIDENT, INSTITUTE FOR SCIENCE
AND INTERNATIONAL SECURITY

VERIFIED DISMANTLEMENT OF THE DPRK'S NUCLEAR WEAPONS PROGRAM¹

The nuclear weapons program of the Democratic People's Republic of Korea (DPRK) remains at the center of US and international security concerns. The perception, if not the reality, that the DPRK has a growing number of nuclear weapons poses an increasing challenge to the US government and governments in the region.

The current size and status of the DPRK's nuclear weapons program is unknown. DPRK officials have often stated in the last several months that the DPRK has nuclear weapons, but it has refused to say how many nuclear weapons it has or whether it could deliver them by ballistic missile, the most threatening delivery system to Japan and the United States. DPRK officials have also stated that its nuclear weapons capabilities are growing, stating that the DPRK is increasing the quantity and improving the quality of its nuclear arsenal. But they refuse to explain what this statement means in practice. Despite these uncertainties, the DPRK is increasingly believed to have at least a few nuclear weapons and the plutonium to make several more. Debate continues on whether these weapons can be launched successfully on ballistic missiles such as the Nodong missile.

Unclassified information and some publicly available US intelligence assessments estimate that the DPRK could have separated enough plutonium for 3–9 nuclear weapons. It may have recently discharged enough plutonium in irradiated fuel from its 5 megawatt-electric reactor for 2–3 more nuclear weapons. It could separate this plutonium during 2005. These assessments, however, remain highly uncertain. Each year, the DPRK can produce enough new plutonium for about one more nuclear weapon in its 5 megawatt-electric reactor at the Yongbyon nuclear center. The DPRK's reported uranium enrichment program may eventually give it the capability to make enough highly enriched uranium for several nuclear weapons per year.

A priority of the United States is convincing the DPRK to dismantle its nuclear program in a verifiable, irreversible manner. It has joined with China, Japan, Russia, and South Korea in working toward a verified denuclearization of the Korean peninsula, a goal the DPRK also states it shares. These six nations have launched a series of negotiations, called the Six-Party Talks, aimed at resolving the crisis over the DPRK's nuclear program.

The six parties have reportedly agreed to meet in late-July for the first time in more than a year. At their June 2004 meeting, the DPRK and the United States each made proposals that are unacceptable to the other. Initial discussions indicate that arriving at an agreement to verifiably dismantle the DPRK's program will be complicated. The scope of the agreement, the timing of various steps, and the benefits that accrue to the DPRK will require complicated negotiations.

The first challenge facing the negotiators is agreeing on a set of steps to dismantle irreversibly the DPRK's nuclear weapons program. The United States has proposed a front-loaded process whereby the DPRK declares and turns over its plutonium, enriched uranium, and any nuclear weapons. After taking these initial steps, the DPRK would receive a set of economic, political, and security benefits and submit to intrusive inspections and monitoring. The US approach is motivated by the manner in which Libya recently dismantled its secret nuclear weapons effort and invited the International Atomic Energy Agency (IAEA) to verify its dismantlement and compliance with the Nuclear Non-Proliferation Treaty (NPT).

The DPRK has proposed first establishing a "freeze" over its plutonium program accompanied by a range of benefits. It denies having a uranium enrichment program. Later, the DPRK would dismantle its nuclear weapons program in conjunction with a verification arrangement.

Whatever negotiated approach is taken to dismantle the DPRK's nuclear program, adequate verification of its conditions will be critical. Verification must be done in a manner that provides high confidence that the DPRK has dismantled its nuclear program completely, has not retained undeclared nuclear activities, and has come into compliance with the NPT. As a result, any verification arrangement will need to be robust.

Finding the correct balance between intrusiveness and effectiveness could prove one of the toughest obstacles to negotiating an agreement. The DPRK may resist intrusive verification, given its secretive and militarized society. If the verification

¹This testimony is drawn from a forthcoming study commissioned by the US Institute of Peace authored by Albright and Corey Hinderstein. For more information, see also <http://www.isis-online.org/dprkverification.html>, <http://www.isis-online.org/publications/dprk/cooperative.htm>, and <http://www.isis-online.org/publications/dprk/dprk-cooperative-dismantlement.html>.

regime is not intrusive enough, however, the IAEA and the United States may judge it unacceptable. Because the 1994 US/DPRK Agreed Framework never reached the point where full-scale verification commenced, the negotiators will have limited practical experience of how to achieve this balance with the DPRK.

COOPERATIVE VERIFIED DISMANTLEMENT

In broad terms, cooperative verified dismantlement requires a state to voluntarily dismantle a nuclear program in cooperation with a verification organization. The process is termed “cooperative” to contrast it with the UN Security Council dismantlement resolutions applied to Iraq after the 1991 Persian Gulf War.

The goal of verified dismantlement is to obtain high confidence that the program no longer exists and reconstitution is difficult and likely to be detected relatively quickly or, at least, long before significant quantities of banned items are produced. In practice, the state conducts the actual dismantlement, and a verification organization verifies that the dismantlement has occurred.

Dismantlement may involve the destruction of key items in country or their transport overseas. The DPRK may agree to send certain key items overseas to provide additional confidence that the dismantlement is irreversible. In this case, the verification organization also needs to verify that the items are located in this other state or have been destroyed there. Plutonium and enriched uranium will likely be sent overseas; operating nuclear facilities would likely be dismantled in the DPRK.

Although the IAEA is usually selected as the organization to verify nuclear dismantlement, as occurred in the case of Libya and South Africa, other possibilities exist. Negotiations may result in the creation of another verification organization, or a mandate to bolster the IAEA’s inspection rights and expertise in nuclear areas beyond that found in its safeguards department. In any case, an agreement would likely need to include a procedure whereby the verification organization would report to the parties of the agreement.

Who verifies the actual dismantlement of nuclear programs is thus a negotiable topic. Different models for the verification organization may also be needed to accomplish different tasks. There are many candidates for the verification organization, including:

- A specific organization created by the United States, other acknowledged nuclear weapon states (NWS), and other states in the region.
- “IAEA Plus,” which would involve the IAEA safeguards department supplemented by experts or assistance from key member states. Variants of this model were used in Libya and South Africa.
- A bilateral or regional inspection agency.

In the case of verifiably dismantling any DPRK nuclear weapons and its associated nuclear weaponization program, nuclear weapon experts from the NWS will be expected to play a critical role. The verification organization will need to assess sensitive nuclear weapons information and equipment. These experts could be formed into a separate organization or assigned to the IAEA safeguards department. The latter step was followed in the case of South Africa after it declared in 1993 that it had built nuclear weapons. A variant of this approach was also used more recently in Libya.

No matter what organization verifies the dismantlement process, the IAEA safeguards department will be responsible for verifying that the DPRK is in compliance with the NPT. As a result, any effort to create a separate verification organization should be fully aware that the IAEA will also need to be involved in the verification process and will independently make a determination whether the DPRK has come into compliance with the NPT and its safeguards agreement.

Dismantlement could occur either prior to the onset of verification activities or concurrent with verification. Concurrent dismantlement and verification is the preferred option because it can result in greater confidence. Accomplishing adequate verification after the dismantlement of a program is possible but more difficult and can take longer. Nonetheless, the IAEA was able to establish that South Africa had dismantled its entire nuclear weapons program, even though the verification started several years after the dismantlement took place.

