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NORTH KOREA'S NUCLEAR AND MISSILE TESTS AND THE SIX–PARTY TALKS: WHERE DO WE GO FROM HERE?

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON ASIA, THE PACIFIC AND THE GLOBAL ENVIRONMENT

AND THE

SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION AND TRADE

OF THE

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NORTH KOREA'S NUCLEAR AND MISSILE TESTS AND THE SIX–PARTY TALKS: WHERE DO WE GO FROM HERE?

WEDNESDAY, JUNE 17, 2009

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

The subcommittees met, pursuant to notice, at 10:04 a.m. in room 2172, Rayburn House Office Building, Hon. Eni F.H. Faleomavaega (chairman of the Subcommittee on Asia, the Pacific and the Global Environment) presiding.

Mr. FALEOMAVAEGA. The hearing will come to order. This is a joint hearing of the House Foreign Affairs Subcommittees on Asia, the Pacific and the Global Environment, and also the Subcommittee on Terrorism, Nonproliferation and Trade. We certainly welcome our witnesses this morning, and also members of the public for joining us at this important hearing. My co-chair is not here at the moment, but I am going to go ahead and give my opening statement. I am glad to see my colleague and friend from California who is the ranking member on the Subcommittee on Terrorism, Nonproliferation and Trade.

On February 12 of this year, this subcommittee held a hearing on the challenges presented by North Korea, and how the Obama administration might remake United States policy toward Pyongyang. Unfortunately, in the ensuing 4 months, North Korea has taken a series of actions that are as provocative as any we have seen in decades. How we respond to those actions is the subject of today's hearing.

As we meet this morning, President Lee Myung-bak is winding up his successful 3-day visit to the United States. His summit meeting with President Obama and his meetings here on Capitol Hill demonstrated that the U.S.-ROK alliance remains as strong and vital as ever in promoting peace, stability and prosperity in Northeast Asia and beyond. The President's visit also reconfirmed our two countries' longstanding commitment to working as closely as possible with one another, along with our other allies and partners, in dealing with Pyongyang's increasingly provocative actions, which are causing so much tension on the Korean Peninsula.

When viewed in the context of the past 20 years, these recent North Korean actions have come in unusually rapid succession. Just before our last hearing, on January 30th, Korea suspended or nullified all major inter-Korean agreements, including the armistice, which has maintained peace between North and South Korea since 1953. On March 19, Pyongyang arrested two American journalists, Laura Ling and Euna Lee, who were working near the border between China and North Korea. Pyongyang then sentenced them to 12 years in prison labor camp for what they referred to as "grave crimes." On April 5, defying appeals by the international community and a series of U.N. resolutions, North Korea launched a long-range missile. The United Nations Security Council responded by issuing a Presidential Statement of Condemnation. Citing that Statement, Pyongyang promptly announced its withdrawal from the Six-Party Talks.

A day later, North Korea expelled IAEA inspectors from the Yongbyon nuclear facility, and by the end of April, North Korea declared that it would once again produce plutonium and weaponize all of its fissile material. A month later, North Korea raised the stakes even higher by conducting its second nuclear test. By the next day, Pyongyang fired three short-range missiles. Last Friday, the Security Council responded to North Korea's actions by unanimously passing Resolution 1874, which condemned Pyongyang's nuclear tests in the strongest terms.

It also tightened sanctions to block Pyongyang's nuclear, missile and proliferation activities and to widen the ban on the country's arms exports and imports. In addition, the resolution called on United Nations member states to inspect and destroy all banned cargo to and from North Korea, whether on the high seas, at seaports or airports, if reasonable grounds existed to suspect violations. As United Nations Ambassador Susan Rice said, "These sanctions constitute a very robust, tough regime, hopefully with teeth that will bite."

Over the weekend, North Korea countered by stating that it would regard an attempted blockade of any kind by the United States and its supporters as an act of war, which would be "met with a decisive military response." The threats posed by North Korea are clear. Pyongyang's actions have raised tensions in Northeast Asia and caused countries in the region to reconsider their current military and strategic interests in that area of the world. Japan, for example, is contemplating an increase in its defense spending, and for the first time, taking a serious look at developing an attack capability.

Such a capability and other steps that may be contemplated could well lead to an arms race in Northeast Asia. There is even discussion in some circles of Japan about gaining nuclear capabilities, which the country can easily achieve given its current technological advancements. In addition, North Korea's advances in missile and nuclear weapons technology and in the production of fissile materials also increase the potential for proliferation by other states in the region.

While the threats posed by North Korea's actions are clear, the reasons underlying them are less apparent. We have something of a consensus among close observers of North Korea that has formed

regarding two likely motivations. First, North Korea appears to be seeking advances in its nuclear weapons capability and delivery systems to demonstrate their effectiveness. Second, the country appears to be in the midst of a political transition.

Kim Jong Il's health problems have apparently led him to designate his 26-year-old son, Kim Jong-un, as successor. Given a need to maintain support among the armed forces during this transition, President Kim Jong Il may be trying to satisfy the military's desire to test and improve its weapons system. The threats posed by North Korea are grave, and we must address them. How we do it is the focus of today's hearing.

Another question is whether the Six-Party Talks initiated by the Bush administration remain relevant. In addition, how important is China's role in all of this and what options does the United States have now in the current crisis?

Fortunately, our bilateral relationship is as strong as ever, encompassing social, cultural, economic, security and diplomatic links with South Korea. Our two great countries share values and interests, and millions of our citizens share family and personal ties. Recently, the United States strengthened these bonds by including South Korea in its visa waiver program. Our trade relationship is just as strong. Currently, our trade with South Korea ranks seventh in the world.

On the security front, the bonds we forged in blood during the Korean War will never be forgotten, especially when some 33,000 of our soldiers died during the Korean War fighting for the freedom of our brothers and sisters in South Korea. South Korea's deployment of forces to both Afghanistan and Iraq were vital to both operations. Its pledge to join the Proliferation Security Initiative to counter North Korea's proliferation activities is similarly significant. The upgrading of Korea to a NATO+3 member state within the U.S. Foreign Military Sales program, I believe, reflects our growing security cooperation. And now with President Lee's visit to Washington, our two countries have once again reaffirmed our unconditional and unwavering commitment to the bilateral alliance.

As we face the challenge of North Korea, we know that we can count on our friends in Seoul, and they know that they can count on us. It is my sincere hope that together, we can bring Pyongyang back to the negotiating table and that we can make real progress in reducing the security threats it poses on the Korean Peninsula. I remain optimistic that the unified position of the Security Council in passing Resolution 1874 offers us a chance of that occurring, and it is my hope that today's hearing sheds some light on how we can address the seemingly intractable problems posed by North Korea. The issue of nonproliferation presented by North Korea is the reason we are holding this hearing jointly with my good friend, chairman of the Subcommittee on Terrorism, Nonproliferation and Trade, the gentleman from California, Mr. Brad Sherman. I will now turn to him for his opening statement.

[The prepared statement of Mr. Faleomavaega follows:]

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

STATEMENT OF
THE HONORABLE ENI F.H. FALEOMAVAEGA
CHAIRMAN

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

and the
SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION AND TRADE

"North Korea's Nuclear and Missile Tests and the Six-Party Talks: Where Do We Go from Here?"

June 17, 2009

On February 12 of this year, this Subcommittee held a hearing on the challenges presented by North Korea, and how the Obama Administration might remake U.S. policy toward Pyongyang. Unfortunately, in the ensuing four months, North Korea has taken a series of actions that are as provocative as any we have seen in decades. How we respond to those actions is the subject of today's hearing.

As we meet this morning, President Lee Myung-bak is winding up his successful three-day visit to the United States. His summit meeting with President Obama and his meetings here on Capitol Hill demonstrated that the US-ROK alliance remains as strong and vital as ever in promoting peace, stability and prosperity in Northeast Asia and beyond. The President's visit also reconfirmed our two countries' longstanding commitment to working as closely as possible with one another, along with our other allies and partners, in dealing with Pyongyang's provocative actions, which are increasing tensions on the Korean Peninsula.

When viewed in the context of the past 20 years, these recent North Korean actions have come in unusually rapid succession. Just before our last hearing, on January 30, Korea suspended or nullified all major inter-Korean agreements, including the armistice which has maintained peace between North and South Korea since 1953.

On March 19, Pyongyang arrested two American journalists, Laura Ling and Euna Lee, who were working near the border between China and North Korea. Pyongyang then sentenced them to 12 years in a prison labor camp for what they referred to as "grave crimes."

On April 5, defying appeals by the international community and a series of UN resolutions, North Korea launched a long-range missile. The UN Security Council responded by issuing a presidential statement of condemnation.

Citing that statement, Pyongyang promptly announced its withdrawal from the Six-Party Talks. A day later, North Korea expelled IAEA inspectors from the Yongbyon nuclear facility. And by the end of April, North Korea declared that it would once again produce plutonium and weaponize all of its fissile material.

A month later, North Korea raised the stakes even higher by conducting its second nuclear test. The very next day, Pyongyang fired three short-range missiles.

Last Friday, the Security Council responded to North Korea's actions by unanimously passing Resolution 1874, which condemned Pyongyang's nuclear test in the strongest terms. It also tightened sanctions to block Pyongyang's nuclear, missile and proliferation activities, and to widen the ban on the country's arms exports and imports.

In addition, the resolution called on UN member states to inspect and destroy all banned cargo to and from North Korea -- whether on the high seas, at seaports or airports -- if reasonable grounds existed to suspect violations. As UN Ambassador Susan Rice said, these sanctions constitute a "very robust, tough regime, with teeth that will bite."

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The threats posed by North Korea are clear. Pyongyang's actions have raised tensions in Northeast Asia, and caused countries in the region to reconsider their current military and strategic interests. Japan, for example, is contemplating an increase in its defense spending and, for the first time, taking a serious look at developing an attack capability. Such a capability and other steps that may be contemplated, could well lead to an arms race in Northeast Asia. There is even discussion in some circles in Japan regarding gaining nuclear capabilities, something Tokyo could quickly achieve given its technological capabilities.

In addition, North Korea's advances in missile and nuclear weapons technology and in the production of fissile materials increase the potential for proliferation.

While the threats posed by North Korea's actions are clear, the reasons underlying them are less apparent. Yet, something of a consensus among close observers of North Korea has formed regarding two likely motivations. First North Korea appears to be

seeking advances in its nuclear weapons capability and delivery systems to demonstrate their effectiveness. Second the country appears to be in the midst of a political transition as Kim Jong-il's health problems have apparently led him to designate his 26-year-old son, Kim Jong-un, as successor. Given a need to maintain support among the armed forces during the transition, Kim Jong-il may be trying to satisfy the military's desire to test and improve its weapons systems.

The threats posed by North Korea are grave, and we must address them. How we do so is the focus of today's hearing.

Another focus is the continued relevance of the Six-Party Talks, which were initiated by the Bush Administration. Moreover, we will examine how important China's role is in this matter, and the options available to the United States to manage the current crisis

Fortunately, our bilateral relationship is as strong as ever, encompassing social, cultural, economic, security and diplomatic links between the United States and South Korea. Our two great countries share values and interests, and millions of our citizens share family and personal ties. Recently, the U.S. strengthened those bonds by including South Korea in the visa waiver program.

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On the security front, the bonds we forged in blood during the Korean War will never be forgotten. Some 33,000 American soldiers died fighting for the freedom of our brothers and sisters in South Korea. And Seoul's deployment of forces to both Afghanistan and Iraq were vital to both operations. Its pledge to join the Proliferation Security Initiative to counter North Korea's proliferation activities is similarly significant. The upgrading of Korea to a NATO+3 member state within the U.S. Foreign Military Sales program, I believe, reflects our growing security cooperation.

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It is my sincere hope that together, we can bring Pyongyang back to the negotiating table, and that we can make real progress in reducing the security threats it poses to Northeast Asia, to the United States and to the world.

I remain optimistic that the unified position of the Security Council in passing Resolution 1874 offers us a chance of that occurring. And it is my hope that today's hearing sheds some light on how we can address the seemingly intractable problems posed by North Korea, including its proliferation activities -- which is the reason we are

conducting this hearing jointly with the Subcommittee on Terrorism, Nonproliferation and Trade, Chaired by the gentleman from California, Mr. Brad Sherman. I will now turn to him for his opening statement.

Mr. SHERMAN. I want to thank the gentleman from American Samoa for co-hosting these hearings with our subcommittee. On the morning of May 25, North Korea exploded an atomic device with a 2- to 8-kiloton yield, which was unnerving given how much greater this yield was than the half-kiloton yield of 2006. They also have conducted a barrage of missile tests in the first half of this year. Now, conflict on the Korean Peninsula is a distinct possibility, and the fact that North Korea does have nuclear weapons makes that a more dangerous possibility, but we should also focus on the fact that this is a regime with a criminal lust for funds.

They have counterfeited currency, they have dealt drugs, and my concern, among others, is that North Korea will keep the first 15 nuclear weapons for itself and put the 16th on eBay. North Korea threatens the heart of the nonproliferation regime because like Iran, North Korea was a signatory to the nonproliferation agreement. If North Korea is allowed to become and remain a nuclear state, what will Japan and South Korea do, and what implications does the general increase of nuclear states have for the nonproliferation regime worldwide?

Today's subcommittee hearing seeks to examine policy options for the United States. We ought to reflect on how we got here. Six-Party Talks began in August 2003. A few months after, North Korea had officially "withdrawn" from the nonproliferation treaty. In 2007/2008, the agreements appeared to have achieved significant temporary success. In February 2007, North Korea agreed to disable its key nuclear facilities in exchange for food, energy and other benefits.

In July 2007, the North shut down the Yongbyon reactor, and made a big television event of its destruction. In the midst of this progress came an inconvenient fact through late 2007, early 2008. We have been told by the Bush administration that U.S. Government would remove the designation of North Korea as a state sponsor of terrorism in return for what then Assistant Secretary Chris Hill promised would be a complete and correct declaration of North Korea's nuclear activities.

He told Congress in February 2008, this declaration must include all nuclear weapons programs, materials, facilities, including clarification of any proliferation activities. The Democratic People's Republic of Korea, a.k.a. North Korea, must also address concerns related to any uranium enrichment programs and activities. The declaration was received last June, more than 6 months late. It was extremely incomplete. It said nothing about North Korea's proliferation, in spite of what we have seen in Syria.

It said nothing about uranium enrichment, and it probably understated the amount of plutonium at the Yongbyon reactor. Shortly after the receipt of these documents, the Washington Post re-

ported that the intelligence community found specks of highly enriched uranium on the papers, virtual proof that North Korea not only has the plutonium program at Yongbyon, but also a clandestine program to enrich uranium. Needless to say, this was not a good time, or a time that justified removing North Korea from the terrorism list.

So, in response to the Bush administration notification, I introduced H.R. 6420 with six bipartisan cosponsors to block removing North Korea from the terrorism list. I was assured by then Secretary Rice that we would get equivalent information through the verification regime that we had been promised as part of the declaration. Well, it is clear we did not get that, and it is clear that the removal of North Korea from the terrorism list was somewhere between a mistake and premature, but we can continue to dance around with North Korea. The fact is, they well understand the situation.

That situation is, they can do what they are doing and get away with it, not only in the area of nuclear activities, but they can probably resume the counterfeiting as well. The reason for this is simple. They are getting subsidies from China, not because China loves their regime, but because China finds that the most convenient thing for China to do, and given the overwhelming political power of the importers in this country, we can't do the obvious, which is to hint to China that their continued access to United States markets requires a change in their North Korea policy.

So China will basically continue its policy. Yes, we have something passed at the U.N., watered down as it is. It poses no threat to the North Korean regime, and until, and I think it is highly unlikely this occurs, until China believes that either it has to change its policy toward North Korea or risk access to the United States market, or at least some interruption of that access; or unless China believes that its policy toward North Korea is going to lead to a nuclear South Korea, a nuclear Japan or a nuclear Taiwan. Unless China has that game-changing information, they are simply not going to change their policies, and when we look at our trade policy toward China, we not only have a disaster for the American manufacturing industry, we also have a disaster for our foreign policy. Given the enormous profits that are to be made by continuing the status quo, it is highly unlikely that it is going to change.

I yield back.

Mr. FALEOMAVAEGA. I thank the chairman for his statement. My senior ranking member is not here, the gentleman from Illinois, Mr. Manzullo, so I will now turn the time over to the Ranking member of the Subcommittee on Terrorism, Nonproliferation and Trade, the gentleman from California, Mr. Royce, for his opening statement.

Mr. ROYCE. Thank you very much, Mr. Chairman. I certainly look forward to the testimony from our panel. I wish the administration, though, had agreed to testify today. This is a very important issue that we are struggling with. This is the second hearing this year that this subcommittee has held on North Korea. In February when we held this hearing, we heard testimony that North Korea "is changing." It certainly has.

Since that last hearing, North Korean policy, which has always been pretty aggressive, has gone into overdrive. We have had a long-range missile test, a nuclear test, uranium enrichment, and we have had the detention and sentencing of two American journalists to 12 years of hard labor. Yesterday, North Korea accused Laura Ling and Euna Lee of "faking moving images" of its human rights abuses. There is nothing fake about the house of horrors that is the North Korean system and the impact that it has had, to those of us that have been in North Korea. We have seen the consequences that it has had on its 1.9 million malnourished people, that we know of, who have starved to death as a result of that system.

In response to the North Korean threat, the U.N. Security Council passed a resolution last week. Predictably, our ambassador to the U.N. boasted that it will "bite in a meaningful way." Unfortunately, we have seen this before. A Chinese spokesman called the resolution "balanced," and a Russian ambassador called it "moderate." I think that says it all. As was the case in 2006, it is going to come down to enforcement, which was certainly lacking then. As Chairman Brad Sherman pointed out, we are going to continue to see China subsidize North Korea.

This weekend's comments by South Korean President Lee Myung-bak to the Wall Street Journal are worth noting. President Lee, who we met with yesterday, said that the Six-Party Talks aren't working and need to be changed. Defense Secretary Gates has said he is "tired of buying the same horse twice." Yesterday, President Obama promised to "break [the] pattern" of crisis to concession to crisis. Better late than never. The compromise U.N. resolution aside, the United States should deploy our own measures to undercut North Korea's economy and target its proliferation activities.

I can think of no more effective measure than the 2005 sanctioning of Banco Delta Asia for laundering counterfeit United States currency for North Korea. It is a little vexing that North Korea is again counterfeiting United States bills. If we recall what happened then, when Treasury was able to convince the administration to deploy that strategy, banks across Asia refused to do business with Kim Jong Il. As a result, he was unable to pay his generals, and he got very, very antsy about that.

It is the only time I have really seen his attitude change from one of constant aggression. Frankly, things were at a standstill for North Korea. That is until sanctions were dropped in the naive belief that North Korea would bargain away its nuclear program. If we are serious about a nuclear-free Korean Peninsula, the effort should be replicated. A former United States official who spearheaded this sanctions effort called Banco Delta Asia the "tip of the iceberg" with respect to North Korea's illicit activities.

Indeed, news reports indicate that South Korea has given the United States information on between 10 and 20 North Korean bank accounts in China. One of these are in Switzerland, and that North Korean counterfeiting has been ramped up in recent months. We needed to act on these accounts yesterday. North Korean proliferation to the Middle East certainly heightens concerns.

Pyongyang's cooperation with states such as Iran and Syria is very, very well documented.

Last August, India responded to a United States request and blocked its airspace to a North Korean plane delivering illicit cargo to Iran. That plane had to turn back. There was the instance where they built a replica of their reactor that they had at Yongbyon on the Euphrates River in Syria. North Korean proliferation makes proposals to cap its nuclear program a non-starter. While diplomacy dithers, we need to be bolstering our defenses against North Korean proliferation.

That Seoul has finally joined the Proliferation Security Initiative is welcome, yet our last line of defense here is missile defense. The last line is that ability to intercept, which has been slashed by the Obama administration. While Pentagon officials testified before the Senate yesterday that North Korea's missiles could hit the United States in 3 years, House Democrats rejected efforts to restore missile defense cuts in the Armed Services Committee.

North Korea, in the midst of a leadership struggle, has dropped the pretense of being willing to negotiate away its nuclear program. The sooner we recognize this and focus in with a renewed effort to box out North Korea from the international financial system—which is very effective because their money is worthless—they need hard currency.