Based on experiences in Libya and South Africa, the most important prerequisite for a verification process to work is that the state believes that verified dismantlement is in its vital interests. According to former members of the South African nuclear weapons program, without such a belief verified dismantlement is unlikely to succeed.

There are many specific prerequisites on the DPRK’s side for the successful verification of the dismantlement of nuclear programs. Full transparency and co-

operation will mean granting the verification organization a series of rights, including:

- Permitting broad access to sites and facilities;
- Providing detailed declarations;
- Allowing access to records, including program documents, procurement data, and possibly personnel records;
- Allowing interviews with program staff and officials; and
- Permitting environmental sampling at declared sites and elsewhere.

In addition, the DPRK will need to allow inspectors access to military sites, a step it has resisted in the past. Procedures will need to be developed that permit the DPRK to protect sensitive, non-nuclear items without compromising the effectiveness of an inspection.

In general, the verification organization is expected to need more extensive rights than established under the IAEA Model Additional Protocol (INFCIRC/540). Because the process of verified dismantlement occurs over a finite period of time, these extraordinary rights could be established on a temporary basis.

The verification organization will require many different types of equipment to verify dismantlement that will go beyond the range of equipment typically used during safeguards. The “toolbox” of verification equipment should be negotiated ahead of time, as DPRK officials often view suspiciously equipment they don’t understand or use themselves.

On the other hand, the verification organization must make several commitments to the DPRK. It must:

- Possess extensive knowledge about the type of program to be dismantled;
- Have the tools to ensure with a high degree of confidence that the program is dismantled, especially the ability to establish the completeness of any declaration; and
- Act in a professional and fair manner and protect sensitive information.

Ensuring the irreversibility of the dismantlement process is essential. To achieve irreversibility, the DPRK will need to destroy certain facilities, equipment, and documents, or ship certain items overseas. On-going monitoring of certain non-nuclear or dual-use activities may be necessary.

To make the process less costly and facilitate re-employment of personnel, the dismantlement process should involve the conversion of parts of the program to other viable purposes. Nuclear programs often involve equipment and skills that can be converted to non-proscribed activities. The goal should be to create economically viable alternatives or enable the gradual transfer of program personnel to other allowed activities. In the case of the DPRK, parties to the Six-Party Talks should explore opportunities for joint ventures. Cooperative Threat Reduction (CTR) programs in the former Soviet Union provide a useful model for many possible activities in the DPRK.

On-going monitoring of certain non-nuclear activities will likely be necessary once the dismantlement process is completed, particularly if some activities are converted to civilian purposes. In any case, any remaining nuclear materials will require on-going monitoring. The IAEA safeguards department is the best choice to conduct on-going monitoring of nuclear and non-nuclear activities or facilities.

Many countries are expected to have suspicions that the DPRK has not declared all its nuclear materials or facilities to the verification organization. A negative can never be proved; thus, a verification organization cannot prove that there are no undeclared materials or facilities. Instead, the verification organization will develop a set of procedures and actions that over time will allow it to develop confidence that undeclared activities do not exist in the DPRK. As part of this process, the verification organization will need to investigate many accusations and follow up its own leads about undeclared activities. The DPRK will need to accept such activities by the verification organization as part of dismantling its programs and coming into compliance with the NPT.

The creation of a dismantlement program in the DPRK will be part of a larger agreement involving the DPRK, the United States, and other states or international organizations. These negotiations will focus on creating the basic responsibilities, rules, and procedures for the dismantlement process for both the state and the verification organization.

Funding of the dismantlement and conversion processes should be established during these negotiations. Both the DPRK and the verification organization will re-

quire funds to accomplish their goals. In addition, any CTR-type activities will require funds.

The actual resources and number of personnel required by a specific verification organization will vary. The core effort is expected to require a few dozen specialists and a budget of several million dollars a year. Shipping materials and equipment out of the DPRK would involve additional costs. The process of dismantling the DPRK's nuclear weapons program could be achieved within a year or two, although the entire process of conversion and building confidence about the lack of undeclared activities could take several more years.

These core activities will need to be supplemented by support from IAEA member states. Critical support activities will include the analysis of an expected large number of environmental samples, the supply of inspection equipment, the provision of procurement information about the DPRK's overseas suppliers, and "third party" information about activities in the DPRK. Of particular importance will be the supply of procurement information learned through investigating the network led by Abdul Qadeer Khan and his associates.

Conversion costs could easily exceed tens of millions of dollars. This activity will require the participation of the verification organization to fulfill its mandate, but the specific conversion activities should be funded from another source.

FOUR KEY DISARMAMENT TASKS

An agreement to verifiably dismantle the DPRK's nuclear weapons program will need to identify the specific nuclear programs that require dismantlement. Negotiators would be expected to identify specific items subject to dismantlement and agree on a set of verification steps to ensure irreversible dismantlement of these specific items. Although negotiators would agree on many verification rights and procedures in general terms, they would also need to define the rights and procedures for specific nuclear programs.

The following are the three main nuclear programs expected to be subject to dismantlement in an agreement and the additional task of bringing the DPRK into compliance with the NPT.²

Task 1: The plutonium production program. This task focuses on plutonium production, separation, storage, and waste processing facilities. The principal aim will be to verifiably, irreversibly halt plutonium production and separation activities. The verification organization will need to verify DPRK statements about its plutonium production and separation activities. The DPRK will need to allow the removal of plutonium and irradiated fuel.

Task 2: The nuclear weaponization program. This task focuses on any nuclear weapons and the means to research, develop, test, and manufacture them. It involves the verified dismantlement of any nuclear weapons, and the irreversible, verifiable dismantlement of the set of facilities involved in researching, developing, testing, and manufacturing nuclear weapons. For more information on this specific task, see <http://www.isis-online.org/publications/dprk/dprk-cooperative-dismantlement.html>.

Task 3: The uranium enrichment program. This task focuses on the dismantlement of any uranium enrichment activities and the facilities to research, develop, test, and make enrichment equipment, such as gas centrifuges. For more information on this task, see <http://www.isis-online.org/publications/dprk/cooperative.htm>.

Task 4: Implementing the DPRK/IAEA safeguards agreement and bringing the DPRK into compliance with the NPT. The DPRK will need to rejoin the NPT and come into compliance with it, including implementing the Additional Protocol.

All these tasks will require the verification organization to conduct a range of activities to gain confidence in the absence of undeclared materials, equipment, and facilities. This process could be lengthy. Its outcome will depend mainly on the DPRK's transparency and cooperation with the verification organization.

POSSIBLE DISMANTLEMENT APPROACHES

The Six-Party Talks are far from agreeing upon a verified dismantlement approach. All parties to the talks have agreed that the ultimate goal is the denuclearization of the Korean peninsula, but only initial proposals have been presented at the talks.

The United States and the DPRK have each described the outlines of an agreement reflecting primarily their own interests. Neither proposal has been accepted

²For a more detailed discussion about each task, see forthcoming US Institute of Peace study or references given in task descriptions below.

by the other side. In addition, these proposals are mere sketches of a practical agreement with many details purposely left out.

Below is a description of an approach that attempts to bridge at least partially the differences in the US and DPRK proposals. This third proposal, called “progressive dismantlement,” aims to allow a more informed discussion of the process of verified dismantlement.

“Progressive Dismantlement”

The US and DPRK proposals provide a basis to construct a model agreement that can serve as the basis of a discussion of possible verified dismantlement arrangements. Although this proposal draws upon discussions with officials involved in the Six-Party Talks, it is meant to be illustrative and not authoritative.

The proposal involves three phases, the implementation of which would gradually denuclearize the Korean peninsula and bring the DPRK into compliance with the NPT and North/South agreements to ban uranium enrichment and reprocessing facilities. Actions would move progressively from temporary disablement to irreversible dismantlement and removal of key items. Verification would occur throughout the process.

Phase One: Freeze, Declare, Disable, and Verify. The first phase would be focused on freezing nuclear activities in the DPRK for up to a year and developing comprehensive declarations of key nuclear programs, activities, and materials. No nuclear material or key items would be removed during this phase.

Priorities in this phase would be the plutonium program, any enrichment programs, and nuclear weaponization programs. The actions taken would include cessation of key activities, presentation by the DPRK of comprehensive declarations, securing and sealing facilities and key items, and effective monitoring of all nuclear programs. In addition, actions would be taken to temporarily disable key nuclear facilities or items, such as nuclear weapons.

Verification would be done by the IAEA or a special group created for this purpose and would include a range of tools, such as seals, cameras, and environmental sampling. The verification organization would evaluate DPRK declarations to ensure that they are correct and make at least preliminary determinations about their completeness. It should also work to build confidence that the DPRK is complying with the freeze. The DPRK would also gain confidence that the verification organization is acting consistently with the agreement.

The DPRK would declare and present to the verification organization all its plutonium. It would do the same with any nuclear weapons and components.

The verification organization would account for all these items during this phase. Negotiations would need to decide whether the fissile material in the nuclear weapons should be presented to the verification organization in the shape of weapon components or in other forms.

In addition, the DPRK would declare its entire complex of facilities and activities to produce and separate plutonium and to research, develop, test, manufacture, and deploy nuclear weapons. Members of the verification organization would visit all these facilities.

This phase would also include declarations on any uranium enrichment activities or establish that such activities did not take place. Any enriched uranium would be presented to the verification organization. Questions about the DPRK’s uranium enrichment activities would need to be addressed during this phase, although final resolution could occur after plutonium issues are settled.

Rewards would occur at the start of this phase and later upon presentation of a complete declaration. The principal reward would be the provision of heavy fuel oil or other energy supplies. The amount provided could be linked to specific steps taken by the DPRK. In addition, the DPRK could receive provisional security assurances from the United States and its partners.

Phase Two: Verified Dismantlement and Removal of Key Items This phase would last about one or two years and would focus on the verified, irreversible dismantlement of the DPRK’s nuclear weapons program. Key items and materials would be removed from the DPRK during this phase. The verification organization would conduct rigorous activities to ensure that dismantlement is complete and verified. It would also accelerate the process of ensuring the absence of undeclared materials, equipment, and facilities.

DPRK would receive additional security guarantees, economic assistance, compensation, diplomatic recognition, and its removal from the State Sponsors of Terrorism list. This phase would also include a range of initiatives modeled on cooperative threat reduction actions taken in other states.

The DPRK would be expected to keep certain civil nuclear energy programs. Civil nuclear energy assistance in the areas of medical isotopes and other radioactive sources for non-nuclear industries and agriculture could be expanded in this phase.

Plutonium, either in separated or unseparated form, would be removed from the DPRK. Plutonium production and separation facilities would be irreversibly dismantled or disabled. The verification organization would conduct a thorough accounting of all plutonium in the DPRK.

Key nuclear weapon components would be removed from the DPRK and the weaponization complex would be dismantled or disabled. Verification would need to show that the DPRK had declared all its weaponization activities and nuclear weapons.

Any enrichment facilities or activities would be dismantled irreversibly and any uranium hexafluoride and enriched uranium removed from the country. Centrifuge components, drawings, and single-use equipment would be destroyed or removed from the DPRK. Uranium conversion facilities would be dismantled.

Certain facilities, equipment, or activities may be shifted to non-banned uses, but single purpose nuclear facilities would generally be dismantled or permanently disabled.

Phase Three: Long Term Monitoring and NPT Compliance During this phase, which would be indefinite and could overlap phase two, the DPRK would come into compliance with the NPT and establish long term monitoring programs of its remaining nuclear energy programs and other programs that utilize equipment or personnel from dismantled programs.

The principal verification organization during this phase would be the IAEA. The DPRK would have already ratified the Additional Protocol and take other steps to increase the effectiveness of IAEA inspections. For example, it could announce a policy to grant the IAEA unrestricted access to sites in the DPRK.

The resumption of the LWR project could occur in this phase. Additional economic assistance could also occur.

THE CHALLENGE OF ENSURING THE ABSENCE OF UNDECLARED NUCLEAR MATERIAL AND FACILITIES

An important element in any negotiated verification regime in the DPRK will be creating measures whereby the verification organization develops confidence, or credible assurances, of the absence of undeclared nuclear material or activities. This process is by its very nature time consuming. As a result, the verification organization will devote considerable time and resources to developing this confidence. Exactly how long the verification organization needs will depend on the DPRK's cooperation and willingness to take steps to enhance its transparency.

In Libya and South Africa, for example, the governments committed to allowing IAEA access anywhere and providing additional information in documents and interviews with a wide range of officials, scientists, and technicians. These commitments went beyond those required by the NPT and were critical in enabling the IAEA and the international community to develop confidence in the absence of undeclared materials and facilities in these states. As a result, the DPRK should be encouraged to make a range of commitments that further its transparency.

To achieve this confidence, the DPRK will be requested to provide broader declarations that include more detailed information than typically provided under IAEA safeguards agreements. The verification organization will ask the state for permission to examine a variety of records and conduct its own interviews of key DPRK program personnel. The verification organization may ask for foreign procurement information from the DPRK and other states. The verification organization will ask to visit sites and take environmental samples at these sites. The verification organization will have follow-up questions and requests.

In addition, the verification organization may seek access to a range of sites not listed in a DPRK declaration. The main reason for the verification organization to make such a request would be that it needs to resolve a question relating to the correctness or completeness of the DPRK's declared information or resolve an inconsistency relating to that information. The basis for the question could be results from environmental sampling, open source or third party information, foreign procurement data, or inconsistencies in declarations or statements.

The DPRK has sensitive military sites that the verification organization may need to inspect. As a result, the DPRK will need to agree during the Six-Party talks or other negotiations that the verification organization will have access to military or other sensitive sites.

In the negotiation of the verification arrangements, the DPRK and the other parties to the agreement may want to develop procedures for "managing access" by the

verification organization in order to prevent the dissemination of proliferation sensitive information, meet safety and physical protection requirements, protect proprietary or commercially sensitive information, or protect national security secrets. The international community has extensive experience in designing managed access arrangements that can ensure the absence of undeclared activities while protecting state secrets. However, such arrangements cannot preclude the verification organization from gaining credible assurance of the absence of undeclared nuclear material and activities at a location.

To protect its secrets at a military site, for example, the DPRK may cover or otherwise hide sensitive non-nuclear-related equipment to prevent it being seen or otherwise characterized by the verification organization. The DPRK may want the presence of certain of its officials when the verification organization is at the site. These limitations on the inspections should not inordinately delay the granting of access to the verification organization, allowing the operators time to remove or destroy items.