I have talked to defectors who shared with me that they weren't able to continue the missile programs at times when the hard currency crunch was put on North Korea.

Why? Because they couldn't buy those clandestine, in this case, gyroscopes made in Japan that they were trying to buy on the black market in order to continue their missile line. You shut everything down when you shut down the hard currency. Boxing out North Korea from the international financial system, along with these other measures will give us a chance to slow down their program. We need to cease playing a game in which the hard currency that we put into the country, or even the food aid, which was not being monitored. We had to end our food aid for that very reason. Other states that have put food aid in, like the French NGOs, testify to us that food aid ends up on the Pyongyang food exchange where it is sold for hard currency for the regime.

Half of the country is a no-go area where the food is not delivered. The food that is delivered, we have monitored, some of that goes to the army. It is really time to understand the nature of the strategy we have been dealing with on the other side of the table.

Thank you, Mr. Chairman.

Mr. FALEOMAVAEGA. I thank the gentleman from California for his statement. At this time, on my right side, as a courtesy to the vice chairman of the Subcommittee of Terrorism, Nonproliferation and Trade, I turn to the gentleman from Georgia, Mr. Scott, if he has an opening statement to make.

Mr. SCOTT. Yes, I do, and thank you very much. This is clearly an extraordinarily timely hearing. There certainly is no more pressing issue for the security of our nation, and indeed the world, than North Korea's reckless pursuit of nuclear weapons technology. The Obama administration, we in Congress, are faced with an extraordinary dilemma. Every day, North Korea's capability grows and

brings ever more territory into range of their missiles and their maniacal posturing, and what fears me most about this very serious situation is that I feel we may have very well lost whatever momentum we had in dealing with this crisis.

The Six-Party Talks have stalled and certainly bilateral negotiations have proven equally unfruitful. We are dealing with a relatively aging person in leadership who has recently had a stroke. We do not know what his physical and mental capacities are. If something happens to him, there will be a collective leadership in place which we have very little information about. There are question marks about his succession and whether his sons are, at this point, ready.

So what mechanisms do we have left for dealing with this regime? There is no limit to what a government will do when it ceases to care about its people. That is what is happening in North Korea, and certainly Kim Jong Il's regime has no regard for the health and well-being of its own people. So clearly, what regard does he have for you and for me? Kim Jong Il would rather allow his own people to starve to death than give up their pursuit of nuclear weapons.

Starvation is rampant in North Korea. Indeed, recent events make me wonder if they have ever negotiated at all in good faith on this issue. It sort of reminds me very much of an old Peanuts comic strip, when Lucy would ply the affable yet gullible Charlie Brown into running full speed ahead to kick a football and then would yank the football out from under him at the last minute leaving him flying through the air to land with a heavy thud, and of course, we are the Charlie Brown in this scenario.

So I wonder, how many times to we have to fall on our rear end before we stop running to kick this football? How long until we begin to explore options outside of the Six-Party Talks? Are we already doing that, and are they working? It would seem not. And can we ever trust North Korea to say what it means and do what it says? I doubt it very seriously, as long as, and here is my major point, as long as Russia and China continue to play benefactor, and ladies and gentlemen, this is the key.

I feel that the key and the answer to this dilemma with North Korea does not lie with either the Obama administration or us in Congress. It lies with China and Russia. They must become more forceful with North Korea in order to convince them to give up their pursuit of nuclear weapons. It is China that whatever feed they get, it is China. China is their benefactor. Not until China and Russia see North Korea as a threat will we begin to unravel this situation.

They hold the key. They hold the trump cards in this drama to be able to stop North Korea, and I am certainly pleased that we were finally able to have China and Russia join us in approving more strict U.N. sanctions. That is a good sign. That is the road I think that we have to travel, and it seems that Russia and China are finally starting to realize that indeed, North Korea poses a threat to them as well as us and the rest of the Western world.

But the question is this: When North Korea tests our will to enforce these increased sanctions, as they most assuredly will, are China and Russia in a position to give North Korea the toughness,

maybe we should say the tough love, that it really needs, or will they cave to pressure, and if so, we need to find out what that pressure is. Undoubtedly, this is a complex issue, and solving this crisis will require a great deal of creative thinking on everyone's part, but try we must. The safety of the world and this planet rests with what we do concerning North Korea.

I yield back, Mr. Chairman.

Mr. FALEOMAVAEGA. I thank the gentleman from Georgia from his statement, and now I would like to turn the time over to the ranking member of our Subcommittee on Asia, the Pacific and the Global Environment, the gentleman from Illinois, for his opening statement.

Mr. MANZULLO. Thank you, Mr. Chairman, for calling this very important hearing. I want to commend the valiant work of Ambassador Chris Hill in trying to juggle all these balls at one time, because that is indeed what we see going on, but I also see the North Koreans as trying to play games with America. Perhaps they were sincere in dealing with Mr. Bush and then decided, well, we have got a new President, let us see if we can get a better deal out of him.

I don't think that is going to work, because the mettle to stop North Korea from becoming even more of a nuclear state surpasses party lines, and we have to dig in under this administration as we dug in under the other administration to make sure we do everything possible to stop the North Koreans, and so I don't think their bidding contest, looking for a better deal with the new President is going to work, and I know they follow public opinion very closely, and perhaps they will pick up on this very short opening statement.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Manzullo follows:]

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

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

June 17, 2009

Mr. Chairman, thank you for calling this important hearing regarding North Korea, nuclear weapons, and the Six Party Talks. The situation that the United States currently finds itself in, with North Korea refusing to give up its nuclear arms, is becoming more serious with each weapons test and missile launch. For far too long, the countries involved in the Six Party Talks negotiated in good faith with Pyongyang assuming that all parties to the process shared the common goal of nuclear nonproliferation. Sadly, this is not the case, because on May 25 of this year, North Korea issued a clear rejection of the Six Party Talks principles by detonating a nuclear bomb. Thus, I can only conclude that the goal of nuclear nonproliferation on the Korean Peninsula is further away today than before.

We as a Nation are now faced with a truly difficult and vexing dilemma regarding North Korea that does not have a clear resolution, particularly during this time of possible leadership transition in North Korea. Indeed, how will the Administration engage North Korea and urge its irrational leaders to willingly give up nuclear weapons when these leaders view the possession of such weapons as fundamental to the survival of the regime? How can the U.S. convince vital partners such as China that keeping the status quo on their northern border is not in their best interest? Finally, how do we ensure that the desire to solve this impasse does not weaken our important alliances and friendship with Japan and South Korea?

North Korea's actions in recent weeks can only be characterized as extremely serious. While I note China and Russia did support the U.S. at the United Nations Security Council, I find the agreed upon resolution to be difficult to enforce, particularly with regard to preventing weapons proliferation. This "least common denominator" approach does little to genuinely punish North Korea for its behavior. After all, how many times has the North defied international condemnation and carried on with its business as normal?

Mr. Chairman, the future of the Six Party Talks is not very bright given the current course of events. Regardless of the North's true intentions behind these tests, whether for domestic consumption or leverage in negotiations, the fact is that Pyongyang is not giving up these arms and this makes the world a more dangerous place. I look forward to hearing from our witnesses.

Mr. FALEOMAVAEGA. I thank the gentleman from Illinois for his statement. I would also like to recognize on the dais some of our distinguished members of the committee who have joined us for this hearing, the gentleman from Virginia, Mr. Connolly, the gentlelady from Texas, Ms. Jackson Lee, and the gentleman from Nebraska, Mr. Fortenberry. I am glad that you could join us. Mr. Poe from Texas is also here with us, and Mr. Boozman, as well.

As a courtesy to some of the members of the public, I can feel your pain standing there. I am going to have you come sit here, as long as you don't press the talk button. There are about 12 seats right in the third tier. You can come and sit there, if you are inclined—so you won't have to stand. Come and join us. We are not prejudiced.

There are some more seats here. How about some of the young scholars that we have here.

Mr. POE. Mr. Chairman, they are trying to figure out which side to sit on. [Laughter.]

Mr. FALEOMAVAEGA. Just to remind you, if you are on the right side, you are a Democrat. If you are on the left side, you are a Republican. No, please join us.

Mr. CONNOLLY. It kind of works out, Mr. Chairman. It is two to one.

Mr. FALEOMAVAEGA. [Speaking Samoan.] That was the language that Adam and Eve spoke in the Garden of Eden, if you want to know. Our young gentlemen here came all the way from Samoa to join us.

Well, this morning, I certainly would like to offer my personal welcome to our distinguished guests, members of the panel whom we have invited to testify at our hearing this morning, and I would like to just share with the members of both subcommittees the distinguished records of scholarship and experience they have had, and I think their sense of expertise fits right into the picture in terms of what we are trying to deliberate on this morning.

The first gentleman that I want to introduce is Mr. Selig Harrison, a senior scholar at the Woodrow Wilson International Center for Scholars and currently the director of the Asia Program at the Center for International Policy. He has specialized in South Asia and East Asia for some 58 years as a journalist and scholar, and is the author of five books and probably several hundred articles that have appeared in all the major national newspapers and magazines.

One aspect of Mr. Harrison's distinguished record is the fact that the former chairman of this subcommittee called Mr. Harrison a prophet, for the simple reason that he gave a warning about 18 months before the war that took place between India and Pakistan, predicting correctly what would happen in that area of the world. He also predicted that Russia would invade Afghanistan, and that is exactly what happened in later years, and that Russia would not be able to take control of Afghanistan. I am very happy and pleased that Mr. Harrison has been able to give us the benefit of his time to join us at this hearing this morning.

Ambassador Thomas Hubbard is a senior director of McLarty Associates in Washington where he specializes in Asian affairs, was a Foreign Service Officer for nearly 40 years, having served as U.S.

Ambassador to Korea, Ambassador to the Philippines and as Ambassador to Malaysia. I think that should give us a real sense of understanding of this gentleman's record and his experience in serving in that area of the world.

With us also is Scott Snyder, currently a senior associate in the Washington program at the International Relations program of The Asia Foundation. He joined the Asia Foundation as a country representative in Korea in 2000 for 4 years, wrote several op-ed articles in journals and newspapers, is a graduate of Rice University, holds a master's in Regional Studies at Harvard University, and is very familiar with the Korean Peninsula.

Dr. Richard Bush is currently visiting professor at Cornell University in China and the Asia-Pacific Studies Program there, and is also director of the Center for Northeast Asian Policy Studies at the Brookings Institution. He served previously as chairman of the board and managing director of the American Institute in Taiwan. He has held a host of other positions including as a senior advisor to the former chairman of the Committee on Foreign Affairs, Congressman Lee Hamilton, and as a consultant to then chairman of the Asia, the Pacific and the Global Environment Subcommittee on Foreign Affairs, my good friend, former Congressman Steve Solarz from New York.

I hope I haven't forgotten anybody here. Did I miss anybody? Gentlemen, I do want to thank you for taking the time from your busy schedule and coming and sharing with us. Again, the question is, "North Korea's Nuclear and Missile Tests and the Six-Party Talks: "Where Do We Go From Here?"

Mr. Harrison?

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

Mr. HARRISON. Mr. Chairman, this is a very dangerous moment in our relations with North Korea, the most dangerous since June 1994, when Jimmy Carter went to Pyongyang with the grudging consent of the Clinton administration. Carter negotiated an agreement with Kim Il Sung that headed off a war and paved the way for the suspension of the North Korean nuclear weapons program for the next 8 years. Now, we urgently need another high-level unofficial emissary, but the Obama administration is not even prepared to give its grudging consent to Al Gore.

Vice President Gore wants to negotiate the release of the two imprisoned U.S. journalists, Laura Ling and Euna Lee, both employees of Current TV, which he founded, and I believe that he could in the process pave the way for a reduction of tensions. As members of this committee may know, Al Gore met Hillary Clinton on May 11, May 11. He asked for the cooperation of the administration in facilitating a mission to Pyongyang and in empowering him to succeed in such a mission by exploring with him ways in which the present stalemate in relations between North Korea and the United States can be broken.

She said she would consider his request, but the administration has subsequently delayed action. The administration's position is that the case of the two imprisoned journalists is a humanitarian matter and must be kept separate from the political and security

issues between the two countries. In a News Hour interview with U.N. Ambassador Susan Rice on June 10, Margaret Warner asked Rice how the latest U.N. sanctions resolution would "complicate efforts to win the release of the two American journalists," but Rice turned the question around, declaring that the issue of the two journalists "cannot be allowed to complicate our efforts to hold North Korea accountable" for its nuclear and missile tests.

I believe this is a very unrealistic position. It shows a callous disregard for the welfare of Laura Ling and Euna Lee. It ignores the danger of a war resulting from the administration's naive attempts to pressure North Korea into abandonment of its nuclear and missile programs. Past experience with North Korea has repeatedly shown that pressure invariably provokes a retaliatory response that makes matters worse. The administration should instead actively pursue the release of the two women through intervention on their behalf by a high-level unofficial emissary empowered to signal United States readiness for tradeoffs leading to the reduction of tensions, such as the provision of the 200,000 tons of oil that had been promised to North Korea, but had not been provided, when the Six-Party Talks broke off last fall.

This was one-third of the energy aid promised in return for the disablement of the Yongbyon reactor. Of course, any agreement to provide that oil should require that North Korea stop its present efforts to rebuild the reactor. Now, looking ahead, the goal of the United States should be to cap the North Korean nuclear arsenal at its existing level and to move toward normalized relations as the necessary precondition for progress toward eventual denuclearization.

Now, the gentleman from California, I believe, said that capping is a non-starter. That may be, but it is the only way, the only way we are going to get anywhere, and it is very important to keep this option of capping as our major diplomatic objective. The prospects for capping the arsenal at its present level have improved as a result of Pyongyang's June 13 announcement admitting that it has an R&D program for uranium enrichment.

Since this program is in its early stages, and it is not yet actually enriching uranium, there is time for the United States to negotiate inspection safeguards limiting enrichment to the levels necessary for civilian uses. Until now, North Korea's denial of an R&D program has kept the uranium issue off the negotiating table and it has kept alive unfounded suspicions that it is capable of making weapons-grade uranium. It is very far, indeed, from that.

Progress toward denuclearization would require United States steps to assure North Korea that it will not be the victim of a nuclear attack. In Article Three, Section One of the Agreed Framework, the United States pledged that it "will provide formal assurances against the threat or use of nuclear weapons by the United States" simultaneous with complete denuclearization. Pyongyang is likely to insist on a reaffirmation of this pledge before there is any eventual denuclearization.

Realistically, if the United States is unwilling to give up the option of using nuclear weapons against North Korea, it will be necessary to live with a nuclear-armed North Korea while maintaining adequate United States deterrent forces in the Pacific, and we do

have adequate deterrent forces in the Pacific. We should keep this in mind as we paint alarmist scenarios of the danger that we face.

The President set the tone for a new direction in United States relations with the Muslim world in Cairo. He acknowledged the legacy of colonialism in the Middle East. He acknowledged the impact of the Israeli occupation on the Palestinians and the United States role in overthrowing the elected Mossadegh regime in Iran. Similarly, I believe, he should break through the present poisonous atmosphere by expressing his empathy for the deepest feelings of the Korean people in both the North and the South, which he hasn't done.

Visiting Pyongyang on March 31, 1992, the Reverend Billy Graham declared "Korean unity was a victim of the Cold War." He acknowledged the United States role in the division of Korea and he prayed for peaceful reunification soon. President Obama should declare his support for peaceful reunification through a confederation, as envisaged in the North-South summit pledges of June 2000 and October 2007, in order to set to rest North Korean fears that I found very much alive on the last of my 11 visits in January, in order to set to rest North Korean fears that the United States will join with the right-wing elements in Japan and South Korea now seeking reunification by promoting the collapse of the North Korean regime.

Above all, he should express his empathy for the painful memories of Japanese colonialism shared by all Koreans. Secretary of State Hillary Clinton demonstrated complete insensitivity to these memories during her Tokyo visit on February 18 by needlessly embroiling herself in the explosive abductee dispute between North Korea and Japan and by ignoring Kim Jong Il's apology to Prime Minister Koizumi on September 17, 2002. This abductee dispute is a bilateral dispute, and to paraphrase Susan Rice, "should not be allowed to complicate" the reduction of tensions with Pyongyang and its eventual denuclearization.

In the event of another war with North Korea resulting from efforts to enforce the U.N. sanctions, it is Japan that North Korea would attack, in my view, not South Korea, because nationalistic younger generals with no experience of the outside world are now in a strong position in the North Korean leadership following Kim Jong Il's illness and his reduced role in day-to-day management. Some of these nationalistic younger generals, I learned in Pyongyang, were outraged when Kim Jong Il apologized to Koizumi in 2002 and they have alarmed others in the regime with their unrealistic assessments of North Korea's capabilities in the event of a conflict with Japan.

The U.N. sanctions, in conclusion, have further strengthened the position of these nationalistic younger generals because all North Koreans feel that they do face a threat from the United States nuclear weapons deployed near their borders. All North Koreans, I believe, would be united, in my view, if tensions resulting from attempts to enforce the sanctions should escalate to war.

Thank you very much.

[The prepared statement of Mr. Harrison follows:]

Testimony of Selig S. Harrison, Senior Scholar, Woodrow Wilson International Center for Scholars, and Director, Asia Program, Center for International Policy, House Committee on Foreign Affairs, June 17, 2009

This is a very dangerous moment in our relations with North Korea, the most dangerous since June, 1994, when Jimmy Carter went to Pyongyang with the grudging consent of the Clinton Administration. Carter negotiated an agreement with Kim Il Sung that headed off a war and paved the way for the suspension of the North Korean nuclear weapons program for the next eight years. Now we urgently need another high-level emissary, but the Obama Administration is not even prepared to give its grudging consent to Al Gore, who wants to negotiate the release of the two imprisoned U.S. journalists, Laura Ling and Euna Lee, both employees of Current TV, which he founded, and who could in the process pave the way for a reduction of tensions.

As members of this Committee may know, Al Gore met Hillary Clinton on May 11 and asked for the cooperation of the Administration in facilitating a mission to Pyongyang and in empowering him to succeed in such a mission by exploring with him ways in which the present stalemate in relations between North Korea and the United States can be broken. She said she would "consider" his request, but the Administration has subsequently delayed action. The Administration's position is that the case of the two imprisoned journalists is a "humanitarian" matter and must be kept separate from the political and security issues between the two countries. In a News Hour interview with U.N. Ambassador Susan Rice on June 10, Margaret Warner asked Rice how the latest U.N. sanctions resolution would "complicate efforts to win the release of the two American journalists." But Rice turned the question around, declaring that the issue of the two journalists "cannot be allowed to complicate our efforts to hold North Korea accountable" for its nuclear and missile tests.

This is an unrealistic position. It shows a callous disregard for the welfare of Laura Ling and Euna Lee. It ignores the danger of a war resulting from the Administration's naïve attempts to pressure North Korea into abandonment of its nuclear and missile programs. Past experience with North Korea has repeatedly shown that pressure invariably provokes a retaliatory response that makes matters worse. The Administration should instead actively pursue the release of the two women through intervention in their behalf by a high-level unofficial emissary empowered to signal U.S. readiness for tradeoffs leading to the reduction of tensions, such as the provision of the 200,000 tons of oil that had been promised to North Korea, but had not been provided, when the six-party talks broke off last fall. This was one third of the energy aid promised in return for the disablement of the Yongbyon reactor.

Looking ahead, the goal of the United States should be to cap the North Korean nuclear arsenal at its existing level and to move toward normalized relations as the necessary precondition for progress toward eventual denuclearization. The prospects for capping the arsenal at its present level have improved as result of Pyongyang's June 13 announcement admitting that it has an R and D program for uranium enrichment. Since

this program is in its early stages, and it is not yet actually enriching uranium, there is time for the United States to negotiate inspection safeguards limiting enrichment to the levels necessary for civilian uses. Until now, North Korea's denial of an R and D program has kept the uranium issue off the negotiating table and kept alive unfounded suspicions that it is capable of making weapons-grade uranium.

Progress toward denuclearization would require U.S. steps to assure North Korea that it will not be the victim of a nuclear attack. In Article Three, Section One of the Agreed Framework, the United States pledged that it "will provide formal assurances against the threat or use of nuclear weapons by the United States" simultaneous with complete denuclearization. Pyongyang is likely to insist on a reaffirmation of this pledge. Realistically, if the United States is unwilling to give up the option of using nuclear weapons against North Korea, it will be necessary to live with a nuclear-armed North Korea while maintaining adequate U.S. deterrent forces in the Pacific.