To effectively accomplish its goal, the verification organization will also need to conduct certain activities at these sites. In particular, it will need to take environmental samples, use radiation detection and measurement equipment, and perhaps gain access to records and officials.

At some point, the verification organization and the parties to the dismantlement agreement will have to make a determination that they have enough confidence in their understanding of the DPRK's nuclear program to conclude that the DPRK has dismantled its nuclear weapons programs and is unlikely to have undeclared nuclear materials or facilities.

The verification organization will be primarily responsible for making this determination using a wide variety of information and experiences that would be expected to result from several years of intensive verification in the DPRK. Such a determination would require a finding that the DPRK's declarations are correct and complete, or at least a finding of no indications or evidence that such declarations are not complete. Such findings are bound to include some uncertainty, but any uncertainties should be shown as small enough to justify the determination.

The verification organization would be expected to draw upon the IAEA's experiences in other countries, particularly Libya and South Africa, in making such a determination. Having gone through two successful verified dismantlement experiences, the IAEA is capable of reaching a conclusion on verified dismantlement using proven tools and methods.

After the verification organization has made such a determination, the parties to the agreement will also need to ratify this determination. The agreement should include a mechanism for the parties to meet and discuss the conclusion of the verification organization, including such important matters as the absence of undeclared nuclear materials and facilities. If the verification organization is IAEA Plus, the IAEA Board of Governors could also pass a resolution in support of such a determination. A UN Security Council resolution could add credibility.

The search for undeclared nuclear activities will not end with a conclusion by the verification organization about nuclear weapons dismantlement and coming into compliance with the NPT. The IAEA, as part of ensuring continued compliance with the NPT, will continue to investigate any evidence of undeclared materials or facilities on an on-going basis, making annual determinations about this issue as part of routine safeguards.

SPECIAL ROLE OF COOPERATIVE THREAT REDUCTION PROGRAMS

The DPRK is being asked to sacrifice most of its existing nuclear programs. These programs enjoy extensive resources, contain large infrastructures, and employ thousands of scientists, engineers, technicians, and other specialists. The states requesting this sacrifice have an interest in assisting the DPRK in reducing the negative consequences of this large transformation of its nuclear establishment. Such assistance could also provide the DPRK nuclear establishment with a powerful incentive to cooperate with nuclear disarmament and prevent the future leakage of dangerous knowledge from its program.

Cooperative threat reduction (CTR) programs have had a significant impact of the conversion of WMD programs to peaceful programs in Russia and the former-Soviet states. The United States is also pursuing CTR programs in Libya and Iraq. These US-led CTR programs have focused on dismantling weapons of mass destruction and their associated infrastructures, combining and securing stocks of weapons and related materials, re-directing professionals to non-weapons work, increasing transparency and building trust, and supporting cooperation that can prevent proliferation.

Some of these objectives, including dismantlement and increased transparency, would be included in a negotiated verifiable dismantlement program in the DPRK. However, it is important to develop other CTR activities in the DPRK during the dismantlement process, either as part of a negotiated agreement, such as a mandated benefit to the DPRK, or negotiated later on a bilateral basis.

One of the key issues for all the parties involved in the Six-Party Talks is the thousands of people who will need to find new jobs. The DPRK can be expected to resist an agreement that requires it to give up all the human resources devoted to its nuclear weapons program without assistance on re-employing them. Therefore, projects intended to transition the program personnel to viable non-banned projects would be a benefit to the DPRK as well as those concerned.

A key focus for transition work could be expansion of the DPRK's civilian nuclear energy applications in the medical, industrial, and agricultural fields, all areas with substantial but decayed capabilities. These civil nuclear energy projects could serve to employ many scientists and technicians, and be a significant benefit to the people of North Korea whose nuclear medical, industrial, and agricultural programs have fallen behind the status of programs around the world. The DPRK has stated that it intends to continue with civil nuclear energy, and CTR projects could focus on legitimate nuclear fields that pose no military danger.

Although most CTR projects would be run by states in cooperation with the DPRK, the IAEA could play an important role in providing peaceful, allowed nuclear assistance through its technical cooperation program. As a result, a priority is the DPRK re-joining the IAEA, which it left in 1994.

FINDINGS AND RECOMMENDATIONS

Verified nuclear dismantlement of the DPRK's nuclear weapons program involves a series of definable, interrelated activities. The process involves an agreement of which DPRK nuclear activities will be dismantled and the type of verification that will accompany dismantlement.

Verified dismantlement can be successful in the DPRK. It can be accomplished at a fair cost and in a reasonable amount of time. To work, it must be carried out by a verification organization that is technically competent, professional, and politically fair. The verification process will need the political support of all concerned parties. The DPRK must be cooperative and transparent to the verification organization and the other parties to any agreement. Such commitment will likely depend on the DPRK's belief that its vital interests are served by an agreement to verifiably dismantle its nuclear weapons program.

Other states involved in an agreement will need to settle on realistic verification arrangements. In particular, they should avoid unnecessarily intrusive verification requirements that would be seen by the DPRK as attempts to reveal secrets related to sensitive programs not subject to this agreement.

Calls to eliminate all vestiges of the DPRK's nuclear energy program are unrealistic. The DPRK is likely to insist on the continuation of many aspects of its civil nuclear energy programs, such as radioisotope use in nuclear medicine, isotope production for civil applications, and civil nuclear research. The continuation and expansion of such efforts may in fact contribute to effective dismantlement by providing jobs for displaced nuclear scientists and technicians. The fate of nuclear electricity generation programs, particularly the LWR project whereby KEDO builds two nuclear power reactors in the DPRK, is more controversial. Its resumption will be unlikely before the DPRK has dismantled its nuclear weapons program.

If the LWR project is resumed at some future date, IAEA inspections can provide adequate verification against potential misuse of these reactors, particularly if safeguards include real-time camera surveillance of the reactor and any spent fuel storage areas.

The necessary foundation for a verified dismantlement effort can be laid through detailed negotiations by informed parties that recognize the scope and stakes of such an effort. Because verification will be central to any agreement and complicated to negotiate, the parties must focus on it early in the negotiation process. The exact rights of the verification organization are expected to be a major issue. A goal of the negotiations is to find an optimal, effective verification arrangement that satisfies all parties.

Verification will need to start early in the implementation phase of any agreement. Delays in implementing verification could interfere in achieving confidence that the DPRK is dismantling its programs according to its commitments. In addition, verification will play a key role in testing whether the DPRK is sincere in its commitments to dismantle.

A key test of any verification arrangement is how the DPRK reacts to requests from the verification organization. Will it interpret any requests narrowly or be hostile to these requests? Will it cooperate in addressing any concerns or requests of the verification organization?

Although many verification organizations have been discussed, the best alternative for the verification organization is IAEA Plus, which is the IAEA safeguards department supplemented by experts from member states. Other parties may want to take part directly in the verification process, as occurred in Libya, but giving the IAEA responsibility for verification poses the fewest problems and offers the most advantages.

The IAEA in any case will be responsible to determine that the DPRK comes into compliance with the NPT. Thus, efficiency alone argues to give the IAEA primary responsibility for the more straightforward tasks of verifying dismantlement of the DPRK's key nuclear weapons programs and long-term monitoring of dual-use items remaining after the dismantlement process. Making IAEA Plus responsible for verification will also help avoid competing and possibly conflicting verification efforts.