The President set the tone for a new direction in U.S. relations with the Muslim world in Cairo. He acknowledged the legacy of colonialism in the Middle East, the impact of the Israeli occupation on the Palestinians and the U.S. role in overthrowing the elected Mossadegh regime in Iran. Similarly, he should break through the present poisonous atmosphere by expressing his empathy for the deepest feelings of the Korean people in both the North and the South. Visiting Pyongyang on March 31, 1972, the Reverend Billy Graham declared that "Korean unity was a victim of the cold war." He acknowledged the U.S. role in the division of Korea and he prayed for peaceful reunification "soon." President Obama should declare his support for peaceful reunification through a confederation, as envisioned in the North-South summit pledges of June, 2000, and October, 2007, in order to set to rest North Korean fears that the United States will join with right-wing elements in Japan and South Korea now seeking reunification by promoting the collapse of the North Korean regime. Above all, he should express his empathy for the painful memories of Japanese colonialism shared by all Koreans. Secretary of State Hillary Clinton demonstrated complete insensitivity to these memories during her Tokyo visit on February 18, 2009 by needlessly embroiling herself in the explosive abductee dispute between North Korea and Japan and by ignoring Kim Jong Il's apology to Prime Minister Koizumi on September 17, 2002. This is a bilateral dispute and, to paraphrase Susan Rice, "should not be allowed to complicate" the reduction of tensions with Pyongyang.

In the event of another war with North Korea resulting from efforts to enforce the U.N. sanctions, it is Japan that North Korea would attack, in my view, not South Korea, because nationalistic younger generals with no experience of the outside world are now in a strong position in the North Korean leadership following Kim Jong Il's illness and his reduced role in day to day management. Some of them, I learned in Pyongyang, were outraged at Kim Jong Il's apology to Koizumi and have alarmed others in the regime with their unrealistic assessments of North Korea's capabilities in the event of a conflict with Japan.

The U.N. sanctions have further strengthened their position because all North Koreans feel that they face a threat from the U.S. nuclear weapons deployed near their borders and would be united, in my view, if tensions resulting from attempts to enforce the sanctions should escalate to war.

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SELIG S. HARRISON is a Senior Scholar of the Woodrow Wilson International Center for Scholars and Director of the Asia Program at the Center for International Policy. He has specialized in South Asia and East Asia for 58 years as a journalist and scholar and is the author of five books on Asian affairs and U.S. relations with Asia. His latest book, Korean Endgame: A Strategy for Reunification and U. S. Disengagement *(Princeton University Press), won the 2002 award of the Association of American Publishers for the best Professional/Scholarly Book in Government and Political Science. He has visited North Korea 11 times, most recently in January 2009.*

In the last week of May, 1972, Harrison, representing The Washington Post, *and Harrison Salisbury of the* New York Times *became the first Americans to visit North Korea since the Korean war and to interview Kim Il Sung. In 1989, Harrison presided over a Carnegie Endowment symposium that brought together North Korean spokesmen and American specialists and officials for the first time and has reported on this meeting in his Endowment study,* Dialogue with North Korea. *In 1992, he led a Carnegie Endowment delegation to Pyongyang that learned for the first time that North Korea had reprocessed plutonium.*

In June, 1994, on his fourth visit, he met the late Kim Il Sung for three hours and won agreement to the concept of a freeze and eventual dismantlement of the North Korean nuclear program in exchange for U.S. political and economic concessions. President Carter, meeting Kim Il Sung a week later, persuaded the North Korean leader to initiate the freeze immediately, opening the way for negotiations with the U.S. that resulted in the U.S.-North Korean nuclear agreement of October 21, 1994.

Mr. FALEOMAVAEGA. Thank you, Mr. Harrison.

Ambassador Hubbard?

STATEMENT OF THE HONORABLE THOMAS C. HUBBARD, SENIOR DIRECTOR, MCLARTY ASSOCIATES (FORMER AMBASSADOR TO THE REPUBLICS OF KOREA, THE PHILIPPINES AND PALAU)

Ambassador HUBBARD. Thank you, Mr. Chairman, for inviting me here this morning. I have had the opportunity in Korea and I think also the Philippines to invite you to my ambassadorial residence and I am glad to be here in your house this morning.

Mr. FALEOMAVAEGA. Yes, I have not forgotten, and certainly appreciate the courtesies that you have extended. Thank you.

Ambassador HUBBARD. Also, Mr. Royce has visited both of these places, and I hope at the outset it would not be inappropriate for me to add one further element to my biographic information that you did not mention and that is that I was actually the first U.S. Ambassador to the Republic of Palau. I was ambassador there concurrently with my assignment to——

Mr. FALEOMAVAEGA. Noted for the record, you were the first Ambassador to the Republic of Palau,——

Ambassador HUBBARD. That is correct.

Mr. FALEOMAVAEGA [continuing]. Who has just accepted four Uighurs to be part of that little island nation.

Ambassador HUBBARD. That is exactly why I mentioned it. I wanted to take this occasion to——

Mr. FALEOMAVAEGA. And I appreciate that.

Ambassador HUBBARD [continuing]. Say how much I appreciate and welcome their help in dealing with this Uighur situation.

Mr. FALEOMAVAEGA. Thank you, Ambassador.

Ambassador HUBBARD. Mr. Chairman, I have been deeply involved in North Korean affairs for over 15 years, first as a senior official in the East Asia Bureau in the State Department during the Clinton administration, later as Ambassador to South Korea under the Bush administration, and more recently as a happy member of the private sector often asked to comment on North Korean matters. Throughout this period, the central United States objective has been a verifiable end to North Korea's nuclear weapons program, and our preferred means of achieving that objective has been dialogue.

We have of course seen many ups and downs in the various forms of negotiations that have been tried since 1992 when then Undersecretary of State Arnold Kanter held the first direct talks with a senior North Korean official during the first Bush administration. As a senior member of the Clinton administration delegation led by Robert Gallucci that first sat down with a DPRK delegation in New York in June 1993, I share the frustration that we have heard this morning that this problem has grown only worse over time despite all our efforts.

The North Korean threat that we face in 2009 is significantly more serious than the one we confronted in the early 1990s. Whereas we suspected that the North Koreans had squirreled away enough plutonium for one, maybe two nuclear weapons when they balked at International Atomic Energy Agency inspections in 1993,

16 years later we know that they have substantially more. They have conducted two underground nuclear explosions and have tested a range of ballistic missiles that could become delivery systems.

Earlier agreements to forgo nuclear weapons notwithstanding, the DPRK's nuclear weapons programs are once again up and running. The North Koreans now boast of their nuclear deterrent and maintain that they are willing to return to the negotiating table only if their status as a nuclear weapons state is recognized, but in the wake of North Korea's second nuclear test and successive missile tests, I have been asked for my assessment of the motivations behind these and other provocative acts.

It goes without saying that no one really knows what goes on behind the walls of one of the most isolated and secretive nations in the world, but we must assume that regime survival is Kim Jong Il's most fundamental objective and that he sees the United States and its alliance with South Korea as the primary threat to his hold on power. For the past 15 years, we have tended to see North Korea's provocative behavior as a negotiating tactic aimed primarily at attracting our attention, at drawing the United States into bilateral negotiations in which we would offer security assurances and financial aid in exchange for North Korean promises to give up its nuclear programs.

That was probably a correct assessment until recently and remains one of the DPRK's important aims at the outset of a new administration. However, I believe we have entered into a new situation in which the DPRK leadership is motivated as much by domestic factors as by an interest in manipulating the United States. What has changed? Leadership transition is one new factor. Having suffered a debilitating stroke at the age of 67, Kim Jong Il is bound to be thinking about his legacy and about leadership succession.

There are widespread reports that he has chosen his 27-year-old youngest son to be his successor. It may be that he has come to see his nuclear missile programs less as a bargaining chip than as his best security option, a legacy of his leadership that will ensure the survival of a successor regime and give the DPRK a continuing voice in world affairs despite its economic failures.

Following the collapse of its principal international benefactor, the Soviet Union, in the early 1990s, the DPRK leadership appeared to signal that it saw a closer relationship with the United States as the best way to ensure regime survival. Sig Harrison was one of the prophets who foreshadowed that approach. The North Koreans also pursued warmer relations with South Korea, with whom it signed a mutual denuclearization agreement in 1992, but as it enters a difficult transition period, the DPRK appears to have at least temporarily abandoned that approach in favor of a return to its traditional approach of self-isolation, this time armed with a demonstrated, albeit rudimentary, nuclear capability.

If the DPRK leadership is determined to turn its back on the world, it is a profound tragedy for the people of North Korea, since only by joining the international community can they gain the assistance and technology that they need to overcome their enormous economic challenges. Through dialogue in various venues, the U.S.

and its partners in the region have long offered such assistance in exchange for the DPRK's abandonment of its nuclear programs.

Sadly, the DPRK has consistently failed to abide by its commitments, obviously hedging its bet on a strategic relationship with the U.S. by seeking to hold onto its nuclear card as long as possible. I wouldn't argue that successive United States administrations and our allies have always been wise or consistent in their approach to North Korea. Mutual confidence has been hard to build. However, the North Korean regime has only itself to blame for the suffering of its people.

By failing to avail itself of the benefits that were offered in the Six-Party Talks at the end of the Bush administration and then by rejecting the hand that was extended by the Obama administration, the DPRK leadership has gone out of its way to reject its best hope for security and prosperity. Where, then, should we go from here? I agree with the basic approach being followed by the Obama administration. First and foremost, we must not recognize the DPRK as a permanent nuclear power.

Some prominent Americans have argued that nuclear weapons are now a fact of life in North Korea, too valuable for the regime to ever give up. They argue that talks are futile. We should instead build missile defenses and isolate the DPRK, waiting for eventual Korean unification to solve the nuclear problem for us. I disagree with that view. While the potential of the DPRK actually using nuclear weapons seems remote, the risk of transfer to other dangerous countries or groups is such that we cannot rely entirely on deterrents and containment.

Moreover, acceptance of North Korea as a nuclear weapons state without efforts to change things would be deeply alarming to some of our closest allies and could well lead to a regional arms race. While recognizing that quick success is unlikely, we need to vigorously pursue a proactive policy aimed at verifiable denuclearization. A willingness to engage North Korea directly, combined with pressure, is the best way forward. North Korea's defiance of the international community has been costly to North Korea.

One result of its outrageous recent behavior has been to bring the other partners in the Six-Party Talks closer together. When President Obama and ROK President Lee Myung-bak met yesterday in Washington, they displayed the most unified front that we have achieved since our two countries began direct dialogue with North Korea on nuclear issues. Moreover——

Mr. FALEOMAVAEGA. Not to cut you short, Mr. Ambassador, but we have got a little time there——

Ambassador HUBBARD. I have got 5 seconds.

Mr. FALEOMAVAEGA. All right, 5 seconds. Thank you.

Ambassador HUBBARD. Agreeing that North Korea's challenge to the international community must have consequences, China and Russia supported a strong U.N. Security Council resolution condemning North Korea's behavior in no uncertain terms, and calling for concrete steps to address the proliferation issue. If the North Koreans continue to deny the international community, pressure is our only option, and it is crucial that the measures called for in the Security Council resolution be carefully implemented.

At the same time, we should leave open a path to dialogue, as President Obama has done. Now, since the beginning of dialogue with North Korea, we have looked for clear signals of whether the DPRK leadership has made a strategic decision to give up its nuclear weapons programs. Several times, the DPRK has proclaimed its willingness to do so but insisted upon a phased process that has enabled it to obtain assurances and benefits without taking irrevocable steps to end the weapons capability.

When we get back to the negotiating table, as I believe we will once the North Korean leadership situation stabilizes, we will need to insist upon a broader approach that will truly test North Korea's strategic intention from the outset, and I continue to believe, Mr. Chairman, that the Six-Party Talks are the best means of conducting those negotiations and we should keep trying to get them back in operation.

Thank you.

[The prepared statement of Ambassador Hubbard follows:]

Thomas Hubbard
Senior Director for Asia, McLarty Associates
June 17th, 2009
House Committee on Foreign Affairs
Subcommittee on Asia, the Pacific and the Environment

Denuclearization: A Better Option for North Korea's Security

I have been deeply involved in North Korea affairs for over 15 years, first as a senior official in the East Asia Bureau in the State Department during the Clinton Administration, later as Ambassador to South Korea under the Bush Administration, and more recently as a member of the private sector often asked to comment on North Korean matters. Throughout this period the central U.S. objective has been a verifiable end to North Korea's nuclear weapons programs. We have seen many ups and downs in the various forms of negotiations that have been tried since 1992, when then Under Secretary of State Arnold Kanter held the first direct talks with a senior North Korean official. As a senior member of the Clinton Administration delegation led by Robert Gallucci that first sat down with a DPRK delegation in New York in June 1993, I am deeply frustrated to have to acknowledge that the problem has grown worse despite all of our efforts. The North Korean threat that we face in 2009 is significantly more serious than the one we confronted in the early 1990's. Whereas we suspected that the North Koreans had squirreled away enough plutonium for one, maybe two, nuclear weapons when they balked at International Atomic Energy Agency (IAEA) inspections in 1993, sixteen years later we know that they have substantially more. They have conducted two underground nuclear explosions and have tested a range of ballistic missiles that could become delivery systems. Earlier agreements to forego nuclear weapons notwithstanding, the DPRK's nuclear weapons programs are once again up and running. The North Koreans now boast of their nuclear "deterrent" and maintain that they are willing to return to the negotiating table only if their status as a nuclear weapons state is recognized.

In the wake of North Korea's second nuclear test and successive missile tests, I have been asked for my assessment of the motivations behind these and other provocative actions. It goes without saying that no one really knows what goes on behind the walls of one of the most isolated and secretive nations in the world, but we must assume that regime survival is Kim Jong-Il's most fundamental objective and that he sees the United States and its alliance with South Korea as the primary threat to his hold on power. For the past 15 years, we have tended to see North Korea's provocative behavior as a negotiating tactic aimed primarily at attracting our attention – at drawing the United States into bilateral negotiations in which we would offer security assurances and financial aid in exchange for North Korean promises to give its nuclear programs. That was probably a correct assessment until recently and remains one of the DPRK's important aims at the outset of a new U.S. Administration. However, I believe we have entered into a new situation in which the DPRK leadership is motivated as much by domestic factors as by an interest in manipulating the United States.

What has changed? First and foremost, having suffering a debilitating stroke at the age of 67, Kim Jong-Il is bound to be thinking about his legacy and about leadership succession.

There are widespread reports that he has chosen his 27 year-old youngest son to be his successor. It may be that he has come to see his nuclear and missile programs less as a bargaining chip than as his best security option – a legacy of his leadership that will ensure the survival of a successor regime and give the DPRK a continuing voice in world affairs despite its economic failures. Following the collapse of its principal international benefactor, the Soviet Union, in the early 1990's, the DPRK leadership appeared to signal that it saw a closer relationship with the United States as the best way to ensure regime survival. It also pursued warmer relations with South Korea, with whom it signed a mutual denuclearization agreement in 1992. As it enters a difficult transition period, the DPRK appears to have at least temporarily abandoned that approach in favor of a return to its traditional approach of self-isolation, this time armed with a demonstrated, albeit rudimentary, nuclear capability.

If the DPRK leadership is determined to turn its back of the world, it is a profound tragedy for the people of North Korea, since only by joining the international community can they gain the assistance and technology they need to overcome their enormous economic challenges. Through dialogue in various venues, the U.S. and its partners in the region have long offered such assistance in exchange for the DPRK's abandonment of its nuclear programs. Sadly, the DPRK has consistently failed to abide by its commitments, obviously hedging its bet on a strategic relationship with the U.S. by seeking to hold onto its nuclear card as long as possible. I would not argue that successive U.S. Administrations and our allies have always been wise or consistent in their approach to North Korea. Mutual confidence has been hard to build. However, the North Korean regime has only itself to blame for the suffering of its people. By failing to avail itself of the benefits that were offered in the Six Party talks at the end of the Bush Administration and, then, by rejecting the hand that was extended by the Obama Administration, the DPRK leadership has gone out of its way to reject its best hope for security and prosperity.

Where, then, should we go from here? I agree with the basic approach being followed by the Obama Administration. First and foremost, we must not recognize the DPRK as a permanent nuclear power. Some prominent Americans have argued that nuclear weapons are now a fact of life in North Korea, too valuable for the regime to ever give up. They argue that talks are futile. We should instead build missile defenses and isolate the DPRK, waiting for eventual Korean unification to solve the nuclear problem for us. I disagree with that view. While the potential of the DPRK actually using nuclear weapons seems remote, the risk of transfer to other dangerous countries or groups is such that we cannot rely entirely on deterrence and containment. Moreover, acceptance of North Korea as a nuclear weapons state without efforts to change things would be deeply alarming to some of our closest allies and could well lead to a regional arms race. While recognizing that quick success is unlikely, we need to vigorously pursue a proactive policy aimed at verifiable denuclearization.

A willingness to engage North Korea directly, combined with pressure, is the best way forward. North Korea's defiance of the international community has been costly. One result of North Korea's outrageous recent behavior has been to bring the other partners in the Six-Party talks closer together. When President Obama and ROK President Lee Myung-bak meet this week in Washington they will display the most unified front that we have achieved since our two countries began direct dialog with the North on nuclear issues. Agreeing that North Korea's challenge to the international community must have consequences, China and Russia supported a

strong UN Security Council resolution condemning North Korea's behavior in no uncertain terms and calling for concrete steps to address the proliferation issue by curbing North Korea's ability to buy and sell nuclear and other arms. The Six-Party talks, which engage the countries with greatest interest and potential influence over North Korea at the same table, remains the best venue for future talks, and we should resist North Korean efforts to destroy the process. While it may take some time to get back to the negotiating table, all parties need to use all the influence at their disposal to convince the North Korean leadership that denuclearization is their best route to future stability.

Since the beginning of dialogue with North Korea, we have looked for clear signals of whether the DPRK leadership has made a strategic decision to give up its nuclear weapons programs. Several times the DPRK has proclaimed its willingness to do so, but insisted upon a phased process that has enabled it to obtain assurances and benefits without taking irrevocable steps to end the weapons capability. When we get back to the negotiating table, as I believe we will after the North Korean leadership situation stabilizes, we will need to insist upon a broader approach that will truly test North Korea's strategic intention from the outset. I personally doubt that Kim Jong-Il has ever made a definitive decision to give up his nuclear card, but I am not yet convinced that we cannot create circumstances in which Kim Jong-Il or his successor will conclude that his best interests lie in joining, rather than confronting, the international community. If the United States, Japan, South Korea, China and Russia continue to stand together as they did last week at the UN, I believe we have a chance to create circumstances in which leaders in Pyongyang will see denuclearization as the best option for their country's future..

Mr. FALEOMAVAEGA. Thank you, Ambassador Hubbard.
Mr. Snyder?

STATEMENT OF MR. SCOTT SNYDER, DIRECTOR, CENTER FOR U.S.–KOREA POLICY, SENIOR ASSOCIATE, INTERNATIONAL RELATIONS, THE ASIA FOUNDATION

Mr. SNYDER. Thank you, Mr. Chairman, for the opportunity to be here to present my views at a particularly sensitive moment in which tensions continue to escalate on the Korean Peninsula, as the co-chairs' opening statements have amply shown. Through a series of North Korean provocations and U.N. Security Council responses, the North Koreans have declared that they will never participate in Six-Party Talks, nor will they be bound any longer to any agreement of the talks.

In lieu of the Six-Party Talks, I believe that North Korea's missile and nuclear tests have mobilized a renewed commitment among concerned parties to a Six-Party process of policy coordination efforts in which the United States administration continues to work closely with North Korea's immediate neighbors to respond to North Korea's provocative actions. I think one evidence of the development of the Six-Party process is illustrated in the context of a P–5 Plus Two working group at the UNSC, in which the core members of the Six-Party process not on the U.N. Security Council, Japan and South Korea, were also brought in to negotiate the UNSC Resolution 1874.