The IAEA would need expanded powers to carry out dismantlement responsibilities in the DPRK. To accomplish its tasks, the IAEA will need rights beyond traditional safeguards and the protocol. Although an agreement reached during the Six-Party Talks or other suitable negotiating forum would detail these additional powers, the IAEA may also need UN Security Council approval to carry out this new mandate.

If the IAEA is not given lead responsibility, the negotiators will need to carefully work out the transfer of authority from the verification organization to the IAEA for long term-monitoring and the determination whether the DPRK is in compliance with the NPT and its safeguards obligations.

During the verification process, rights of access will be critical. The DPRK should be encouraged to grant unrestricted access to sites as deemed necessary by the verification organization, with the understanding that the DPRK can take reasonable steps to protect vital secrets in programs not covered by a dismantlement agreement.

DPRK declarations will be extremely important to the verification process. If the experience of other cases is a guide, the DPRK may not provide adequate declarations initially. Nonetheless, the DPRK should be expected to supplement its declarations and provide supplementary information as the verification process progresses. Lack of an acceptable first declaration should not be seen as non-compliance but as part of the process. However, continued incomplete declarations would be an early indicator that the DPRK does not intend to comply.

A reasonable approach needs to be developed for deciding when to dismantle key items in place or send them overseas. Nuclear material such as plutonium and enriched uranium should be removed. But not everything can or needs to be removed. In addition, certain items could be useful in non-banned programs.

The verification organization will likely need several years to develop adequate confidence that the DPRK has fully dismantled its programs and does not have undeclared nuclear materials or facilities. Knowing when that point has been achieved could be one of the most difficult tasks facing the verification organization. Because of importance of this issue, however, the agreement should include a process for the parties to agree collectively that such a point has been reached.

A wide variety of CTR programs should be established during the dismantlement process. In addition to projects established by parties to the agreement, the IAEA technical cooperation program and other countries could participate.

Despite all the difficulties, an agreement to verifiably dismantle the DPRK's nuclear weapons program remains vital to US and international security. If the United States and its allies have the political will, they can achieve such an agreement. Although the entire verification process will likely take several years, the positive impact of dismantlement would be felt almost immediately. DPRK nuclear facilities would be disabled and monitored. Nuclear material would be declared, sealed, and verified. Any nuclear weapons would be disabled and monitored. These steps go way beyond the freeze under the Agreed Framework. Relatively early in the process, the DPRK would send out its most threatening nuclear material and start the process of verifiably dismantling its key nuclear weapons facilities. For the first time, a realistic process to denuclearize the DPRK would be underway. All members of the Six-Party Talks should set this goal as their highest priority.

Mr. LEACH. Well, thank you all for very thoughtful testimony that is very complimentary.

I would like to make just one observation, and then I have several questions.

One is, there have been several references to the Libyan model, and I think they are appropriate, but what strikes me as even more appropriate is the Vietnamese model, and by that I mean we were at war with South Vietnam or with Vietnam 20 years after the Korean War, and yet now we have very open relations, very collegial relations in many ways with the Government of Vietnam, and it has not been based on any perceptible regime change. It has been based on certain policy change, and that combination of the Libyan model with the Vietnamese model strikes me as something that United States policymakers ought to be emphasizing.

In any regard, with regard to questions: What differences do you see in terms of priorities of the other participants in the Six-Party Talks, the other four, that is, China, South Korea, and even Japan and Russia? Do they have a different set of priorities with the United States? Do you consider them entirely complementary to our own or somewhat different? Ambassador Gregg.

Mr. GREGG. I think that there is an agreement among all five of the non-North Korean members of the Six-Party process that nobody wants North Korea to become a nuclear power, so we agree on that. Where there is disagreement is on how to bring that result about.

I think more fundamentally both China and South Korea and, to a certain extent, Russia have more fear of a North Korean collapse than they have of North Korea developing some kind of a nuclear capacity which they believe would never be used against them. That is an underlying difference in approach.

Japan, I think, is clearly the odd man out. They, I think, blew an opportunity to reach out to North Korea when the North Koreans confessed the abductions, which they did not expect them to do, and instead of welcoming that as a way of getting a contentious issue aside, they have focused on the whereabouts of the 11 missing people, and have really lost an opportunity to really operate more constructively, and they now are insisting that the fate of the abductees be raised in the Six-Party process, and that, to me, is very counterproductive.

One of the problems I have seen in South Korea is that, I think, the South Koreans feel that the Pentagon has been paying more attention to our relationship with Japan than they have to our relationship with South Korea. And I heard in my recent visit to South Korea, I heard more anti-Japanese statements come out than I have heard in the last 20 years.

So there is a spectrum of different feelings among the five parties. We all agree that we do not want nuclear in North Korea, but we have wide varying opinions as to how best that can be approached.

I think, as I said in my remarks earlier, that the Six-Party process has been revitalized by the creative approach that the South Koreans have taken to this energy offer, and I think if that is accepted and the new team from the Bush Administration is empowered to negotiate energetically, I think there is a real chance we can move forward.

Mr. LEACH. Does anyone else want to add anything to that?

Mr. SNYDER. If I could just make two points on that. I think that there is a significant difference between the current position of the United States and many of the others in Asia on the question of whether we can envisage a second negotiated framework process.

It is not clear to me that there is—that an agreement with North Korea is really politically sustainable here. It means that is going to require a great deal of political will to make any kind of agreement stick, but at the same time, otherwise, we are going to end up being isolated.

Then the second point is, I think there is significant differences between us and many of the other parties in terms of the desired scope of an agreement, and here it is really a matter of whether being NPT-consistent is enough. I think that at this stage the Bush Administration would like to have something more in addition to NPT-consistent. It is a question of whether or not North Korea—whether or not there is any such thing as a “peaceful nuclear program” in North Korea, and I think that remains a significant point of difference.

Mr. DRENNAN. Mr. Chairman, I may have possible different priorities. I point out in my written testimony that my tentative conclusion, when it comes to China, is that while China would like to see the Korean Peninsula remain non-nuclear, my tentative conclusion is that it values the continued existence of North Korea as a buffer state between it and a South Korea that has a military alliance with the world’s only superpower more than it values the denuclearization or the nonproliferation aspect.

I also point out that South Korea’s position seems to carry an internal inconsistency. Their policy has long been that North Korea with nuclear weapons is intolerable, but the confrontation must be resolved peacefully. They have never addressed the question of: If it cannot be resolved peacefully, is a North Korea with nuclear weapons still intolerable? That question looms out there.

I would also note that on the street, not necessarily within the halls of the South Korean Government, there is in certain circles almost a nationalistic pride that Koreans, albeit North Koreans, now seem to have this capability.

There has also been widely publicized reports of the assumption on the part of some South Koreans that sooner or later they will inherit those weapons once the peninsula is reunified under the auspices of Seoul.

The Korean press continues to characterize the nuclear confrontation as that between North Korea and the United States, seemingly oblivious to the fundamental threat that North Korea with nuclear weapons poses to the Republic of Korea, more so than to any other country.

Mr. LEACH. Thank you.

Do you want to add something?

Mr. ALBRIGHT. Could I say something about the Libyan model?

Mr. LEACH. Yes.

Mr. ALBRIGHT. One is, I think the North Koreans feel the Libyan model is very insulting. I mean, you know, you do not have to talk to them much to realize that.

I think in our use of the Libyan model we are thinking of the things that were actually done in Libya. I think the Libyan model

created a precedent to remove items, key items from the country, and I think that is very important in North Korea.

I think the situations between Libya and North Korea are very different. Libya had a very—relative to North Korea—a very small nuclear program. It was years from building a nuclear weapon. The security environment was very different, as you know, and Libya, because of that insecurity environment, did not have as many incentives to hold back information or concessions.

On the other hand, in North Korea, they have every reason to be suspicious, and I think that requires, in building an approach, that there is a greater confident-building period.

I also think it means that, unlike the case of Libya, the benefits both security- and economic-wise need to be spelled out much more explicitly so that North Korea understands what it is giving up and what it is getting in return, as Congressman Ackerman talked about.

Mr. LEACH. Let me just ask one more quick question. As part of a United States approach to North Korea, are there other areas of direct contact that we ought to make that are not outside the Six-Party frameworks, but are bilateral?

I mean, for example, cultural exchanges, humanitarian assistance, even conceivably commercial. Are you recommending anything in this area at this time, Ambassador Gregg?

Mr. GREGG. Yes. I think there is a good deal going on. The humanitarian NGOs are playing a tremendous role in bringing food aid and medical assistance to the impoverished regions of the North. Their access slowly improves, and I think we all ought to be very grateful for what they are doing.

The Korea Society which I head is involved in supporting an information technology exchange program between Syracuse University and Kim Chaek University in Pyongyang. Syracuse approached me, having done similar projects with the former Soviet Union and China, saying this is a way of opening up a closed society. The North Koreans are very interested in this program.

We are working with them on a Microsoft program called Fedora, which is going to teach them to store information digitally. North Korea is constructing a digital library that will be the largest in Asia.

I have been to computer classes at Kim Chaek. They are very adept at this kind of thing, as are their cousins in the South.

I say about this program, it is transformational assistance. Kim Jong Il is aware of it. He favors it. He is on the Internet himself every day reading the South Korean press. He knows the power of IT, and if he allows this program to flow into his country, that is strong evidence to me that he recognizes that to survive he has to change the way he operates, and that making his country IT-competent is a major step in that direction.

The South Koreans are helping to fund this program. The Chinese are providing a venue for training people from Kim Chaek in China, and Russia and Japan have expressed an interest in joining this, making it a Six-Party process, which I hope eventually can come to fruition.

So I am all for this kind of bilateral cultural, if you will, or informational kind of technology, and we have cleared it every step of

the way with the Bush Administration, and I am happy to say that we have full approval for what we have done and what we plan to do.

Mr. LEACH. Mr. Drennan.

Mr. DRENNAN. Mr. Chairman, I endorse that. I would like to see the scope of these efforts expanded not only in terms of the number of participants, but I would really welcome the opportunity to engage the North Korean military leadership in some of these exchanges as well. They seem to be the outliers. We engage with diplomats. We do have cultural exchanges albeit on a small level, educational endeavors, et cetera, et cetera. I am not aware of any real contact that we have with the North Korean military other than the occasional meetings in the joint security area, which are tightly scripted and almost always sterile.

One other note, if I may, regarding things outside the Six-Party Talks. As you well know, there has been an effort for a number of years now for joint recovery efforts of United States servicemen missing in action since the Korean War. That is usually below the radar screen, but as a former military man myself, I heartily endorse that.

I would note that my understanding is that recently they were suspended for reasons that I am not privy to. But to the extent that we can get that going again and keep it going, I fully endorse that, support it, and would like to see it.

Mr. LEACH. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I would just like to follow the idea of making an observation.

As I recall, when a quote from the former Secretary of State Colin Powell, as he was trying to advise President Bush concerning the situation in Iraq, and the famous statement made by Secretary Powell is known as the "Pottery Barn Rule." You broke it, you fix it. And as I quote here: "You are going to be a proud owner of 25 million people," referring to the Iraqis, "tell the President you will own all their hopes, their aspirations and their problems. You will own it all."

I think I make an observation, correct me if I am wrong, that we have had a failed policy the first 4 years of President Bush's Administration. If I recall, Secretary Powell had wanted to continue the initiative that President Clinton had had dealing with North Korea. Failed in some areas, no question. But immediately he was taken back and the next thing we hear is an axis of evil and North Korea was a party to that. The next thing we know we embarrassed Kim Dae-jung publicly. The next thing we found out, the condemnation of the Sunshine Policy. So all these negatives, all these criticisms of what the former Administration was trying to solve, the settlement or solution with the North Korean situation.

My question to you gentlemen is: Why are countries like Pakistan and India not placed under the same standard that we are advocating for North Korea about dismantling and reversible, verifiable nuclear weaponry system?

They are not members of the nuclear club. They did this on their own initiative, but there seems to be total silence and for their own national interest and their own national security purposes, as I mentioned in my statement earlier. There was every reason for

India to explode its nuclear weapon because of concerns of security from the Soviet Union and China. There was every reason to justify Pakistan exploding a nuclear weapon because of the threats from India having a bomb and they did not.

So the hypocrisy of the nonproliferation treaty now comes to bear. In a regional conference that was held in the United Nations, as amended by the nonproliferation treaty, every 5 years we are to assess and reassess whether or not there has been a successful effort made to dismantle and get rid of this madness about nuclear weaponry system.

So the members of the five nuclear club continue to have their nuclear bombs, and we continue to advocate to the rest of the world, do not get into the nuclear weaponry system. And whether a country is a totalitarian or dictatorship or a democracy, my question to you gentlemen: What kind of standard are we now applying to these two countries that are not members of the nuclear club? They have nuclear weapons. What is for us to tell North Korea not to do the same?

I am a little puzzled by these contradictions, if you will, and please educate me.

My other question is: Can you construct or build a nuclear reactor to produce electricity without putting some sense of controls on plutonium and uranium, as we have talked in our dialogue this morning?

Just those two questions for starters. I would appreciate your comments.

Mr. GREGG. I think Mr. Albright ought to answer the second question.

On the first, it is—all I can say is that we may find, in dealing with North Korea, that they will say we would like to be treated like Pakistan. This has already been a trial balloon that they have launched. I hope they do not bring that up.

But the point that you make, sir, has not been lost on the North Koreans, and I think that our negotiators need to have a good, tough response to that because I think there is no way in the world that we are going to be willing to treat North Korea the way we are treating Pakistan, who is such an invaluable ally in our fight against al-Qaeda.

Mr. ALBRIGHT. Yes, there is a more fundamental issue. North Korea signed a nonproliferation treaty. No one forced it to. It was under pressure from Russia, but it signed a nonproliferation treaty where it foresworn nuclear weapons, and it cheated. When you cheat, you cannot just say, "Well, sorry, I did not mean it. I did not mean to sign it." So they are a member of the nonproliferation treaty as a non-nuclear weapon state.

India and Pakistan never signed a nonproliferation treaty, so the tools, and I would say tools to pressure them are much less. I believe that it is very important that the United States never legitimize India and Pakistan's nuclear weapons. Any movement toward that is a big mistake, and it gets into this hypocrisy that you are talking about. And I think that the Bush Administration needs to be very careful, as it builds relations with India and it continues its relation with Pakistan, that it not cross that river.