As I explain in my written testimony and am prepared to talk in greater detail, the Six-Party process enables the United States to pursue a multi-track strategy designed to shape North Korea's context and perceived choices while minimizing dependence on political cooperation with specific North Korean leaders. Such a strat-

egy focuses on alliance-based cooperation with Korea and Japan and enhanced prospects for cooperation with China to support either engagement or a coordinated response to North Korean contingencies, but in the time here I want to emphasize six reasons why I believe a Six-Party process focused on cooperation among those members of the Six-Party Talks is critical.

First, the Six-Party Talks process signals a continued commitment by the concerned parties to the mutually shared objectives represented in the Six-Party Joint Statement of 2005, including denuclearization, diplomatic normalization, economic development and peace on the peninsula. Second, the Six-Party process is a symbol of a region-wide commitment to the objective of denuclearization of North Korea. It is important that the United States continue to reiterate its commitment to the Six-Party Talks as a way of signaling that it has not abandoned the objective of achieving North Korea's denuclearization.

Third, intensified policy coordination among concerned parties through the Six-Party process provides the best available means by which to increase pressure on North Korea to return to the Six-Party Talks and honor its commitments to denuclearization. I might add that that process also puts pressure on the other parties in that process to live up to their international commitments in terms of implementation of the U.N. Security Council resolution.

Fourth, the Six-Party process provides an umbrella under which concerned parties may conduct renewed diplomacy with North Korea with the objective of providing a pathway for returning to the Six-Party Talks as a means by which to pursue North Korea's denuclearization. Fifth, the implementation of the Six-Party process reinforces practical coordination measures among members of the Six-Party Talks, but unlike the Six-Party Talks, the Six-Party process cannot be paralyzed by a North Korean veto.

The Six-Party process, unlike the possible announcement of a Five-Party Talks format, does not explicitly exclude North Korea and it does not prejudge whether or when the North Koreans might be willing to come back to the negotiating table. Sixth, the development of the Six-Party process involving enhanced coordination among the United States and North Korea's neighbors does not make assumptions about the future of North Korea's leadership or about the successive process. It does not prejudge whether or when the North Koreans might be willing to come back to negotiations.

A final point that I might make related to North Korea's seeming inward focus is that I believe that it complicates the task of engaging North Korea, either through dialogue or pressure, because the risks of engagement are heightened as long as North Korea prioritizes internal over external factors, raising the political risks associated with reaching out to North Korea while diminishing the prospect that North Korea will take the initiative to satisfy external interests.

However, there is a concern that if the North Koreans decide that they have no way out, they might lash out, and for this reason I believe it is important for the administration to continuously adopt a posture of openness, to resumption of diplomatic dialogue with North Korea, at the same time that the United States engages

in regional coordination in an effort to shape the context in which North Korea considers options to pursue its own security.

Thank you.

[The prepared statement of Mr. Snyder follows:]

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

June 17, 2009

"North Korea's Nuclear and Missile Tests and Six-Party Talks: Where Do We Go From Here?"

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

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June 17, 2009

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

Mr. Chairman, I am honored to be invited back to testify before the subcommittee regarding the ongoing challenge posed by North Korea's pursuit of nuclear and missile capabilities. Specifically, I have been asked to provide an assessment of the future of Six Party Talks, suggestions on a U.S. and regional response, Japan's views of North Korea's motivations in conducting nuclear and missile tests, the impact of recent developments on U.S.-Japan, Japan-ROK, and ROK-China ties, and my predictions on how the situation may play out in coming months and years.

I appreciate the committee's attention to these areas. North Korea's nuclear development and the accompanying potential for nuclear proliferation to state and non-state actors are core national security interests of the United States, but I believe it will be impossible to effectively address these concerns unless the United States can mobilize a regional security-centered approach that involves significant supporting contributions from North Korea's immediate neighbors. Such an approach must manage apparently conflicting security dilemmas of North Korea's neighbors and should mobilize regional actors to act in a coordinated fashion both to address the threat posed by North Korea's nuclear program and to assure long-term peace and stability in Northeast Asia.

The Six Party Process: A Regional Framework for North Korea's Denuclearization

North Korea's unilateral pursuit of nuclear weapons capabilities over the last two decades has ironically been a primary catalyst for strengthened regional cooperation in Northeast Asia. But this cooperation has thus far been insufficient to deter North Korea's nuclear development given the existence of longstanding regional security cleavages. The Korean Peninsula Energy Development Organization (KEDO), Four Party Talks, and Six Party Talks each represent stages in the development of a coordinated regional response to the challenge posed by North Korea's nuclear development over the past two decades. But these regional efforts failed to meet the challenge posed by North Korea's nuclear pursuits because the respective states placed their own immediate priorities and concerns above the collective need to halt North Korea's nuclear program. No single actor, including the United States, can meet this challenge without cooperation and collective action from North Korea's neighbors. But the concerned parties most

directly affected by North Korea's destabilizing actions have been least willing to challenge or block North Korea's nuclear development.

Following the April 13, 2009, UN Security Council (UNSC) presidential statement condemning North Korea's April 5th missile test, the North Koreans announced that they will "never participate in such Six Party Talks nor will it be bound any longer to any agreement of the talks." Just days ago, the North Koreans illustrated the depth of the challenge in their statement following the adoption last Friday of UNSC Resolution 1874, condemning North Korea's May 25, 2009, nuclear test. In that statement, the North Koreans asserted that "It has become an absolutely impossible option for North Korea to even think about giving up its nuclear weapons."

Regardless of whether or not North Korea returns to the Six Party Talks, North Korea's missile and nuclear tests have mobilized renewed commitment among concerned parties to a "six-party process" of policy coordination efforts in which the U.S. administration continues to work closely with North Korea's immediate neighbors to respond to North Korea's provocative actions. This emerging six-party process involves active coordination of six-party participants to deal with North Korean provocations regardless of the continuation of Six Party Talks. North Korea has become an object of the six-party process rather than a participant in the Six Party Talks.

The role of the six-party process has been enhanced by the establishment of a "P-5 Plus Two" working group at the UNSC in which South Korea and Japan—as members of the Six Party Talks—joined other members of the UNSC to negotiate UNSC Resolution 1874. North Korea's neighbors will also play critical roles in implementing the provisions of the resolution.

The six-party process builds on cooperation established through the painstaking efforts of the Six Party Talks. Its continued development in response to North Korea's missile and nuclear tests is important for the following reasons:

First, the six-party process signals a continued commitment by all concerned parties to four mutually shared objectives represented in the September 19, 2005, Six Party Talks Joint Statement: a) denuclearization of the Korean peninsula, b) normalization of bilateral relations among all the members of the Six Party Talks, c) economic development, including economic assistance to North Korea, d) peace on the Korean peninsula and in Northeast Asia. These four mutually shared objectives are limited, but they represent the essential ingredients necessary to ensure regional stability in Northeast Asia.

Second, the six-party process must continue as a symbol of a region-wide commitment to the objective of denuclearization of North Korea. Commitment to the six-party process has emerged as an indication that the concerned parties remain committed to the objective of North Korea's denuclearization. It is important that the United States continue to reiterate its commitment to the Six Party Talks as a way of signaling that it has not abandoned the objective of achieving North Korea's denuclearization.

Third, intensified policy coordination among concerned parties through the six-party process provides the best available means by which to increase pressure on North Korea to return to the Six Party Talks and to honor its commitments to denuclearization. Practical implementation of sanctions measures or inspection of suspect cargo in and out of North Korea under UNSC Resolution 1874 cannot be achieved without close coordination among members of the six-party process. In the event that Six Party Talks resume, the coordination measures through the six-party process should continue to implement provisions of UNSC Resolution 1874 so as to apply the pressure necessary to achieve a favorable outcome from the talks.

Fourth, the six-party process provides an umbrella under which concerned parties may conduct renewed bilateral diplomacy with North Korea with the objective of providing a pathway for returning to the Six Party Talks as a means by which to pursue North Korea's denuclearization. The Six Party Talks is the only venue in which the North Koreans have made a public commitment to denuclearization of the Korean peninsula, so it is important that any renewed diplomatic efforts with North Korea be developed in ways that reinforce the implementation of the North's existing denuclearization commitments.

Fifth, the implementation of the six-party process reinforces practical coordination measures among members of the Six Party Talks, but unlike the Six Party Talks, the six-party process can not be paralyzed by a North Korean veto. The six-party process, unlike the possible announcement of a Five Party Talks format, does not explicitly exclude North Korea. Instead, ad hoc consultations among various combinations of states under the six-party process are focused on practical coordination and implementation of collective pressure designed to bring North Korea back to the Six Party Talks.

Sixth, the development of the six-party process involving enhanced coordination among the United States and North Korea's neighbors does not make assumptions about the future of North Korea's leadership or about the succession process, while at the same time providing a means of coordination among the United States and North Korea's neighbors in response to both North Korean provocations and possible internal instability. It does not prejudge whether or when the North Koreans might be willing to negotiate while providing a structure for negotiations designed to achieve the previously agreed upon objectives of the six parties, including denuclearization of the Korean peninsula.

North Korea's Nuclear Threat: Implications for the U.S.-Japan and U.S.-ROK Alliances

Pursuit of an effective six-party process will depend to a significant degree on the depth of common purpose and mutual trust reflected in the U.S.-Japan and U.S.-ROK alliances. The Obama administration has given priority to assuring Japan and South Korea that it intends to strengthen and deepen alliance coordination as a cornerstone of its Asian strategy. Secretary of State Hillary Clinton sent that message both by making her first foreign visit to Asia and by emphasizing alliance solidarity while in Tokyo and Seoul. Prime Minister Aso was the first foreign leader to visit President Obama in the White House in late February, a symbolic expression of the importance of the U.S.-Japan alliance. The United States has emphasized its alliance commitment to protect Japan by reiterating its commitments to extended deterrence in the face of North Korea's nuclear threat. Likewise, Presidents Lee Myung-bak and Barack

Obama have taken steps to strengthen the U.S.-ROK alliance in their White House meeting yesterday. The Obama administration's written commitment to extended deterrence underscores that North Korea will gain no advantage by threatening non-nuclear neighbors who are protected by American security commitments.

The impact of North Korean missile and nuclear tests on Japanese threat perceptions--and its significance as a challenge and opportunity for alliance coordination--should not be underestimated. North Korea's 1998 Taep'odong-1 test showed that Japan was within reach of North Korea, and provided the Japanese public with a sense of vulnerability more tangible than the threat posed by Soviet missiles during the cold war. North Korea's threat seems all the more dangerous given the seeming unpredictability and unwavering hostility toward Japan held by the North Korean regime. A Japanese colleague described to me the psychological effect of North Korea's recent nuclear and missile tests in Japan by referring to the Cuban missile crisis.

This combination of Japanese vulnerability and the seeming unpredictability of North Korea's leadership poses a special challenge for the U.S.-Japan alliance because Japan's vulnerability has both a psychological and a geographic dimension. North Korea's threat is near and the United States is far away. The Japanese mainland is now directly threatened by North Korean missiles, while North Korea's capacity to threaten the United States remains indirect. Given these differences the burden and standard the United States must meet to provide effective reassurance is particularly high. For example, Secretary of Defense Gates came in for criticism in Japan when he announced in advance of North Korea's April 5th missile test that the United States would not shoot down a North Korean missile unless it were to threaten Japan. A decade of joint investment in missile defense following North Korea's 1998 test has provided a limited means of self-defense, but has not erased Japan's vulnerability to North Korea.

Following the first North Korean nuclear test in 2006, Japan has actively sought reassurance regarding the concept of extended deterrence and has sought a more detailed understanding of how the concept of extended deterrence would work in practice to meet Japan's security needs. The 2006 test stimulated a brief debate among Japanese political leaders regarding whether or not Japan needs to develop an offensive-strike capability and almost catalyzed a public debate over whether Japan should pursue a nuclear weapons option of its own, but despite Japan's gradual move in the direction of becoming a "normal" state, Japan's main efforts have been directed at how to defend itself from North Korean strategic threats by strengthening the U.S.-Japan alliance.

North Korea's second nuclear test has stimulated a similar debate in South Korea over whether or not South Korea should pursue "nuclear sovereignty" by having its own independent capacity to pursue a nuclear weapons program and the possibility of delaying South Korea's assumption of sole operational control and the disbanding of the U.S.-ROK Combined Forces Command, currently set to take place by April of 2012. The Obama administration's assurances regarding extended deterrence are probably aimed in part at keeping these sorts of South Korean debates under control.

In contrast to the aftermath of the 2006 North Korean missile and nuclear tests, at which time the United States, Japan, and South Korea seemed to have divergent responses, the responses of the

three administrations appear to be converging following North Korea's 2009 provocations. The Obama administration's initial emphasis on reassurance and consultation with allies, the political transition in Seoul from the progressive Roh Moo-hyun administration to the more conservative Lee Myung-bak administration, and the emergence in Japan of a view that North Korea's missile and nuclear development must be dealt with alongside the abduction issue have opened the prospect for more intensive coordination on North Korea policies among the three governments. The deeper the consensus that can be achieved among the United States, Japan, and South Korea, the more likely the prospects that a firm and coordinated stance will be able to influence China and Russia to take a stronger position toward North Korea in the context of the six-party process. Effective policy coordination with Japan and South Korea is especially important as a prerequisite for any potential conversation between the United States and China regarding the future of North Korea.

New administrations in Japan and South Korea have for the time being been able to set aside chronic territorial and textbook disputes and have begun to seek practical forms of cooperation (e.g., joint development projects in Afghanistan). Trilateral dialogue and consultation among the U.S., Japan, and South Korea on practical forms of security cooperation might be expanded in response to the many challenges posed by North Korea. Effective implementation of UNSC Resolution 1874 will require enhanced intelligence and security cooperation between South Korea, Japan, and the United States. There is an urgent need to pursue more in-depth U.S.-ROK policy consultations on contingency planning in the event of North Korean instability; given Japan's likely rear-area support for efforts in this area, these consultations should be expanded to include Japanese participation.

Prospects for a Strategic Understanding with China Regarding the Future of North Korea

North Korea's missile and nuclear tests have been more effective in underscoring the threat that the North Korean regime poses to China's national security interests than years of American efforts under the Bush administration to convince China of the need for regime transformation in Pyongyang. For years, China has labored under the illusion that it is possible to prioritize North Korean stability over denuclearization, but North Korea's recent actions have proven that any Chinese choice between stability and denuclearization in North Korea is a false choice, and that a nuclear North Korea under the current leadership is inherently destabilizing to regional security in Northeast Asia. North Korea's tests provide it with a capacity that is contrary to China's global interests as a member of the Nuclear Non-Proliferation Treaty (NPT) as well as to China's regional interests, since North Korea's tests have catalyzed Japan's acquisition of new defense capabilities such as missile defense.

China faces a moment of decision in its own policies toward North Korea, given that North Korean actions continue to place Chinese strategic interests at risk. North Korea's nuclear and missile tests have driven it higher on the overloaded agenda of items in the U.S.-China relationship, but it remains to be seen whether the United States and China might engage in strategic policy coordination over how to deal with North Korea. Ultimately, the prospects for such a dialogue appear to be slim at this stage since such a dialogue would probably be successful only if the North Korea issue were to rise to the top of the U.S.-China agenda, either as a result of renewed conflict or North Korea's political collapse.

If such a dialogue were possible, it might change the context in which North Korea is operating and compel North Korean cooperation at the risk of its own regime survival. China in effect holds considerable leverage over North Korea and the effect of international sanctions has been to increase North Korea's economic dependency on China. The practical objective and result of U.S.-China strategic cooperation would be to change North Korea's strategic context in ways that would compel one of two possible scenarios: either the regime moves back to substantive implementation of denuclearization through negotiations or the conditions will be created under which a successor political leadership cooperates to pursue denuclearization.

Prospects for strategic coordination with China to shape the strategic context for dealing with North Korea would in principle be enhanced as a result of strengthened U.S.-Japan and U.S.-ROK alliance coordination toward North Korea. Advance coordination with allies would set the parameters for a U.S.-China dialogue so as to ensure that South Korean and Japanese interests, respectively, are taken into account. To the extent that China views Japanese and South Korean defense strengthening—or the prospect of a strengthened U.S.-led alliance system—as contrary to Chinese interests, the North Korean tests should catalyze Chinese cooperation through the six-party process.

A Final Note: Political Implications of Pyongyang's Inward Focus

North Korea has taken advantage of the moment to expand its nuclear and missile capabilities. The attainment of such a threat capacity has been a longstanding strategic objective of the regime, although some analysts argue that these capacities are simply tools by which North Korea can achieve its longstanding dream of Korean unification and great power status on its own terms.

An even more challenging aspect of North Korea's rapid series of provocations is that they appear to be connected to North Korea's attempts to lay the institutional and political foundations for a succession process from Kim Jong Il to a successor leadership. This is a complicating factor because it appears to make North Korea's elite more conservative and inward-focused. Or, North Korea's leadership may have made an assessment that the external environment is sufficiently unfavorable that North Korea's best strategy is to hunker down in the porcupine position as the best way to cover its vulnerabilities. Certainly, in light of his recent illness, Kim Jong Il personally must feel that time is not on his side.

These domestic factors complicate the task of engaging North Korea, either through dialogue or pressure, because the risks of engagement are heightened as long as North Korea prioritizes internal factors over the external environment. Such a situation invites the development of a policy response that is designed to influence North Korea's external context in ways that promote collective mutual interests, with no operative assumptions about when North Korea will return to diplomacy but with every intent to ensure that, if there is a return to the negotiating table, the fundamental objectives of the concerned parties are achieved. The prospects for success will be enhanced to the extent that all parties take collective ownership of the process, rather than rely on a single party to lead.

Mr. FALEOMAVAEGA. Thank you, Mr. Snyder.

Mr. Bush?

STATEMENT OF MR. RICHARD C. BUSH III, DIRECTOR, CENTER FOR NORTHEAST ASIAN POLICY STUDIES, SENIOR FELLOW, BROOKINGS INSTITUTION (FORMER NATIONAL INTELLIGENCE OFFICER FOR EAST ASIA)

Mr. BUSH. Thank you very much, Mr. Chairman, members of the subcommittees. Thank you, Mr. Chairman, for mentioning Steve Solarz, who is a mentor to us both. If I could correct your introduction in one point, I am still working at the Brookings Institution. I certainly hope I am.

Mr. FALEOMAVAEGA. The record is corrected.

Mr. BUSH. I have submitted a written statement and I ask that that be included in the record.

Mr. FALEOMAVAEGA. Without objection, all of the gentlemen's statements are made part of the record.

Mr. BUSH. Orally, I wish to make six points. First of all, the game in Northeast Asia has changed. North Korea's spurning of President Obama's hand of engagement and its missile test and nuclear test have transformed the challenge that it poses to the international system. Before, there was hope that a negotiated solution might offer enough incentives to get Pyongyang to abandon the nuclear option. Now, that hope has disappeared for the foreseeable future.

Consequently, for now, the Six-Party Talks have lost their rationale. The assumption of the Six-Party Talks, of course, was that North Korea might give up its nuclear weapons and programs. The only question was how to induce it to do so. The Six-Party Talks were a worthwhile venture, but recent North Korean statements and actions make it clear that it will not denuclearize. The working assumption of the Six-Party Talks no longer exists. That may change at some point, but for now, we have to face that reality.

Second, as members have noted, North Korea's missile and nuclear choice exacerbates two dangers. The first is the transfer of nuclear technology, fissile materials and/or nuclear weapons themselves to countries or parties that are hostile to the United States. The second is destabilizing the security situation in Northeast Asia. Both of these dangers are serious. How we respond depends on the relative seriousness of each, but neither can be ignored. In addressing the proliferation threat, for example, we should not downplay the importance of Japan's and South Korea's confidence in our defense commitments to them.

Third, even though the prospects for the Six-Party Talks in the near term are bleak, the United States, China, South Korea, Japan and Russia should remain committed to the idea of a negotiations process should conditions change for the better. By that I mean North Korea changing from its current course and affirming in a credible way its commitment to the goal of the talks, denuclearization, and to its past pledges.

Fourth, China's role in the North Korea issue is crucial but complicated. Its trade with and investment in the DPRK have expanded substantially during this decade. If Beijing imposed a trade embargo on North Korea, it could bring the country to its knees,

but China has been reluctant to impose severe economic sanctions. First of all, it has doubted that they would elicit a positive response, and it worries that too much external pressure on North Korea might cause the collapse of the DPRK regime, producing, among other things, a large flow of refugees into northeast China.