In terms of the P-5, the nonproliferation treaty has a requirement that they work toward nuclear dismantlement, and that has not been a bright point of the Bush Administration. It has not been a bright point of the United States particularly, but I think some Administrations—some Republicans, some Democratic—have been more willing to take what is called Article VI of the NPT more seriously.

Now, in terms of the reactor, there is a lot of effort to try to build what are called proliferation-resistant reactors, and you can—but in the short—I do not know, in the near future, you cannot get away from the fact that reactors are going to use uranium fuel, or use another type of fuel that is going to produce another type of fissile material. You could use thorium, but then you are going to produce uranium 233, which is a nuclear explosive material.

So we are going to have to have controls on these kind of reactors while at the same time trying to move away from the more dangerous ones. For example, that is why the U.S. policy is to have research reactors that use low-enriched uranium fuel instead of highly-enriched uranium fuel; that the low-enriched uranium cannot be used for a bomb.

If you choose the enrichment level right, around 19 percent, very little plutonium will actually be produced in the fuel, and so you, at least for research reactors, have a case where there is no nuclear explosive material in the reactor itself, but you are still going to have controls.

Mr. FALEOMAVAEGA. Mr. Drennan?

Mr. DRENNAN. I would like to address just one discrete aspect of your remarks. You touched upon the unfortunate first meeting between President Bush and President Kim in the spring of 2001.

I would point out, and I am not—I have never been a member of the Administration, I am not defending the Administration, but I do recall, if I did the math correctly, that meeting was held, I believe, on the 8th of March, which means that the Administration was in office for 46 days. The government was still being formed.

I believe it is correct that Secretary Powell was the only political appointee confirmed at that point in the State Department. So the Government was still very much a work in progress.

I would also point out that there were two largely forgotten incidences immediately prior to that meeting that seemed to sour the whole atmosphere for the summit. The first was South Korea's seeming to side with the Russians on either—it was either the ABM treaty or the test ban treaty as marking the basis for strategic stability, seeming to side with the Soviet Union—excuse me—Russia rather than its ally, the United States, on that important bilateral issue.

The other one, and I know this from personal experience, I happened to be in Seoul immediately prior to the summit, and there was a lot of talk about a North/South peace declaration. I think this was in reaction to the criticism that President Kim had received for the joint statement at the June 2000 summit in Pyongyang, which had no reference to peace between North and South.

And so to rectify this, seemingly the government decided that there would—that it would issue a peace declaration. I was with

a delegation from the Council on Foreign Relations, and we were briefed by the gentleman who is now the current Foreign Minister, Ban Ki-moon, and we asked him, because the news had just broken about a peace declaration, we said, "What is in this? What are the details? Have you traded language with the North? Where is the beef?" There was no explanation. And yet that seemed to be an issue that South Korea would have wanted to address with the United States since the defense of South Korea is a shared responsibility under the Mutual Defense Treaty.

So I just point this out because I think there were several things that played into that March 8, 2001, meeting that almost foredoomed the fact that it was not going to be as successful as both Presidents would have liked.

Mr. FALCOMA. I know my time is up but just one quick observation in commenting on Ambassador Gregg's earlier statement, which I do agree totally.

In fact, even in most recent times, Mr. Chairman, when South Korea's leadership took the initiative in wanting to open communications, it continued a dialogue with North Korea. I think the Administration was very distraught and not very happy with the initiative taken, and there was some—the fact that Ambassador Gregg, and I agree with Ambassador Gregg's observation, the South Koreans need to take up the leadership on its own as a sovereign and not be so dependent on us for almost like—I do not know how to describe it, but so dependent on us that I think that for whatever reasons in terms of what they feel is important in their national entity and whatever they need to do with their North Korean brothers and sisters, they should be given that opportunity.

Thank you, Mr. Chairman.

Mr. LEACH. Mr. Ackerman.

Mr. ACKERMAN. Thank you, Mr. Chairman.

Just in response to what Mr. Drennan said, I am no apologist for the Administration either, but it seems to me that being in office for 45 days is not really an excuse for having the President or anybody else put their foot in their mouth with regard to screwing up major relationships. That got us off to a bad start with the problem in South Korea when the President met with—I think it was the—I am not sure who it was, but it was with regard to Taiwan, and he said that we would do everything—and I think it was the President—everything that we can to defend Taiwan, and put his foot in his mouth with that when he should have said what our policy has always been, and that is that we will do everything to provide for the defense of Taiwan, and then try to extract his foot from his mouth, and have the Premier of China come over, and then he wound up insulting the—this goes back and forth.

It seems to me that no matter how many days it was from the very outset, the Administration thought that hating Bill Clinton was a substitute for foreign policy, and everything that they did, including, you know, the Four-Party Talks, which we walked away from, you know, beating our chest and saying that we are not going to deal with some Communist Government until they do everything we say, and we enumerate it, and it was not just in the first 45 days. It continued until last year.

At any rate, I am still trying to figure out what the policies are and where we are going with some of this.

Specifically with regard to the fact that a lot of observers have cited something like the Libyan example as a possible outcome for North Korea, Ambassador Gregg, you pointed out in your testimony that with regard to the DPRK's Deputy Foreign Minister Kim, he said to you, you know, stop dreaming about Libya because that only resulted because there were bilateral negotiations that went on with Libya, and we have insisted we are not going to have bilateral relations or discussions with North Korea, which is something clearly that the North Koreans have wanted.

If we do have bilateral discussions with North Korea, how do you do that without undercutting the value of the perceived regional solidarity that the Six-Party Talk process provides? Yes, Ambassador.

Mr. GREGG. I think the other five would welcome more bilateral action between the United States and North Korea. I do not think it is an either/or zero-sum game. I think that I have sensed a growing impatience, particularly on the part of the Chinese and the South Koreans, that we have not been more involved.

So I think that we have an opportunity now through the Six-Party process. They have agreed to come back but I think—

Mr. ACKERMAN. Are you suggesting a second track along with the Six-Party Talks—

Mr. GREGG. That could be—

Mr. ACKERMAN [continuing]. A bilateral?

Mr. GREGG [continuing]. Perhaps an outgrowth of it, but I think that I take heart from Chris Hill's dinner with Kim Gye Gwan at the Chinese residence. That was sort of an adjunct to the Six-Party process, and I think that the Chinese and South Koreans and the Russians would welcome a more active bilateral interchange between the United States and North Korea within the Six-Party process or somewhat to the side.

So I think we are getting ourselves out of that box due to Chris Hill's activism, due to the flexibility of the Chinese, and due to these very enticing offers that the South Koreans have put forth to the North Koreans.

Just in response to Mr. Faleomavaega's comment on South Korea, I was at a very good conference on the United States-Korean relationship, and a distinguished American said South Korea needs to act more like the country it has become, and I think it is in the process of doing that, and I think we are all the better for it.

Mr. ACKERMAN. Thank you. Other views on that bilateral discussions with the North? Does that detract from the Six-Party Talks?

Mr. SNYDER. I will just add that I think, in fact, they are going to be necessary as a supplement to the Six-Party process, and that the primary benefit that the Six-Party dialogue gives is an instrument of ratification or a vehicle for ratification of agreements that may be made in many other different forms of diplomatic contact, but ultimately, you know, it is primarily—

Mr. ACKERMAN. What does that do with our relationship with South Korea?