Thus, North Korea's dependence on China is in fact a kind of reverse leverage. I believe, however, there are changes underway in China's view. Before 2009, China took an evenhanded approach to the effort to secure the denuclearization of the Korean Peninsula, believing that both Pyongyang and Washington were each responsible for the slow pace of progress. After the recent tests, by all reports, China is quite angry at Pyongyang. The DPRK has trashed the Six-Party Talks, which China created, and given the United States, Japan and South Korea reasons to stiffen their defense postures in the Northeast Asian region, which undermines China's security, or China believes that.

So North Korea has become a threat to China. For Beijing, regional stability is becoming as important as domestic stability. Unlike before, China agrees that for now, the premise of the Six-Party Talks has disappeared. China's anger at the DPRK and its understanding that we are in a new situation was clear in the sanctions the U.N. Security Council passed on June 12. These are not perfect but they are detailed and far-reaching.

China and Russia had to give their agreement. The test will be implementation, but I do not believe that Beijing would have agreed to this text if it planned to treat the sanctions as a dead letter. We will see, and I think we should reserve judgment on implementation. I am confident that the U.S. implementation will be robust.

Fifth, if there is any change for the better in North Korean policy, it is not likely to come quickly or in response to modest amounts of pressure. That is because of the converging and reinforcing factors that led the DPRK to its current policy, but basically, I agree with Ambassador Hubbard that the succession process is the important factor here and we are going to have to wait for that to play out. Let me be clear, though. The death of Kim Jong Il will create the possibility, and only the possibility, of a more favorable DPRK approach. The international community should prepare for the possibility that North Korea may never be willing to give up its nuclear weapons under any conditions. In that case, I think we have to think about five-party containment.

My sixth and final point: Even if the international community does nothing, North Korea will change after the death of Kim Jong Il. No one knows how change will occur, but one possibility is collapse, with profound consequences for the United States, South Korea, Japan and China. It is my impression, regrettably, that these countries have yet to engage in the consultations necessary to prepare for the possibility of rapid and destabilizing change, yet we ignore the danger of collapse at our collective peril.

Thank you.

[The prepared statement of Mr. Bush follows:]

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June 17, 2009
House Subcommittees on Asia, the Pacific and the Global Environment and on Terrorism, Nonproliferation and Trade
"North Korea's Nuclear and Missile Tests and the Six-Party Talks: Where Do We Go From Here?"

The Game Has Changed

North Korea's tests of a long-range ballistic missile on April 5th and a nuclear device on May 25th have transformed the policy challenge the international system faces. Since that nuclear weapons program was discovered some twenty years ago, there was hope that through negotiations the international community, particularly the United States, could offer the right combination of incentives and pressure to induce Pyongyang to abandon the nuclear option. That hope has now disappeared.

There was always some question as to whether the Democratic People's Republic of Korea (DPRK) would ever give up its nuclear weapons. After all, it believes that overwhelming American power renders it profoundly insecure and it has nowhere to turn for defense support that is credible. Like Great Britain, France, and China during the Cold War, North Korea decided about thirty years ago to pursue a weapons capability. The efforts to reverse that course through negotiations, while not perfect, were serious and made progress. Despite those efforts and the initial stance of the Obama Administration, which gave the DPRK every reason to continue engagement, Pyongyang had decided to base its security on nuclear weapons and the means to deliver them.

Because Pyongyang is more transparent about its security goals, the Six-Party Talks (6PT) have lost their rationale, for now. The assumption of the 6PT was that North Korea *might* give up its nuclear programs. The only question was how to induce it to do so. The 6PT was a worthwhile venture that showed that although progress was never easy it was still possible. Although the Bush Administration in its second term may have doubted Pyongyang's intentions, it was correct to show seriousness in trying to secure progress, if only to reassure China, South Korea, and Russia about our intentions (and so put the onus on Pyongyang).

The pattern of recent North Korean behavior indicates that the working assumption of the 6PT no longer exists. The Obama Administration correctly rejects the idea of rewarding the DPRK simply for returning to the table. It should, at the same time, remain open to a resumption of the 6PT—on the minimum condition that North Korea reaffirms all past commitments. The reason for doing so, again, is to demonstrate seriousness to the other parties. But for now, the Administration should base policy on the reality that North Korea has destroyed the foundation for a negotiated solution. To paraphrase former

Defense Secretary William Perry, we must deal with North Korea as it is, not as we would like it to be.

Twin Dangers

North Korea's choice exacerbates two dangers. The first is that it might transfer nuclear technology, fissile materials, and/or nuclear weapons themselves to countries or parties that are hostile to the United States, thus exacerbating security challenges we already face. The other is that Pyongyang's pursuit of a nuclear deterrent transforms the security situation in Northeast Asia, a region for which the United States has always taken a special responsibility. These two dangers led first the Clinton Administration and then the Bush Administration to seek a negotiated end to the DPRK's nuclear programs--to no avail.

Both of these dangers are serious. If we were, for example, to stress the proliferation threat and downplay growing instability in the Northeast Asian region, Japan and South Korea would lose confidence in our commitment to their security. China would question whether we will do our part to maintain stability. As dangerous as proliferation is, moreover, there may be limits to which North Korea would engage in proliferation. When it comes to fissile material and nuclear weapons, the DPRK has a security reason to build its own stock and so may be reluctant to share with others. We should, of course, not slack in our counter-proliferation efforts nor weaken our threat to punish Pyongyang for proliferating. But neither should we ignore the importance of Japan's and South Korea's confidence in our defense commitment.

China: Historical Context

Let me turn in detail to China's role in the North Korea issue.

Over the past seven years, since the beginning of the 2002 downturn in U.S. relations with the DPRK, China has generally taken an even-handed approach to the effort of securing the denuclearization of the Korean peninsula. It certainly understood the danger that a nuclear North Korea posed, but it was also anxious about the intentions of the Bush Administration. Until relatively late in the Administration, Beijing disagreed with the way it balanced pressures and inducements. So it regularly called on both Washington and Pyongyang to show flexibility and make concessions. There were exceptions to this rule, particularly Beijing's rhetorical reaction to the October 2006 test. But generally, it concluded that both Pyongyang and Washington were similarly responsible for the slow pace of progress.

Also during the 2002-2008 period, Beijing appears to have assumed that North Korea would ultimately be willing to abandon its nuclear weapons and programs – if an effective, trust-building negotiating process could be constructed, and if the DPRK and the United States negotiated in good faith. So China provided the venue for negotiations: the Six-Party Talks. But it was happy to see the United States and the DPRK engage in productive bilateral discussions that the 6PT in turn could ratify. As negotiations

energized in late 2006 after North Korea's first nuclear test, Chinese expectations were met.

At the same time, Beijing was reluctant to use economic sanctions in response to North Korean provocations, such as the 2006 nuclear test. In part, it reflected a view that sanctions would not elicit a positive response. In part, this was to avoid derailing both the negotiating process and tentative (and ultimately aborted) DPRK steps toward economic reform. In part it reflected a Chinese calculation of national interests that ordered priorities differently from the U.S. ordering. Beijing valued domestic stability more than achieving denuclearization. China worried that too much external pressure might cause the collapse of the DPRK regime, producing, among other things, a large flow of refugees into Northeast China. Beijing may have believed that it was impossible for other actors to calibrate precisely how much pressure would both stimulate positive policy change by the DPRK but avoid political instability.

(To better appreciate the Chinese calculus, imagine, as a rough and very hypothetical analogy, how Washington might react if a group of countries proposed to impose tough economic sanctions on Mexico, thus creating the possibility of a large migration by Mexicans into the United States. We might urge reconsideration of the sanctions proposal.)

China: Today

This time, China is responding differently to the latest series of North Korean provocations. Although the statement of protest that Beijing issued after the nuclear test on May 25th was actually a bit milder than the one in October 2006, in private Beijing has been harsher. Vice-President Xi Jinping reportedly condemned the test strongly in talks with the South Korean minister of national defense. Because Beijing has been the convener of the 6PT, it certainly was offended by North Korea's walkout and its general lack of deference to PRC views.

Moreover, and more importantly, China appears to have drawn a new set of serious conclusions. It believes that the chances of Pyongyang giving up its nuclear weapons are slim to none. It no longer thinks that more engagement by the United States with the DPRK will bring any positive change. It worries that North Korea's nuclear program will undermine China's security in four ways: possibly create a North Korean threat to China; strengthen the U.S. defense posture in East Asia; intensify American efforts on missile defense, which affects China's nuclear deterrent; and lead South Korea and Japan to abandon their non-nuclear stances. Reportedly, Beijing has undertaken a review of its policy towards the DPRK.

Echoing the internal discussion is a vigorous public debate among scholars with expertise on North Korea. A Peking University scholar asserted that "the recent nuclear test by the DPRK is not just a slap in the face of China, but a sobering wake-up call for the Chinese leadership to face up to the malignant nature of their North Korean counterparts." He continued: "Beijing will not offer any protection for the DPRK if the Security Council

decides that a tougher policy is what Pyongyang deserves. Kim Jong Il's folly has deprived the North of its last important friend in the international arena and has dramatically brought new unity to Asia." A Shanghai scholar addressed the question of whether North Korea had become a "strategic burden" for China. He concluded that "if Pyongyang continues raising the international stakes, war cannot be ruled out, and North Korea will either continue to be trapped in a Cold War or will swiftly disappear." China, he said, no longer had any excuse not to act against the DPRK. A journalist proclaimed that: "It now appears that the threat from North Korea, a country possessing nuclear weapons and a country with a regime without fundamental rationality, far offsets the benefits it provides as a geopolitical buffer in China's border against the advance of the United States, Japan, and South Korea. North Korea's flip-flops have exhausted China's goodwill and patience. There is no point endorsing such a 'friend.'" There are opinions on the other side of the issue, but it is the growing support for the negative view that is significant.

As an aside, the approach that the Obama Administration took towards North Korea probably helped intensify the Chinese reaction. Even before it took office, the Obama team signaled that it was prepared to pick up where the Bush Administration left off in the 6PT and was prepared to negotiate bilaterally within that context. The Administration's measured response to DPRK provocations has convinced the Chinese that North Korea is responsible for the deteriorating situation.

China's anger at the DPRK, and its understanding that we are in a new situation, was evidenced in the sanctions the UN Security Council passed on June 12th. This was the most detailed and far-reaching set of sanctions against North Korea ever, and it could not have happened without the cooperation of China (and Russia). The end result was probably less than the United States, Japan, and South Korea wanted but more than China and Russia would accommodate at the outset. True, it does not cover North Korea's energy and minerals trade, in which China is a major player, but it focuses on the key areas of weapons trade and financial transactions. True, this resolution was an elaboration of Resolution 1718 from October 2006, but it was a robust elaboration. The resolution was not binding in some important respects and left some discretion to member states when it comes to implementation. But with a degree of political will and decent enforcement, particularly on China's part, North Korea will find it harder to do business. I do not believe that Beijing would have agreed to this text if it planned to treat it as a dead letter.

What Does China Do Next? What Can China Do?

So it seems clear that China is more angry at North Korea now than at any time in the history of the relationship, and also deeply concerned about the consequence of the DPRK policy direction for its strategic interests. It has greater motivation to "push back" than ever before. Yet what more it should do and for what purpose is another matter.

In this regard, two items of context are important. The first is China-DPRK economic relations. The second is why North Korea has engaged in these provocations in the first place.

China-DPRK Economic Relations: China has played a significant and growing role in the North Korean economy. Its exports grew three times over the 2002-2007 period. Energy commodities grew at the same rate and consistently represented 25 to 29 percent of those exports. Exports of crude oil grew almost four times in value between 2002 and 2007, but some of that increase reflected the rising price of oil. Chinese grant aid, of which energy commodities are a part fluctuated during this period but was at $37 million in 2006. Chinese FDI also increased by as much as ten times during the first five years of this decade. This investment probably comes mainly from Chinese state owned enterprises, particularly those that focus on natural resources. Their primary motivation no doubt was to improve their bottom line, but their investments also fortified Chinese policy to strengthen the North Korean economy. These various trends are shifting PRC-DPRK economic interaction from aid to trade. The PRC's export of energy products was complicated by the rising cost of energy until last year and North Korea's shortage of foreign exchange.

Evaluating North Korea's dependence on China is complex. One example is crude oil. It represents less than 10 percent of the DPRK's energy mix. On the other hand, oil is a critical commodity for transportation and for military industry and operations. One scholar has concluded that an oil cut-off, if sustained for some period of time, could have a major impact because the military is so important to regime survival. "Pyongyang's growing dependence on China's energy supply could have far-reaching strategic implications beyond merely shifting the balance of economic leverage." In addition, a Chinese cut-off would be a severe psychological blow.

Yet China fears that exerting pressure on the brittle regime that North Korea is will cause it to collapse, with serious consequences for China. Northeast China, which borders North Korea, is not the most prosperous and stable part of the country. It already must cope with large numbers of North Koreans fleeing poverty and persecution. The leadership in Beijing does not wish to risk the tenuous stability of the northeast by causing the collapse of the DPRK's administrative structure and stimulating, as they see it, a refugee flow that is orders of magnitude greater than what they already face.[1]

I actually believe that China has too mechanistic an approach to the linkages between pressure, North Korean stability, and the size of the refugee flow. In my view, low-level sanctions are unlikely to create collapse. Beijing should consider the calibration of

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[1] There has been a long-standing belief that China has also feared the collapse of North Korea would lead to unification of the peninsula under the aegis of the Republic of Korea, which would deprive China of its buffer state. Reportedly, that factor is declining in Beijing's calculus, in part because the PRC now regards the DPRK's policies as a threat to its interests, and in part because the long range of modern weapons negates the value of North Korean territory as a shield. Clearly, Beijing would oppose a unified Korea that allowed American troops on its border with China. Presumably, Washington and Seoul would understand that such deployments would do more harm than good.

pressure in more detail. Yet I am not responsible for ruling China and I am not willing to dismiss its concerns about the effects of collapse as ill-informed or self-serving.

North Korea's dependence on China is in fact a kind of reverse leverage. Pyongyang certainly knows about Beijing's fears, and that gives it a zone for misbehavior without consequences. It is exploiting Beijing's fears to further its own security goals. The tail is wagging the dog.

Explaining North Korean Behavior: Second, in assessing what China might do, it is important to assess why North Korea is acting in a provocative way at this time. Because North Korean decision-making is a black box, we really don't know. All we can rely on is informed speculation. Based on that, three factors seem to be at play.

The first concerns negotiating strategy. In negotiating with other countries over several decades, North Korea used brinksmanship and provocation to frame talks on more favorable terms and put its adversaries on the defensive. It probably believes that its missile and nuclear tests in 2006 led the Bush Administration to reduce demands and offer concessions. So, it asks, why not try again? It also seeks to shape the negotiating table in order to drive wedges between natural allies: the U.S. and Japan; the U.S. and South Korea; and the U.S. and China.

Second, North Korea has a technical reason to test both its long-range missiles and its nuclear devices. As noted, it decided long ago to acquire these tools of power projection to deter the hostile action it *believes*—incorrectly, I must stress—that the United States and Japan are threatening. But previous tests have been less than successful, and its "deterrent" is not yet credible. So it must test again.

Third, North Korea is in the middle of a political transition. Kim Jong Il apparently had a stroke last August and must now scramble to cobble together a succession arrangement. Reportedly, he has picked his youngest son, who is around 26 years old and lacking experience. Also he has designated his brother-in-law, a high senior official, to act as a kind of regent and run state affairs after his death until his son is ready to rule. Plausibly, Kim needs the military to support this arrangement, and the military is most interested in proving both its missiles and nuclear weapons. So there may be a bargain at play: Kim supports testing and the military supports his succession plan.

Thus, there are converging and reinforcing reasons for North Korea to engage in its missile test on April 5 and the nuclear test on May 25. Of course, these provocations have had diplomatic consequences. Presumably Pyongyang believes it can ride out any international response. Perhaps it doesn't care.

Policy Implications: These considerations have implications for whether, when, and how it might be possible to secure a sufficient reversal of DPRK policy that would give anyone confidence that the original goal of the 6PT—a negotiated denuclearization of the Korean peninsula—is possible.

On the one hand, as noted, Pyongyang has made its choice to guarantee its security through nuclear weapons and, to that end, to accelerate effort to make credible its deterrent. On the other hand, Kim's desire to assure that the succession succeeds means that the first point at which Pyongyang would consider a change in nuclear policy is when a new leadership is firmly in place.[2] Getting a communist regime to change its policy behavior during leadership succession is almost impossible. The odds that the DPRK regime will be willing to reconsider denuclearization while Kim Jong Il is alive and for a while after his death seem low at best.

Consequently, modest amounts of pressure are unlikely to bring about an immediate change in policy of the sort that the United States and the other parties desire. Because the stakes are high for the DPRK, it is likely willing to absorb modest punishment in the process (and, perhaps, assume that it can eventually secure a termination of the punishment).[3]

To put it differently, Pyongyang's current military and political course is driven by a fundamental motivation: regime survival. If external pressure is to bring about a change in course, therefore, it must be so robust that it raises the specter of regime failure. And even then it might not be effective.

But robust pressure is a bridge too far for China, which has been reluctant to punish North Korea with sanctions *precisely because* it might cause the collapse of the North Korean regime and a resulting blowback to China (it may doubt that the North Koreans would bend to sanctions). Beijing may have exaggerated the danger that some sanctions pose, but years of trying to persuade it otherwise has not changed its view. In addition, the PRC may also share the view that sanctions may be ineffective in the *short term* if the current provocative policies are partly a function of a succession process that will occur over the *medium term*.[4]

What we need, therefore, is a sophisticated "theory of coercion" that encompasses these factors, one that goes beyond the idea that, in the event of North Korean provocations, the right amount of pressure will force an immediate positive change in DPRK policies. That "theory" would include the following points:

- There *should* be responses to the DPRK's provocations, to ensure that it does not conclude that it may act with impunity.
- The possibility of achieving a significant change in North Korean policy is probably low *now*. But the odds *may* increase when the succession to Kim Jong Il is complete and the new leadership surveys the damage that choosing the nuclear

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[2] There is a possibility that once Kim is confident that his arrangements are consolidated, a return to the 6PT is justified, but I consider that to be unlikely.

[3] Another factor: a key part of North Koreans' national identity is a conviction they are the victims of outside pressure. So in the interim DPRK leaders might glory in the punishment of sanctions rather submit to them, because they confirm who they are.

[4] Also, China has a general distaste for sanctions in general, having been a target of sanctions itself. imposed on it.

option has wrought. In the interim, regime-survival instincts are likely too strong. (Generally, sanctions are not effective immediately but over a long period of time.)

- In a practical sense, sanctions are more likely to be effective if they are multilateral in scope. And the political impact of a united front can be as important (or more important) as the specific severity of the sanction.
- Pyongyang is likely to carry out more provocations, so it is useful to keep some sanctions in reserve. They should be increased incrementally. Incrementalism makes it easier to gain China's support.

So far, the Obama Administration has done a good job in achieving two different balances. First, is the need to reconcile its desire to demonstrate to Pyongyang that its provocations have consequences *and* the need to ensure a multilateral united front. Second, is balancing actions that are needed in the short term with what is possible in the longer term. This combination of firmness and patience should continue.

Let me be clear. The end of the Kim dynasty will create the possibility—and only the possibility—of a more favorable DPRK approach. We should be prepared for the possibility that North Korea may never be willing to give up its nuclear weapons. If the new leadership misses that chance to make a fundamental change in course, firmness should take priority over patience. The countries concerned (the U.S., Japan, South Korea, China, and perhaps Russia) will have to consider some form of multilateral containment. There are signs that, under U.S. leadership, the countries concerned are beginning discussions along those lines.

Broader Stakes: the Future of U.S.-China Relations

The North Korean issue has important implications for the future of U.S.-China relations. Our two countries are locked in an interaction that will likely define the character of the international system in this century. China's power has grown rapidly for the last twenty years, and it remains unclear what kind of great power it will be. The United States, more than any other nation, is the guardian of the international system and so bears the greatest responsibility for addressing China's rise. We hope that China's emergence as a great power will strengthen the international system rather than undermine it, but there are prior cases of countries whose rise has been destabilizing. China hopes that the United States will not seek to contain it, but that has happened before as well.

The problem is that neither China nor the United States can know for sure the long-term intentions of the other. One solution to this problem is for each to gauge the other's future intentions based on changes in its capabilities. The danger is an unnecessary arms race. Another way that the United States and China can assess each other's intentions is as a result of their interaction on specific issues. And this is where North Korea comes in, along with issues like Taiwan, Iran, and climate change.

On North Korea, the interests of China and the United States are similar but not identical. In their effort to reach a mutually beneficial goal, disagreements will occur on how to get from here to there. If those disagreements impede a positive outcome, each will draw

negative conclusions about the other's intentions, with implications for their broader relationship. If, on the other hand, they can work through those differences and secure a good outcome, then the conclusions will be positive—about both North Korea specifically and our two countries' general potential for cooperation. In the past, both Washington and Beijing have questioned whether the other was doing enough to secure a negotiated solution. Now, North Korea is driving our two countries together and increasing the prospects for successful cooperation, with broader consequences for our future relations. Obviously, the stakes here are high.

Broader Stakes: Japan and South Korea

The new situation also poses a significant challenge for China's relationships with the Republic of Korea and Japan. Anytime there is a major change in the configuration of power in Northeast Asia, America's two allies in the region reassess whether to continue to rely primarily on the United States for their security or to acquire advanced capabilities of their own. In the current context, therefore, we should not be surprised when some elements of those two democratic societies ask about the nuclear option, a long-range precision strike capability, and a strategy of preemption. These questions, if and when they are asked, pose a challenge to the United States to reaffirm our policy of extended deterrence in newly credible ways. But they also pose a challenge to China. It is not in Beijing's interest for Tokyo or Seoul to engage in a capabilities race because of North Korea. And like the United States, it must find ways to reassure both that China will not contribute to their greater sense of vulnerability.

A Final Point: Change in North Korea

As we confront the problem in the foreground—Pyongyang's abandonment of a negotiated solution to the nuclear issue—we should not ignore the challenge looming over the horizon. That is, Kim Jong Il will pass away and change will ensue in North Korea. We have no idea how change will occur: whether it will be incremental and relatively stable or sudden and destabilizing. There could be regime continuity if the regime's various institutions support Kim's "regency" succession arrangement, and the implications for policy are hard to gauge. But we cannot rule out the possibility that the regency solution will foster tensions among the military, the security services, the Korean Workers Party, and the administration—tensions that spin out of control and produce some kind of regime change. No-one can predict what will happen.

The probability of significant destabilization may be relatively low, but the consequences for the countries concerned—the United States, South Korea, Japan, and China—would be very serious. Indeed because these governments are not prepared for a possible collapse, it becomes incumbent on them not to take actions that might trigger that outcome. At the same time, it is imperative that Washington, Beijing, Seoul and Tokyo together a) better understand the discontinuities that may occur; b) assess how various scenarios affect their converging and diverging interests; and c) explore how to jointly conduct crisis management should a crisis occur. These discussions should be addressed

in very quiet dialogues between and among the countries concerned. Yet we ignore the dangers of DPRK regime for Northeast Asia at our collective peril.

Mr. FALEOMAVAEGA. Thank you, Mr. Bush. I have about a hundred questions that I want to ask you gentlemen, but as a courtesy to our distinguished members on the committee, I am going to withhold my questions for now. I would like to ask the vice chairman of the Subcommittee on Terrorism, Nonproliferation and Trade, Mr. Scott, for his line of questions, and I am going to stick to the 5-minute rule because we have other members who also want to ask questions, so please comply with that rule.

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

Let me pick up with you, Mr. Bush. I think that each of you gave some very, very important pieces of information and I would like to take a moment to get your opinions on these. I concur with you, as I mentioned in my opening remarks. I think the key really is China and Russia being able to ascertain the level of threat to their security on the part of North Korea, and Mr. Bush, you talked about that, and I would like to get your thoughts on the level of threat that you see now.

How can that be used, what is that threat that you mentioned that China now, I believe you said, is beginning to see from North Korea? How would you describe that threat?

Mr. BUSH. I would describe it this way. North Korea's having set a course on keeping its nuclear weapons raises several security challenges for China. Number one, it doesn't rule out the possibility that those missiles and nuclear weapons could be pointed at China. Second, the United States will enhance its security posture in East Asia to deal with this tougher North Korean posture. Among the areas that I think will be built up are missile defense, and that is a problem for China because one of its major ways of projecting power are ballistic missiles.

And third, there is China's concern that Japan and South Korea will respond with nuclear programs of their own. I am not sure that the possibilities of that are very high, but China has to be worried about that. And so, in all of these ways, China sees a more threatening security environment than it did 5 years ago, 10 years ago. Thank you.

Mr. SCOTT. So what do you see the Chinese doing to counter that?

Mr. BUSH. I think that, first of all, China will respond slowly to major changes in its environment, so it will make up its own mind over the next few months. I think that there is a good chance that it will reduce and cut back on its relationship with North Korea. I think that there is the opportunity, incrementally, to bring them along to more robust sanctions more seriously implemented. China is facing a big test right now, how much they are willing to cooperate with the sanctions that Resolution 1874 dictated.

We should keep in mind that China sees a domestic threat from a collapsing North Korea, but I think it will be possible to achieve

a balance point between China's domestic concerns and its concerns about regional security.

Mr. SCOTT. All right. I think one of you, I forget which one, I think it might have been you, Ambassador Hubbard, but one of you mentioned the possibility of an aggressive act from North Korea toward Japan. Who was—Mr. Harrison. That intrigued me. I would never have gone down that angle before. What gives you that conclusion? How did you come to that conclusion?

Mr. HARRISON. I did not say, sir, refer to an aggressive act toward Japan. What I said was that if, as a result of the attempts to implement the U.N. sanctions and forcing North Korean ships into port using our influence to get countries to let us board the ships, we end up in a cycle of escalation, that I think North Korea's retaliation in this situation would be to attack Japan or United States bases in Japan, not South Korea. I think that the danger of a war on the peninsula is small, but I think that if this implementation of the U.N. sanctions leads to an escalation, the place where North Korea would retaliate would be in Japan, and the reason—United States bases in Japan, in all likelihood.

I think the reason is that, as I said in my testimony, North Korea's feelings that all Koreans have with respect to Japanese colonialism are much stronger these days in North Korea, are more and more manifest in North Korea, than in South Korea under its present leadership, and the nationalistic younger generals who have come to the fore during recent months in North Korea, which is why North Korea has hardened its position on denuclearization saying that it would have to come after the normalization of relations with the United States, not before, those younger generals are very anti-Japanese, and I have had indications on several of my recent visits to North Korea, the last two really, that I can't go into detail about, that when Kim Jong Il apologized to Prime Minister Koizumi in 2002, this was a very sensitive matter inside North Korea.

This was regarded as very unfortunate by many of the nationalistic younger generals and other generals and others in North Korea. Kim Jong Il found himself criticized in internal meetings in North Korea, so Japan is the hot button issue, and the Japanese failure to support, to provide the 200,000 tons of oil that they were supposed to provide in the last phases of the Six-Party Talks is one of the things that led to the hardening of the North Korean position and the strengthening, empowerment, if you will, of the hardliners in the leadership.

This is history. This is Japanese colonialism was the biggest event in the history of Korea, and it impacts on the present situation in many ways.

Mr. SCOTT. All right. Thank you, sir.

Mr. FALEOMAVAEGA. Thank you.

The gentleman from California, Mr. Royce, for his——

Mr. ROYCE. Thank you.

Mr. FALEOMAVAEGA. Something happened to the clock here. I think my good friend from Georgia had more than 5 minutes, so I will extend an extra minute to the gentleman from California. Let us make sure that this clock works now so that we don't have complaints from the members.

Please, Mr. Royce.

Mr. ROYCE. No complaints, Mr. Chairman. I didn't pick the panel and we don't have anybody from Treasury here. Treasury is the entity that really was bullish about freezing the accounts. It is interesting to me that there wasn't only mention from the witnesses about the successful effort at Banco Delta Asia. Banco Delta Asia, I think—and maybe it was just that because Treasury didn't take kindly to counterfeiting of $100 bills, but there is something about their enthusiasm there with which they went at shutting down the hard currency. Sanctioning the bank and cutting off the access to the regime, that is not shared by a lot of people who look at the situation in North Korea, or at least by our witnesses here.

My question is, why not follow the route that Treasury is always trying to get the State Department to deploy? Why not go with what they felt worked, why not cut off access to that hard currency?

[Pause.]

Mr. FALEOMAVAEGA. I think it is to all of you members of the panel, if you can give it a good shot there. The bottom line, if I understand the gentleman's question, is very simple. We have identified that North Korea is famous for producing counterfeit money, and yet it seems that our Government doesn't seem to want to touch that issue. To that extent, why do we continue to allow North Korea to do this?

Mr. HARRISON. I commend to you the very excellent series based on a year of research that appeared in the McClatchy newspapers casting great doubt on this assumption that counterfeiting has been significant on the part of North Korea.

Mr. ROYCE. Mr. Harrison, I have read it, but I have also talked with Treasury about it. They don't believe it. I have been in Macau and I have seen the $100 bills that come in from North Korea. I have seen the indication in terms of the effort they went to, to purchasing the ink and the rest of it. There is the fact that when we acted on it, we did get immediate results, and that is the thing that interests me most.

We talk about getting Kim Jong Il back to the Six-Party Talks. The only thing I ever saw that got him to the talks was when we had his attention because he didn't have access to the hard currency. All of a sudden it was look, just get the State Department to lift this and I will be back at the talks. So I can think of one thing that actually worked. I went along with the 1994 framework agreement and I know your role in all of that and I appreciate all of the good attempts to try to get North Korea to the bargaining table. Yet every single time that I have thought that things were going swimmingly, I come to find afterwards that they are building a reactor in Syria. That the Indians are forcing back a plane that is proliferating to Iran.

Right in the middle of the talks we have had that kind of duplicity. The only time we had their attention that I have seen is when we took Treasury's advice and did what they recommended and sanctioned those accounts and cut off the hard currency.

Mr. HARRISON. I don't think one can differ with you that the financial sanctions, not just Banco Delta Asia, but more importantly, the broader financial sanctions that we used against North Korean

access to the international banking system undoubtedly had important effects and this is a very important weapon, but it seems to me we have to keep our eye on the ball. Capping the North Korean nuclear arsenal at its present level, which I believe they are prepared to negotiate, is much better than letting them go on enlarging it, and it seems to me that is simple realism and——

Mr. ROYCE. I understand your argument about capping, but let me ask you about this.

Mr. HARRISON. So if we do go the route you are talking about, they are simply going to enlarge their nuclear arsenal. That is not in our interest.

Mr. ROYCE. Okay, so you say the goal should be to cap North Korea's nuclear program at its existing level.

Mr. HARRISON. That is just the short-term goal.

Mr. ROYCE. Right, but——

Mr. HARRISON. The long-term goal has to be to establish normal relations with them so that the present hardliners' position of dominance is offset by what I think would be a strengthened position with the many more moderate elements in leadership there that are now on the defensive internally.

Mr. ROYCE. Given the past activity, what makes you think the program could be capped? I would ask you this and Ambassador Hubbard too in terms of capping. Given that that would be dependent upon some kind of inspection regime, and given the fact that North Korea resists any inspection regime, wouldn't the thought that we were capping be a delusion? Wouldn't we run the risk that the proliferation would still continue to the Middle East or wherever else North Korea decides to proliferate? We have got quite a record of their engagement from Pakistan to Iran, to Syria. So that would be my question on that assumption.

Mr. HARRISON. For 8 years, sir, we had inspectors from both the United States and the International Atomic Energy Agency carrying out their inspections as agreed in North Korea and we kept North Korea from developing any nuclear capabilities during those 8 years. I hope that Tom Hubbard would agree with me that the North Koreans observed their commitments with respect to inspections then.

Mr. ROYCE. Maybe in North Korea, but what about the reactor that was being built in the middle of the Six-Party Talks in Syria? Or do we question whether that was happening or not? It seems to, to all of us on the panel, we believe that that happened. The hard evidence we have seen indicates that that is exactly what they were doing.

Mr. BUSH. Congressman Royce, I think the record of North Korean behavior over the last 6 months indicates that they are not interested in a negotiated solution, whatever incentives we offer. I said in my statement that I believe the Obama administration will implement the sanctions in a robust way. Those include financial sanctions, so I think your friends at Treasury will have a lot to do.

Mr. ROYCE. Thank you, Mr. Chairman, and thank the panel.

Mr. FALEOMAVAEGA. I thank the gentleman.

The gentlelady from Texas, my good friend Ms. Jackson Lee, for her questions.

Ms. JACKSON LEE. Mr. Chairman, let me thank you very much for convening, along with our Subcommittee on Terrorism, Nonproliferation and Trade, this very crucial, vital and hopefully productive hearing. I would like to start by pleading and demanding for the release of two political prisoners, Mr. Lee and Ms. Ling. These are not the words of her family members, who have been gracious and respectful of this process and have been great Americans, but I think it is time now for those of us who have attempted to walk on eggs to call the abuse of process, the ludicrousness of the indictment or the offenses, what they are, ridiculous, outrageous, and clearly not a part of the community of world nations.

North Korea should be called what it is, shameful. Ms. Ling and Ms. Lee have no argument, no conflict with North Korea or her people. If there was a violation in small measure of a boundary line, we apologize. Her family has apologized. My understanding is that Ms. Lee and Ms. Ling are not trained in the technology of border lines. They happen not to be experts on the fine points of a line drawn without presence and visibility. So if any of the people of North Korea are listening, then take mercy on individuals who are innocent and release them now.

Soft talk and hesitant conversation is of no value, and I believe that this is not an issue of war, but it is an issue of strong, persistent demand that these two individuals, these women and family members need to be released. I believe that we should separate the two, and I want to pose my questions along the lines; I saw, Mr. Harrison, that you had been in the region in 1994 and had some previous negotiations on freezing nuclear capacity. What happened there, please? What happened to those preliminary agreements as I noted in your bio?

Mr. HARRISON. Well, the conversations that I had in June 1994 led a week later to President Jimmy Carter's negotiating what evolved into the so-called Agreed Framework of October 1994, and for 8 years, North Korea's nuclear weapons program was suspended.

Ms. JACKSON LEE. So what happened, sir? Why are we where we are today?

Mr. HARRISON. Well, we are where we are today because the Bush administration didn't like that agreement, felt that it was too soft on North Korea, that it involved giving things to North Korea in return for its suspension of its nuclear program——

Ms. JACKSON LEE. Well, we had a gap over that period of time in the Bush administration.

Mr. HARRISON. What do you say?

Ms. JACKSON LEE. We had a gap, we had a sort of missing activity——

Mr. HARRISON. No, the Bush administration abrogated the agreement of 1994 and created the present crisis we are in by doing so.

Ms. JACKSON LEE. And so your instructions for going forward today are, alongside of the two political prisoners that are there, what are your instructions for us now?

Mr. HARRISON. Well, at the beginning of my testimony, in case you missed it, I urged that Vice President Gore be encouraged to go to North Korea by this administration, and that they cooperate

with him in facilitating the visit and in empowering him to carry on some meaningful discussions while he is there. You——

Ms. JACKSON LEE. Thank you, Mr.—my time is short. I thank you, and I did hear that. I just wanted to make sure that was it.

Mr. Bush, do you think that structure would work, and what do we do with China and Japan? I heard the testimony of I think Mr. Harrison mentioning, someone mentioned that Japan did not follow through on its commitment dealing with energy resources. We seem to have this constant breaking of promises. I am concerned, one, about where we are, but two, that we have the North Korean people who live in starvation and then the idea of trying to address this world crisis.

Do we need to now immediately send an envoy, and what do we do about Japan's inertia and China's inertia?

Mr. BUSH. Congresswoman, I would note that Ambassador Tom Hubbard has some experience himself in getting people out of North Korea, so he might shed some light.

Ms. JACKSON LEE. I thank you for that, and if the chairman indulges me, I would like him to answer. Thank you.

Mr. BUSH. I would not have former Vice President Gore go unless it was absolutely certain that the young women were going to be released. To send him out without clarity on that point would put the United States in a very bad position. As I suggested previously to Congressman Scott, I think that working with China will be an incremental process as they understand more clearly the threat that North Korea poses to them and the need to take action to deal with it.

Japan, as we have indicated, has its own concerns, but the administration is working very closely with Japan and with South Korea to have a united front against North Korea. So I am hopeful that whatever problems may have existed in the past can be dissolved in the future.

Ms. JACKSON LEE. Do we send anyone to the region? Maybe they can go to Japan, maybe they can go to China? We have people going to the region?

Mr. BUSH. We had the President's Special Representative on North Korea in the region in February. It was made clear that he was willing to go to Pyongyang, but not under the threat of a missile launch, and the North Koreans spurned the offer. We had diplomats in the region not too long ago. I think the main problem is that North Korea is taking a hard line on the women as it is taking on just about every other issue.

Ms. JACKSON LEE. Can Ambassador Hubbard, can you quickly answer that last question that Mr. Bush thought you might be able to contribute to regarding the ladies and their posture at this point?

Ambassador HUBBARD. If the chairman will indulge me about 1 minute for a little history, in 1994, one of our U.S. military helicopters with two American warrant officers on board strayed accidentally into North Korea and was shot down by the North Korean military. One of the warrant officers was killed in the air. The other was taken captive by the North Koreans, and it so happened that former Congressman Bill Richardson was flying from Beijing to Pyongyang even at that moment, and for a week or so he worked

on trying to gain the release of the remains of the dead one and the live prisoner.

He succeeded in getting the remains, but by the time he left, he had not succeeded in persuading the North Koreans to give up the captive, so I was suddenly, the North Koreans, through their office in New York, suddenly asked if we would send a senior envoy to North Korea and they thought they could arrange the release if we did so, and so I was chosen as that envoy. I went on very short notice into North Korea, and successfully within 48 hours got the young warrant officer out.

I think there were several keys to our ability to do that. One was our willingness to send an envoy. I was the first senior U.S. Government official ever to be sent as an envoy to North Korea. Two, I went with some facts, that I was able to explain how this happened and what the equipment they had on board was. Three, I was willing to express regrets that our helicopter had accidentally strayed into North Korean territory. We recognized their sovereignty in that way, and I think finally I was able to make the point to them that we had just signed this Agreed Framework, this nuclear agreement, and that they wanted a close relationship with the United States, you know, taking this military person prisoner was equivalent to a hostage situation and that was incompatible with a close relationship with the United States.

I think that argument worked then because, as I said in my testimony, the North Koreans then wanted a close relationship with the United States. I am not sure that same logic would prevail now, given what we have seen recently, but I do think some of the other elements are appropriate. I do think we should send an envoy. I think we should keep this completely separate from the ongoing nuclear talks, as I did in 1994, and of course, we should be willing to express our regrets and apologies, which the families have already done.

Mr. FALEOMAVAEGA. I thank the gentlelady for——

Ms. JACKSON LEE. I thank the gentleman for his indulgence, Mr. Chairman.

Mr. FALEOMAVAEGA [continuing]. Her questions and certainly join her, and I am sure that this is also the sentiment of the members of this committee, as well as the members of the House, concerning the safety and welfare of Ms. Lee and Ms. Ling, and I sincerely hope that we will find a solution or a method or some way to negotiate with the officials from North Korea and find a way we can get them back.

The gentleman from Arkansas, Mr. Boozman, for his line of questions.

Mr. BOOZMAN. Thank you, Mr. Chairman. I was at a meeting not too long ago where a very high level food person from the U.N. was there and she made the statement that the North Koreans were about 10 inches shorter than they should be because of malnutrition. I was with another individual that is very familiar with North Korea that said that currently in some areas, they actually practice cannibalism, that you have problems burying your loved ones for fear that somebody is going to dig them up and eat them.

I guess in dealing with a regime like this and trying to use the same value systems trying to negotiate in good faith, it really does

seem very, very difficult and I think some of the solutions that I have heard in the past in hearing, again, you know, it is not like we are dealing with rational people. Mr. Harrison, your critique of the fact that we are in the situation that we are here with our present problems based on the Bush administration I really think is simplistic at best.

I think there are a tremendous amount of factors going on, and again, to blow it off that way, like I say, is simplistic. Can you all comment in that regard, as far as the fact that we have got a situation where we have got a leadership that is willing to put their people through this, and then again, to try and negotiate with a regime like this, how do you do that? How do you do it in good faith and really know at all how they are thinking, how they are going to react, or whatever?