Mr. SNYDER. I do not think that that necessarily has to be in conflict because it means that the South Koreans, as a member of the Six-Party Talks, will have the opportunity to examine the results of discussions that occur in a bilateral context.

Mr. ACKERMAN. Both Mr. Albright and Mr. Snyder had indicated by inference Pakistan, and you know, I think it was Mr. Albright who said that they hope they do not look around and conclude that they may want to be treated like Pakistan.

I think they can look out. I think we just cannot look in. I think they are looking out all the time and seeing what is going on in the world. I think they looked around when the President put them in the evil access category with Iran and Iraq, and they saw what we did to Iran—to Iraq rather—because we did not want a nation developing nuclear weapons. They jumped out right away and said that we developed them. You are too late on that. I think they have looked out, and looked around and seen the way we treat Pakistan; that possessing nuclear weapons does not necessarily isolate you, but could put you center stage and get you a lot more for your money if you have a lot more to give up.

How do we deal with that? And after all this time and resources that they have, unfortunately and regrettably, put into developing a nuclear program, how do we get them to abandon that?

Mr. ALBRIGHT. Well, Ambassador Gregg made the comment about Pakistan, but if you are asking me the question, I think that one of the things you do is you are clear about what you want from North Korea; that they are a signatory to the nonproliferation treaty, and that only denuclearization is acceptable, and anything less than that is just not acceptable.

I am not an advocate of—

Mr. ACKERMAN. Can a nation drop out of a treaty?

Mr. ALBRIGHT. Well, you can drop out, but the way I understand it from lawyers is you cannot cheat and then claim to drop out; that you are still bound.

Mr. ACKERMAN. It happens in marriages all the time.

Mr. ALBRIGHT. Well, it may happen in marriages, but it is not because one party suddenly declares I am divorced; that you have a legal process.

And so I think in the case of North Korea it is very important to maintain our goals clearly in line, and understand that the verification needs to be up to the standards of international verification used under the nonproliferation treaty, and then try to be clear about what we are going to offer them in return.

I think they do look out. I mean, I am almost amazed at how they can quote you, Congressman, or Congressman Leach, or what Rumsfeld said on a day almost down to the hour if they see it as threatening. You know, they certainly watch CNN in the foreign ministry and elsewhere, and so they—but I do think they have a paranoid lens where they read into comments imminent nuclear or imminent attacks, and even fear nuclear attack by the North Korea.

So I think they are reaching out. They are not seeing us realistically, and I think that requires us to be much clearer about what we are willing to offer, and very clear and firm about what we expect from them.

Mr. ACKERMAN. Last question before we offer. What is it that they want that would—

Mr. ALBRIGHT. Clearly, security assurances. I mean, they want a guarantee—at least they have explained to me and others, I mean, they want a treaty with us that would give them security guarantees. I do not think they can get that because they feel we have cheated, ironically.

I mean, they thought they had a security guarantee from President Clinton, and lo and behold a new President comes in and reverses that, so they feel that they need more than just a statement by the President to provide security. I do not think they are ever going to get a treaty, and that reflects, I think, their misunderstanding of our country.

Mr. ACKERMAN. I guess the question then is: If we gave them a treaty—that you do not think we can or will—would they give up their nuclear weapons program?

Mr. ALBRIGHT. I think it is one of the conditions. I mean, they also want incentives, economic benefits, and so—but again, underneath that is—I mean, and several of us have commented, and you have too. I mean, have they made the strategic decision to give up these nuclear weapons? And I think that they have escaped having to make that decision because of U.S. actions principally; that, why give them up if you think the goal is regime change? And if you are slightly paranoid, then you think not only it is regime change, but the goal is to attack them militarily.

Mr. ACKERMAN. There are people who cannot take yes for an answer. And I guess my question is, with regard to North Korea, if we were willing to pay this price, the security guarantees and economic incentives, can they really say yes?

Mr. ALBRIGHT. I think they can say yes.

Mr. ACKERMAN. Arafat could not say yes.

Mr. ALBRIGHT. Yes. No, I think they—

Mr. ACKERMAN. When the price became he just could not say yes.

Mr. ALBRIGHT. Yes.

Mr. ACKERMAN. Can these people say yes?

Mr. ALBRIGHT. I think they can say yes. I mean, again, our experience is limited, but I think our work is predicated on believing that they could say yes to denuclearization of North Korea.

Mr. ACKERMAN. The Chair has been very generous but could I just ask the other members of the panel the same question if they care to respond? Mr. Drennan?

Mr. DRENNAN. Congressman, I am much less optimistic that North Korea can say yes to a denuclearization proposal no matter how it is packaged. My personal opinion is that they have spent far too much time and far, far too many scarce resources to see this as strictly a bargaining chip.

There has been a lot of talk about the Libyan example, and whether or not North Korea has made the strategic decision to give up nuclear weapons.

One, I do not think they have made that decision, and I do not think that they want to follow the Libyan example. Libya made the decision that it wanted to join the “international community.” I do not think North Korea wants to do that. I think North Korea sees

that as a fundamental threat to the continuation of the regime. I think they are trapped. I point this out in my paper.

The few beneficiaries of this system in North Korea, in other words the elite, I think probably look around at all the alternatives to the status quo, and for them, personally, and for their families, it is worse. Some of them might expect only a diminution in their status if the regime should fall. Others might have to go into exile somewhere. I do not know too many people who vacation in North Korea, but Nicolae Ceausescu was one, and the North Koreans know what happened to Ceausescu and his wife. They were taken outside and shot, and I think that is a recent and destructive memory for the elite. So I do believe they are trapped.

I will conclude by saying I do not know what price North Korea has paid for its quest for nuclear weapons. I am not aware of any. As a matter of fact, I think they have reaped significant benefits from it. So the incentives for them to give it up, in my view, are not there.

Mr. SNYDER. I would say that they have been clear about what they want, and we know what they want, but what we do not know is what they are willing to give up in order to get it. And you know, part of the challenge—I do not think that they have yet determined what their bottom line is on that, and I think that part of the challenge of this process is shaping the environment in such a way that they come to the conclusion that their best option to get what they want is to join the international community, and that they recognize that they have to give up certain things in order to be able to do that.

Mr. GREGG. I think the problem is one of trust. I think for us to sort of expect that we can sit down at the Six-Party Talks and strike a bargain of this sort is whistling Dixie. I think that they have zero trust of us. We have zero trust of them. And I think that what they want and what they will accept and what we are willing to offer is going to be a moveable feast as we build some kind of foundation for mutual trust.

In my testimony, I mention that I met in England one of the officers who had been involved in the talks with Ghadafi, and he was fascinating on this subject. He sought me out because I think he knew that I was hoping that somehow this pattern could apply to North Korea. He said the talks were very difficult at first; that he did not know what to make of Ghadafi, but that as confidence developed, as patience paid off, they reached success and he wound up, as did his American counterpart, with quite a lot of respect for Ghadafi.

Mr. ACKERMAN. Thank you. Thank you, Mr. Chairman.

Mr. LEACH. Thank you all very much. I personally wish you each were members of Mr. Hill's negotiating team, and I think greater common sense has been brought to this Committee than on any subject. Thank you all.

The Subcommittee is adjourned.

[Whereupon, at 1:35 p.m., the Subcommittee was adjourned.]