I know it is a very broad question, but——

[Pause.]

Mr. HARRISON. Are you addressing me, sir?

Mr. BOOZMAN. I am addressing anybody that wants to comment.

Mr. HARRISON. I just want to ask you whether you acknowledge that from October 1994 until December 2002, we did succeed in suspending North Korea's production of fissile material and we did not have the situation that we have now. I think it would certainly be simplistic to say that there aren't other factors that contributed to the immediate situation we face right now. Certainly the altered internal balance of forces in North Korea in which hard-line generals have become much more powerful since the illness of Kim Jong Il is certainly, in my view, the main reason for the immediate tactics that North Korea has been pursuing lately, but I don't think it is simplistic to say that the abrogation of the Agreed Framework which had suspended nuclear weapons production for 8 years is what set in motion the train of events that has taken us to where we are today.

Mr. BOOZMAN. I would say that, again, the people, getting in a situation where they are 10 inches shorter, all of the things that have gone on in that regard have not just all of a sudden happened over the last 8 years. The North Koreans' willingness to share their nuclear secrets has not just happened over the last 8 years. I just don't believe that. Does anybody else want to comment? The other thing too is, at this point, at what point does it become, and I say this not, again, this is such a huge problem.

I mean, this is not a partisan issue. This is something that all of us need to worry about on almost an hourly basis. This is a huge problem, but we do have a new administration now, and I support their efforts in North Korea, and I don't see that things are changing very rapidly right now, although my hope and prayer and my efforts are that we need to work together to get this done, and I just, again, I don't mean to be picking on you, but I just don't see that those kind of comments and that kind of blame is helpful.

Do any of the rest of you all want to comment on the——

Mr. SNYDER. Mr. Chairman, let me take a stab at this. I don't know of any U.S. Government official who has gone to negotiations with North Korea thinking that it was going to be based on good faith, and I think that the prior record further underscores the folly of that position, but there are things that can make negotiations

more likely to be successful. One is for them to be backed up by pressure. We haven't necessarily done that in the past very well.

Another is to incorporate an element of irreversibility into the process, and I think that that is a major focus of the current administration. And then I just want to mention that a final sticking point in this area is really related to the challenge of verification, which the North Koreans have in many cases defined as a threat to their sovereignty, and so I think that that might actually be the biggest sticking point in terms of moving forward successfully down a negotiation path.

Mr. BOOZMAN. Thank you, Mr. Chairman.

I appreciate your testimony.

Mr. FALEOMAVAEGA. I thank the gentleman from Arkansas. I have a question, maybe somewhat simplistic in my view, but I want to raise the question, how do we go about in trying to denuclearize North Korea when it is already a nuclear power? It has six nuclear bombs in its possession. Have we demanded the same of Pakistan, of India, or of other countries potentially who possess nuclear weapons? So what is the basis of how we are doing this?

We are telling North Korea, denuclearize, when they already have nuclear bombs. I would like to ask Mr. Harrison, the fact that you have been at this business for 58 years, and probably one of the few people in the Washington establishment who has visited North Korea personally 11 times, kind of gives me a little basis of asking for your sense of understanding and knowing the nature of how North Koreans, officials as well as the people, act or react to the given situation that we are faced with now.

Mr. HARRISON. I think your comments are very well taken. It seems to me that what is hard for Americans to accept, since we think we are the good guys and other people are often the bad guys, is that North Korea is afraid of us, and I don't know that I—I mean, and I think that within North Korea, there are different elements in the leadership, some of whom are more rational in assessing whether we really are a threat to them or not, but as their collectivity, the North Korean leadership and the people believe that they are threatened by the American nuclear weapons that surround them in the Pacific, and the fact that we took out our tactical nuclear weapons from South Korea hasn't ended that perception.

So what you get, I think, when you go there that you can't get if you don't go there a lot is the fact that this is real, this is not a contrived posture, and therefore, they have moved steadily, as the nationalistic younger generals, I have emphasized, have moved into more powerful positions internally, into the belief that they have to have a nuclear weapons capability and therefore I think you are right, we face that as a fact now.

But at the same time, they haven't ruled out that if they come to feel, 5 years from now, 10 years from now, that we are not a threat to them, that we have moved into normal relations, and I might add to the gentleman from Arkansas, use those normal relations—I think he has left me, but—to open up the regime so that the things he has talked about are diminished by the winds of freedom blowing in there, I think that, you know, arms control agree-

ments in which they phase out their nuclear weapons, if we are prepared to give up the right of nuclear first use, which we won't give up, if we are prepared to carry out Article Three Section One of the Agreed Framework, in conjunction with denuclearization—I don't think it is an impossible dream, but you are right. We face the fact right now. We have got to live with that, and that is why I think capping is the real security objective of the United States.

Five nuclear weapons is much better than 50.

Mr. FALEOMAVAEGA. There seems to be a disconnect here. The fact that for the 8-year period when we had that framework agreement from 1994, and of course, the commitment, or at least the allegation that was made by the Bush administration was that North Korea cheated, and I wanted to ask the members of the panel, did they really? I seem to get different answers at this point, and the same reason why in 2007, I think, North Korea made its commitments and then we moved the goalposts by saying, well, you have got to verify.

And I just am curious if we could have been wrong on both sides on how this whole negotiation came about.

Mr. Hubbard?

Ambassador HUBBARD. Thank you, Mr. Chairman. As the Deputy Negotiator of that 1994 agreement, I think I perhaps know the agreement as well as anybody in the room, and I do think it was a good agreement, the best we could get at the time. It indeed did impose a verified freeze on the North Korean production of plutonium and fissile material through that method for 8 years, and I think it was a substantial achievement. What it didn't adequately cover, did not give us the ability to verify whether they were working on other nuclear programs somewhere else, and that is where the suspicion that they were working on——

Mr. FALEOMAVAEGA. But for which they perfectly had the right to do so, because it was not part of the agreement.

Ambassador HUBBARD. That is one of the reasons I wanted to speak up before my colleague, Mr. Harrison, did. The agreement actually explicitly covered uranium enrichment activity through its reference to the North-South denuclearization agreement of 1992, in which the two Koreas forswore any intention to carry out uranium enrichment, and the North Koreans acknowledged that during the negotiations, so I feel very firmly that they did cheat.

Now, whether that element of cheating was worth throwing out the whole agreement, throwing out the baby with the bath water, as the Bush administration did, is another matter, but getting back to where we started on this, I think we have, Mr. Chairman, we have tried a freeze, and we managed to impose that on the plutonium program. Later we tried disablement through the Six-Party Talks and, you know, that disablement proved to be much more short-lived than we hoped and did not carry with it the kind of verification we wanted.

Now, Mr. Harrison and others are talking about a cap, and it seems to me that is just a progression. Freeze, disablement, cap, it is not really valid unless you have the kind of verification that the North Koreans are very loathe to provide, and that is the core of the problem that we——

Mr. FALEOMAVAEGA. I am sorry. My time is up. I am going to wait for the second round.

The gentleman from California, chairman of our Subcommittee on Terrorism, Nonproliferation and Trade?

Mr. SHERMAN. I would point out that obviously it would be preferable not to incorporate by reference when you are dealing with negotiating with North Korea the State Department's modus operandi is to conclude vague agreements and then announce success and then tell Congress they are doing a great job. I would like to just get down to the economic realities of North Korea, and I don't know which of you will have the answers to this, but can any of you tell me, what is the total value of North Korean exports in 2008, 2007, 2006?

Mr. SNYDER. I believe it was in the $3.5–4 billion range, $3–4 billion——

Mr. SHERMAN. And what is the total——

Mr. SNYDER. That is total trade, I am sorry.

Mr. SHERMAN. That is total in and out, or just out?

Mr. SNYDER. Yeah, in and out.

Mr. SHERMAN. Okay. So, does anybody know the value of the exports?

Mr. SNYDER. It is about $1.5 billion.

Mr. SHERMAN. $1.5 billion, but for some reason the rest of the world sends, just in trade, more than $1.5 billion. Is that because people loan money to North Korea? I thought the subprime thing was a scam, but who is loaning money to North Korea?

Mr. SNYDER. In particular in the China-DPRK economic relationship, there is a structural deficit——

Mr. SHERMAN. Okay, so we have the structural deficit that means loans from——

Mr. SNYDER. Yes.

Mr. SHERMAN. Of course, they do that for us as well. So one way in which China subsidizes North Korea is to run a trade deficit and to lend money to North Korea. What is the value of the subsidies-free wheat, free oil that China gives each year?

Mr. SNYDER. Aid figures from China to North Korea are not publicly available. What Chinese scholars will say is that it runs about two-fifths of their overall development assistance to the rest of the world.

Mr. SHERMAN. So do the math for me.

Mr. SNYDER. Well, the problem is that I don't know what the overall figure is because it is classified by the Chinese.

Mr. SHERMAN. Well, what is the best U.S. estimate from the four experts here as to what the number would be?

Mr. SNYDER. I would say at least a few hundreds of millions of dollars, at a minimum.

Mr. SHERMAN. Well, I would have hoped that people who focus on these issues would ask the question, to what degree is North Korea dependent upon the largesse of China? Do any of you have a numerical answer to that, or—Mr. Bush?

Mr. BUSH. I can give you a qualitative answer.

Mr. SHERMAN. Okay.

Mr. BUSH. If China decided to impose a total trade, investment and aid embargo, they would probably bring North Korea down,

but China has for years had a concern that if they do that, it has an effect——

Mr. SHERMAN. Yeah, I am aware of that. They could threaten to do it, they could hint to do it, or instead of bringing North Korea down, they could make it a little more difficult for the North Korean regime, put them in a position where they didn't have quite so much resources in 2009 as 2008, but it wasn't quite regime-threatening.

Mr. BUSH. Well, in the current circumstance, they may. We will see. I would reserve judgment on how China is going to respond——

Mr. SHERMAN. But so far, they haven't, and nothing that North Korea has done in the last 6 months should have been a surprise to anybody in Beijing. They are just being North Korea, and so the Chinese, when they sent the money in 2008, they knew what they were getting in North Korea in 2009. Is there anything North Korea has done that is a real shock to China, or is there anything about Japanese or South Korean reaction or American reaction that—is there anything that has happened on this issue that would have been a shock if somebody put it forward at a think tank in Beijing 12 months ago?

Mr. BUSH. I think if you had said 12 months ago that North Korea was going to test in April 2009 a missile and nuclear weapon in May, the majority opinion would have been no, they are not.

Mr. SHERMAN. Majority opinion, I mean, yes, but——

Mr. BUSH. Well, no, I think that——

Mr. SHERMAN. But, I mean, they had already tested a nuclear weapon, they had already tested missiles, so now they have got a bigger nuclear test and a bigger missile. It is——

Mr. BUSH. Well, as I suggested in my testimony, this has led the Chinese Government and Chinese scholars and security experts to come very recently to a different definition of the situation.

Mr. SHERMAN. I——

Mr. BUSH. I am reporting what I hear, Congressman, and I think it is significant——

Mr. SHERMAN. Okay, yeah. I mean, what you are reporting is that they would like America to just let the status quo continue and so in order to do that, they will make a few noises that will make us think that they are kind of moving, while we have been playing this game for a decade.

I realize we have several people who are experts in China. For many decades, it has been the United States that has prevented Taiwan from developing a nuclear weapon while China has carried out pro-proliferation policies in many parts of the world. Does China just take it for granted that we will continue to prevent Taiwan from developing a nuclear weapon?

Mr. BUSH. I think China probably does. I think China also believes that the current leadership in Taiwan would not see nuclear weapons as a way to guarantee the island's fundamental security.

Mr. SHERMAN. Yes, they are going to rely on American taxpayers putting a huge fleet out there, which may be true this decade, may not be true the decades to follow. Taiwan's idea of assuring its independence is to have the American military do it for them at our expense. I am not sure that continues to work. What about

Japan? Do you China genuinely concerned that Japan will develop nuclear weapons as a direct result of North Korea's actions?

Mr. BUSH. Yes, I think there is some concern.

Mr. SHERMAN. Some concern?

Mr. BUSH. Yes. No, I mean, I think——

Mr. SHERMAN. Mr. Harrison?

Mr. HARRISON. Well, I just wanted to add something based—contribute what I have heard in some very interesting conversations in Pyongyang. They are very unhappy at the degree of dependence that they have reluctantly had to incur on China, letting them take out their best mineral resources by the truckload, and that is why the more moderate elements there have wanted to have a real relationship with the United States and to normalize with the United States, to offset this dependence on China.

I think we would be very naive in thinking that China is going to help us in putting the squeeze on North Korea. China wants to subsidize North Korea, wants——

Mr. SHERMAN. Well, let me just——

Mr. HARRISON. Yeah, they want to make sure we don't have a unified Korea in which we have bases.

Mr. SHERMAN. One final question, my time is about to expire, or has expired, and that is, the last administration refused to offer a nonaggression pact to North Korea. How important is it to the North Koreans that they get an official, conventional, old-style nonaggression pact from the United States?

Mr. HARRISON. They want nuclear assurances, not a nonaggression pact. They want us to say that we will not use nuclear weapons in a way that is binding upon us.

Mr. SHERMAN. The U.S. has already committed to that. You would think we would put it in writing a second time, having already put it in writing a first time. I am shocked that we——

Mr. HARRISON. Well, no, they don't think that relates to them.

Mr. SHERMAN. I am happy to send them a copy of our declaration with a new signature, but then again, they don't want my signature.

I yield back.

Mr. FALEOMAVAEGA. One of the ironies I wanted to raise with the gentleman that I do recognize.

We have another distinguished member of our committee here with us, Mr. McMahon from New York. We will give you your 5 minutes to——

Mr. MCMAHON. Thank you, Mr. Chairman.

Mr. FALEOMAVAEGA. Sure.

Mr. MCMAHON. Thank you for holding jointly this very important committee meeting——

Mr. FALEOMAVAEGA. Just one note before Mr. McMahon makes his statement—the irony of this thing about written affirmations. I believe it is reasonable to suggest that North Korea wants a written affirmation from the United States that we will never use nuclear weapons against them. And one of the ironies is that this is an effort on the part of President Lee of South Korea who is seeking a written affirmation from us that we would use nuclear weapons as a deterrence, or as an umbrella, to protect South Korea's in-

terests, so we have got a little contradiction here in terms of what we are trying to do, but just as a matter of note.

The gentleman from New York.

Mr. MCMAHON. Thank you, Chairman Faleomavaega, and again, thank you for holding this hearing jointly with Chairman Sherman on this very important topic. Gentlemen, one of the great concerns, I think, and I don't know if this was touched on earlier, is North Korea's nuclear collaboration with Iran and Syria, and of course, that is completely unacceptable and raises this issue of nuclear proliferation. Could you touch on the status of that and how much of a threat we see that as and what America and the rest of its allies should be doing?

Mr. SNYDER. You know, that is a very serious issue and clearly there needs to be as much attention as possible in the intelligence community directed to trying to discover those possible ties. There certainly have been rumors about them. It seems to me that to a certain extent, China comes into focus here simply because of its location, and under the U.N. Security Council resolution, if air cargo suspected of transporting that type of material is detected, then the Chinese are supposed to be inspecting that cargo at this stage.

So this is going to be one of the areas where I think China's really going to be put to the test in terms of their seriousness related to implementation of the new resolution.

Mr. MCMAHON. But, I mean, how serious is it that—I know that in Syria when the Israelis bombed there was—attacked a site there, there seemed to be evidence that North Korea had been very much involved with proliferation in that particular site. Could you expound, I mean, how serious of a threat is this, how wide or how active has the proliferation been, and how much of a threat do you see this as to, certainly to Israel, and to the rest of our allies in that area in the Middle East and certainly in the rest of the world?

Ambassador HUBBARD. Again, I am not, I have been out of government some time so I can't really purport to be a real expert on the subject, but I think in the case of Syria, you know, the North Koreans were caught red-handed having built a nuclear facility that looks very much like their nuclear facility in Yongbyon. I don't think there were clear indications, although again, I was out of government when this happened, I think there were no signs of actual transfer of fissile material, the material needed to make those plants operate, but they built a plant.

I think the evidence of cooperation with Iran on nuclear issues is somewhat less clear. It seems there may have been some collaboration in both directions at different times on different kinds of programs, but suffice it to say that I share this administration's view that the threat of proliferation is the single most dangerous part of this very dangerous problem, and therefore, much of the U.N. resolution calling for sanctions and other measures, interdiction and other measures, is aimed directly at trying to stop the possibility of proliferation.

Mr. MCMAHON. Thank you.

Thank you, Mr. Chairman. I yield the remainder of my time.

Mr. FALEOMAVAEGA. Thank you. I do have some more questions I want to share—Mr. Harrison, you had made a comment, or

maybe I will preface my remarks by saying that I have been one of the strongest supporters of former President Kim Dae-jung's Sunshine Policy as it has been his aspiration and dream that one day the Korean people will be reunited. For the record, I would like to ask you gentlemen for your sense of expertise on how Korea became divided the way it is now.

Who divided the Korean people like this? I talk to the South Koreans, they do not like it, the fact that it has separated millions of families. To this day, there is still a lot of pain and suffering even among our Korean-American community. I just wanted a sense of history for the record. Who divided Korea the way that it is now?

Mr. HARRISON. Well, as the Reverend Billy Graham said, and I quoted him in my testimony, Korea was a victim of the Cold War. Russia and the United States divided Korea for expedient reasons at that time.

Mr. FALEOMAVAEGA. And by that division, do you think, is there any relevance for the Sunshine Policy given the tensions that now exist in the Korean Peninsula? Is that a dead issue?

Mr. HARRISON. Well, it certainly isn't a dead issue. I think one of the very most important reasons why the hardliners in North Korea have become empowered in recent months is the fact that the agreements made by Kim Dae-jung and his successor, the late Roh Moo-hyun, regarding coexistence between North and South Korea were repudiated when Lee Mung-bak became the President, and a perception of North Korea is that the elements in South Korea favoring unification through a collapse of the North Korean regime are now dominant in the South, and this has greatly strengthened the hardliners in North Korea and it is a combination of that factor and the pressure tactics of the new administration in Washington have empowered the hardliners in North Korea.

So I think what Kim Dae-jung set in motion has to be, is in fact what the two, North and South, have agreed on, and that is why I suggested in my testimony that President Obama should make clear that the United States supports the vision of a confederation and eventual peaceful reunification in those two summit agreements.

Mr. FALEOMAVAEGA. Ambassador Hubbard, you made the statement that we must not recognize North Korea as a nuclear power. Does that have the same sequence as to how Pakistan becomes a nuclear power as well? Of course, we come right back to the question of nonproliferation, and this question has been asked how many times now? Why is it that the five permanent members of the Security Council continue to have in their possession a total of probably 10,000 nuclear weapons right now, and the rest of the world cannot? Can you respond to that?

Ambassador HUBBARD. Well, in fact, President Obama has called for a world without nuclear weapons and repeated that call yesterday in his joint press conference with President Lee. Obviously, a lot of conditions have to be satisfied before we can get to that world, but I do think the threat that North Korea poses to the world through its nuclear programs, and for that matter the threat that Iran poses the world, is quite a different qualitative threat

than what we see with the Indian programs and the Pakistani programs.

I think we have some sense of whom those programs are aimed at, and it starts right there in the individual protagonists. In the case of North Korea, I think we have a very different view of whom that program is aimed at, and it begins with us and our closest allies in Northeast Asia and it also entails a proliferation risk that we saw to a certain degree in the case of Pakistan and have tried to put a stop to, but I think that goes beyond that posed by some of these other countries.

So I think we should not accept North Korea as a nuclear power, even capped. We may not achieve denuclearization for a while, but I think it is very important to our allies in the region and to our own security that we keep working at it vigorously through both pressure and dialogue.

Mr. FALEOMAVAEGA. Mr. Snyder, you had given an indication in your testimony concerning the Six-Party Talks in terms of how great this idea has been to negotiate with North Korea, and I am just curious, how is it that the Bush administration came out in establishing the Six-Party Talks as the means to negotiate with North Korea? The fact that now the Japanese are demanding the abductees that the North Koreans had been to is somewhat of a contradiction because it has nothing to do with denuclearization of Korea.

One of the added problems too is the fact that when you talk about abductions and kidnapping, the Japanese kidnapped and abducted over 200,000 Asian women, mostly Koreans, forced them into prostitution, and they were raped and institutionalized by the highest echelons of the Imperial Army of Japan during World War II. So I am getting a little confused here in terms that while Japan is making a demand for North Korea to return these abductees, and has a very valid reason for doing so, when you think about it, what Mr. Harrison said earlier, there is still a lot of bitterness existing between the Korean people and Japan after being a former colony of Japan before and during World War II.

But I just wanted to ask, is there still relevance for the Six-Party Talks the way it is—and I assume the Obama administration is going to continue to take on that line, because it seems to me that originally, North Korea just wanted to negotiate with the United States to deal with the actual issues, not bringing in China, Russia and Japan into the fold, but I just wanted to ask your comment on that.

Mr. SNYDER. Well, my own view on this is that it has become clear that even if the United States were to make a bilateral agreement with North Korea, it is not going to be sustainable in terms of implementation in and of itself. Even the Agreed Framework in 1994 required regional participation, and so I think that what the Bush administration did was to, in this case, adapt an idea that was consistent with the reality of the need in the context of addressing this issue.

As I indicated in my testimony, I believe that at this stage, one reason why the Six-Party Talks framework is really critical is that it has become a symbol of commitment to denuclearization, and so if the United States backs away from that particular venue, Japan,

South Korea, China, are all going to take it as a symbol that the United States is accepting North Korea as a nuclear state. I think that one difference between North Korea and the other nuclear weapons states that we have been talking about this morning is that the regional security context makes the idea of North Korea as a nuclear weapons state a game changer, as Richard Bush said in his comments.

Mr. FALEOMAVAEGA. Mr. Bush? A quick response and I will turn the time over to——

Mr. BUSH. Yes, I think that part of the Japanese position is related to a prior general commitment on Japan's part that when denuclearization comes, Japan will provide large amounts of aid in implicit compensation for its colonial rule. Given the state of Japanese politics now, it might be very difficult to get that aid package through the Diet if the abductee issue was still outstanding, and so it may be a good thing that Japan is pushing this.

As you say, it is not directly related to nuclear weapons, but it is related to the larger package for solving the nuclear problem.

Mr. FALEOMAVAEGA. We are joined this morning by my good friend and former U.S. Ambassador to the Federated States of Micronesia, my dear friend, Congresswoman from California, Ms. Watson, for her questions.

Ms. WATSON. Mr. Chairman, thank you so much for this hearing. I am sorry I missed most of it, and so I would like to throw a fundamental question out to you, and respond if you will. We hear a lot about the Six-Party Talks. Do you believe that North Korea will come to those talks and be a participating member? Also, who has the biggest influence? Is it China or is it Japan, and are they feeding them the weapons and what is needed to start to nuclearize?

And then, the last thing I would like to know, apparently, in yesterday's London Times, some believe that Kim Jong Il will first ratchet tensions with the outside world upward to their absolute limit, but then allow his son to take credit for offering the concession that calms everything down, and the article went on to say that the younger Kim will be then presented as the man who saved North Korea from war with the United States, and so can you comment on that, and seeing how the world knows so little about the son, how do you respond to the claim made in the Times article and what strategic steps do you see us as the U.S. taking to build a relationship with the younger Kim? So take a stab at it, anyone.

Mr. BUSH. Congresswoman, the article you cite presents very interesting speculation. As you probably know, we know actually very little about what goes on in North Korea and the motivations of the leaders, so it could be as valuable as any. On the Six-Party Talks, it was my testimony that North Korea, at least for the foreseeable future, has abandoned the basic goal and premise of the Six-Party Talks. The goal is denuclearization and the premise is that if we could provide the right set of incentives to North Korea, that it would give up its nuclear weapons.

I don't think that that premise exists anymore. That will be the case until Kim Jong Il passes from the scene and a succession arrangement is put in place or is established and consolidated. That will continue to be the situation and the Six-Party Talks will be in

abeyance. That is too bad, but they don't appear to want to negotiate their way out of this situation.

Ms. WATSON. Mr. Snyder?

Mr. SNYDER. I think that one of the underlying assumptions behind a Six-Party process is that this is an issue that is not solely a United States responsibility, but that it is a collective responsibility, and so it seems to me, I don't know exactly when or how or whether the North Koreans will come back to talks, but the necessity of regional cooperation on the basis of the idea of that kind of collective responsibility, it seems to me, is going to be absolutely critical in terms of making progress in achieving the goal of a stable Korean Peninsula and a denuclearized Korean Peninsula, and so that I think is really the focus that we have to, you know, keep our eye on.

Ms. WATSON. Ambassador?

Ambassador HUBBARD. Glad to see you again, Ambassador Watson. I agree with what both of my colleagues have said. One, I don't think the North Koreans are going to be prepared to come back to Six-Party Talks anytime soon and that it may be only after they have gone through this leadership transition that they are prepared again to sit down in a Six-Party framework. I do agree with Scott Snyder that it is very important, however, that we keep the concept alive.

The North Koreans may have given up, at least for now, the concept of denuclearization, which is the purpose of the Six-Party Talks, but I don't think the other five parties in the Six-Party Talks have given up that concept, and in part to keep that concept alive and in addition, in order to keep constructive cooperation going, I think the framework is very important. We saw the Six-Party framework working very well at the U.N. last week with the other five parties working very closely with the other permanent members of the Security Council to put together a very strong set of measures and I think whether the five parties sit down together and meet as five parties or whether we continue this kind of ad hoc cooperation, bilaterally, trilaterally and other ways, I think it is very important that we keep the Six-Party process alive.

Ms. WATSON. It is my interpretation of what has been happening in the last few weeks that they really are playing us, and I do believe that Kim Jong Il is ill, and I do believe he is getting ready to pass it on. He wants the power, he wants the recognition, and as long as you continue to ignore us, we are going to continue to get your attention, and I would hope that we would not fall into thinking that we have to move aggressively. I would hope that we would continue to push the other parties, the other five parties, into trying to respond to the threat of North Korea.

I met with the South Korean President yesterday, and I am leading the Exchange sometime toward the end of the year. I am trying to put it off as far as I can because I want to see the fallout from all of this and what the U.N. is willing to do. I don't want us to be pulled into any kind of aggressive action, like we were pulled into Iraq. It is just really important that we share this responsibility across the other five parties, and so, if you have any insight as to what the White House is feeling about all this, can you share it with us now?

Mr. HARRISON. I welcome your plea for restraint. We just should keep in mind that North Korea has had a basic change of policy that is going to continue, whatever happens to Kim Jong Il's health. It is a new consensus in a leadership in which the balance of forces has shifted to hardliners being stronger than they were before. That changes—from 1994 until January of this year, North Korea was committed to the policy that it would negotiate for denuclearization leading to normalization of relations with the United States, which is their basic goal. That is what they want.

They have changed their policy. We have got to face that fact. Now their policy is they will not denuclearize until after they have normalized relations with the United States, so we are just talking into the air, losing sight of our real security objectives if we talk about complete denuclearization of North Korea as the immediate goal. The immediate goal has to be to cap their nuclear arsenal so that it doesn't become larger and larger with better and better warheads, and then work for better relations with North Korea simultaneously, at which time, we hope that that new atmosphere will lead to saner leadership which is prepared to pursue again denuclearization.

The Six-Party Talks, as Scott Snyder said, have been very valuable because we need the participation of some of the regional powers. The problem with them is Japan has been trying to torpedo them because Japan is led by right-wing elements who don't share, who really are very happy to have North Korea as something they can demonize to justify some of their own attempts to militarize and to prepare for nuclear weapons. Don't forget that when we talk about the consequences of all of this leading to Japan going nuclear, that is all very true.

That is why we have all worked for a denuclearized North Korea, but don't forget that Mr. Taro Aso, when he was Foreign Minister said it was time for Japan to have a debate on whether or not to have nuclear weapons, so the taboo that had existed from Hiroshima has been repudiated by the present Prime Minister of Japan. So I think that Japan's role in the Six-Party Talks hasn't been helpful and that is the problem with the Six-Party Talks, but certainly the multilateral negotiations in which South Korea and China and Russia are involved, and eventually hopefully Japan, should be our ultimate goal, but it has got to start with bilateral negotiations.

Ms. WATSON. I couldn't agree with you more, and I am thinking of the old adage that is used in the community. If you call yourself a leader and no one is following you, you are just a man out taking a walk. So I would hope that we would never again without provocation go out there on our own. That is why I mentioned the six parties, the other five parties. We cannot do this unilaterally, and you just said that. We have got to—we are not in their neighborhood, but we can probably be reached over the water eventually, so what we want to do is let those in the neighborhood know that that is their problem, even if we are the focus, and I don't want them to lure us into an action unilaterally.

That is my deepest concern. So whatever we can do, you know, behind the other five parties, we should try it and we should do everything in our power to make it work. Mr. Harrison?

Mr. HARRISON. I strongly agree with you and I hope you will read my testimony in which I——

Ms. WATSON. I will do that.

Mr. HARRISON [continuing]. In which I say that we have to—the danger of an escalation to a war now is growing all the time, and we should recognize that and do something through an unofficial emissary initially, and I have urged that Al Gore should be encouraged to go by this administration, which he hasn't been.

Ms. WATSON. Well, he has got something that has really given him a lot of prominence on the world scene, and his screen power and climate change and so on. I wouldn't want to get into this if I were him myself, but anyway, thank you so much for your——

Mr. HARRISON. He met Hillary Clinton on May 11, said he wanted to go, so he does want to go.

Ms. WATSON. Thank you so much for your responses, and thank you, Mr. Chairman.

Mr. FALEOMAVAEGA. I thank the gentlelady from California. While we are talking about recommendations, Mr. Harrison, I was thinking of Madeleine Albright as another potential person that could be an envoy since she spent some time there and was received by Kim Jong Il and his administration. She would have a little understanding of what happened there.

I am going for the second round, and gentlemen, I really, really appreciate your patience. My good friend, the gentlelady from Texas has one or two more questions, just to round out our discussion and dialogue this morning. So, Ms. Jackson Lee?

Ms. JACKSON LEE. Mr. Chairman, you are very kind in your indulgence and the positive aspect of listening, even though members are having meetings in and out of this anteroom, is to get a sort of a comprehensive perspective of the gentlemen who are before us, and so I want to, first of all, just a moment of personal privilege, want to acknowledge that Mr. Snyder went to Rice, and that is in Houston, Texas, and so there is a bias there, gentlemen. Forgive me for that. I hope you enjoyed your stay at Rice University, and for your information, they may be getting a medical school, so if you want to go back to school, we welcome you as well.

Let me pose these questions to Mr. Snyder and Mr. Bush. Mr. Bush, you were associated with the former chairman of this committee, of whom I had the privilege as what I would call a baby Member of Congress to be tutored by, Chairman Lee Hamilton, and of course, being on Homeland Security worked extensively with him on the 9–11 Commission. The first question is, how much fear, how much accuracy is there in the fear and apprehension of the present position of North Korea in terms of a nuclear capacity.

Where are we? I know we are not on Armed Services, this is not the Intelligence Committee, but give your best judgment as to where you believe they are. That sort of sets the tone for how we proceed. Then my second question is, to make it very clear that I am also not advocating for war and advocating for negotiation, among foreign affairs, an engagement, but comment on the concept of six parties. Should we be open to modifying? Should we call for a regional meeting of North Korea, Japan and China, with South Korea as an advisor?

We know that their tensions are very high there. Should we be open to modification, and I will have a subset so the chairman will be accurate in my two questions, give me your sense of how we divide the freeing of Ms. Ling and Ms. Lee to where we are today. I believe that we should have an envoy. I believe that the administration is committed and engaged and involved. We are to work collaboratively. We don't want to tip any iceberg or make a misstep, but we do have two incarcerated persons right now, and so I would appreciate some guidance. Whoever wants to go first. Mr. Chairman, thank you for your indulgence on these two questions.

Mr. Bush?

Mr. BUSH. I will go ahead. With respect to where they are on the nuclear weapons, they have tested two devices, each of which has fairly low yield, lower than the bomb we dropped on Hiroshima. Their delivery systems, the missiles, can fly several thousand miles but not far enough to reach the United States.

Ms. JACKSON LEE. Not even Alaska?

Mr. BUSH. Alaska, they are getting there. With respect to the nuclear weapon, they have not yet, as far as anybody believes, miniaturized their device to the extent that it can be mated to a long-range ballistic missile. I think the general estimate is that we are years away from the point at which they could hit the United States with a nuclear weapon.

Ms. JACKSON LEE. And I don't want to volley, but do you think they want to hit somewhere else?

Mr. BUSH. No, I think they see their main security challenge as coming from the United States and they believe that having a nuclear arsenal and a means to deliver it gives them a deterrent that will make us think twice.

Ms. JACKSON LEE. So we have time. The main threat is us, they are years away, there is time.

Mr. BUSH. There is some time. I share Mr. Harrison's view that our allies are threatened by this looming capability if they can miniaturize their weapon. South Korea faces a serious conventional threat from a large number of artillery tubes that are targeted on Seoul and other places. One danger right now is that in this rather tense situation, someone could miscalculate and the situation would spin out of control. I agree wholeheartedly with Scott Snyder that the Six-Party Talks have served a very useful purpose.

It is not fundamentally broke, so we shouldn't try and fix it. The main issue is North Korea's commitment to the core goal of the Six-Party Talks, and that is denuclearization. It appears that, for now, North Korea is no longer interested in trading its nuclear capability for a package of benefits. That may change once we have a new leadership in North Korea. It may not. So again, we have to play for time. The best outcome would be that after the succession, the new leadership realizes that the deal that is on the table in the Six-Party Talks effectively is a good deal for them, and they reach that before they are able to perfect their deterrent.

Ms. JACKSON LEE. Thank you. Any word on the young women posture question?

Mr. BUSH. I think that sending an envoy is a good idea. I think Vice President Gore is too high. Former Congressman Bill Richardson is very good at this, and he has relations with the North Ko-

rean leaders. I would prefer that we have a strong indication before they go that the young women are going to be released and that the visit is to seal the deal, not to do the deal.

Ms. JACKSON LEE. Thank you. Mr. Snyder?

Mr. SNYDER. I agree with everything that Richard said, especially about the state of the North Korea nuclear development effort. I might add that I believe the Joint Chiefs of Staff vice chairman testified on the Senate side yesterday suggesting that it would take at least 3 years for the North Koreans to be able to have a missile capacity that would reach the United States. One possible permutation that I began to explore briefly in my testimony that I think is worth continued consideration is whether or not and under what circumstances China might make a strategic shift in its posture, in such a way that it would be possible for the United States and China to have a dialogue about the future of the Peninsula.

My own view is that the Chinese aren't there yet and that the signal that they will be there is when they come to see North Korea as their problem, not our problem. With regards to journalists, I think one of the critical questions that we have, you know, been dancing around, but I want to just state it explicitly, is who will the North Koreans accept as an envoy? Are we talking about individuals that the North Koreans feel that they would trust, or are there other individuals who might be in a position to play that role?

In addition, I think Richard correctly suggested that if it is going to have some association with an official arrangement, then it is critical to have a signal in advance that the journalists would be released, but maybe there might be some individuals who could go on a completely unofficial basis, on a volunteer basis, if you will, for whom that burden wouldn't be present. It seems to me that it is worth also exploring those possible avenues or channels of interaction with the North Koreans as part of this process.

Ambassador HUBBARD. Mr. Chairman, could I just add one quick point on the issue of the two young women in North Korea? I think what my earlier introduction perhaps failed to emphasize the really crucial point that this is a humanitarian problem. The North Koreans need to recognize that their image in the world, you know, whatever their course vis-à-vis the United States might be, will be terribly damaged if they don't treat this in a humanitarian way, and I think the envoy selected, and I have no particular choice in mind, but the envoy selected should be someone who underscores the fact that this is a humanitarian issue, this is not an issue of government-to-government negotiations.

Mr. BUSH. If I could just add to that, the envoy should be under instructions to not talk about the nuclear issue, except to repeat the administration talking points, and North Korea should know that in advance.

Mr. HARRISON. Well, I respectfully suggest that if we pursue the strict separation of the fate of these two young women from other issues in our relations, as my colleagues have suggested, they are going to be in some form of detention in North Korea for many, many years. These issues are connected. We are living in the real

world. We are not living in a think tank world. These issues are connected. They are pawns in a power game.

The only way to deal with the problem of their release and to defuse these present tensions and to move toward bilateral negotiations, which we have been talking about, is for the administration to empower whoever goes to sound them out on a number of possible ways of easing present tensions, and I do feel that this policy of strict separation of these two issues is completely unrealistic and is very callous, in my view. I feel very deeply about the situation these two women face and I think we have to recognize that this can't be separated from the larger problems that we face.

Ms. JACKSON LEE. Mr. Chairman, you have been enormously gracious. We have gotten very important instruction from these witnesses and this hearing has a broad sweep to it. It is important and timely, and I just want to conclude my remarks by saying I am going to put on my thinking cap and I would like to work with you, Mr. Chairman. I think this committee can play an important role of being an asset or an addition to the deliberation on these two young women who I consider Americans who are now held, and to work every effort to take what these gentlemen have said, some have said separate it, some have said dispatch quickly someone that will know what we are to benefit from, but I hope that we will have the opportunity to pursue this collaboratively and be an asset to the administration on moving this forward, and I thank the gentleman for yielding.

Mr. FALEOMAVAEGA. And I thank the gentlelady for her excellent questions and the responses that we have gotten from our witnesses, varied as they may be, but I think it is interesting. Again, I want to join the gentlelady on the importance of Ms. Lee and Ms. Ling's status of being imprisoned there in North Korea. I think they don't deserve this term of imprisonment for 12 years just for stepping over the line. I think this is something too that now we need to consider, if the nuclear issue and the Six-Party Talks are more important than the lives of these two ladies, and I appreciate Mr. Harrison's comment on that.

I think you cannot separate the two, but that is my opinion. I can understand Mr. Bush's concerns that these two issues don't go together, but again, it is a matter of opinion and bottom line. Gentleman, all that we have done is just show even more how little we know about North Korea. We have made a lot of guesses, we have made a lot of assumptions, because it has really been basically guesswork, and I am looking forward to going to North Korea in the future if they will ever let me go to North Korea. But gentlemen you have been so kind and so patient with your time and allowing the members of both of our subcommittees to raise questions and concerns about the issues that we are now confronted with as far as North Korea is concerned.

If you have any additional materials, gentlemen, that you want to submit for the record, we would welcome them. I am going to open the record for 10 days, 10 additional days—I think that will be helpful in making this record as complete as possible. Without objections, I also have a statement of Mr. Connolly from Virginia, his opening statement that will also be made part of the record.

Gentlemen, again, I thank you for being here. I look forward to our next hearing, and again, thank you for your helping us with this.

Thank you. The hearing is adjourned.

[Whereupon, at 12:48 p.m., the subcommittees were adjourned.]

APPENDIX

Material Submitted for the Hearing Record

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

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

and

SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION AND TRADE
Brad Sherman (D-CA), Chairman

June 10, 2009

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

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

DATE: Wednesday, June 17, 2009

TIME: 10:00 a.m.

SUBJECT: North Korea's Nuclear and Missile Tests and the Six-Party Talks: Where Do We Go from Here?

WITNESSES: Mr. Selig S. Harrison
Director of the Asia Program
The Center for International Policy

The Honorable Thomas C. Hubbard
Senior Director
McLarty Associates
(Former Ambassador to the Republics of Korea, the Philippines and Palau)

Mr. Scott Snyder
Director, Center for U.S.-Korea Policy
Senior Associate, International Relations
The Asia Foundation

Mr. Richard C. Bush III
Director, Center for Northeast Asian Policy Studies
Senior Fellow, Brookings Institution
(Former National Intelligence Officer for East Asia)

By Direction of the Chairman

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

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF THE JOINT SUBCOMMITTEE ON ASIA, THE PACIFIC AND THE GLOBAL ENVIRONMENT AND THE SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION AND TRADE

Day: Wednesday

Date: June 17, 2009

Room: 2172 Rayburn House Office Bldg.

Start Time: 10:04 a.m.

End Time: 12:47 p.m.

Recesses:

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

CHECK ALL OF THE FOLLOWING THAT APPLY:

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

TITLE OF HEARING: "North Korea's Nuclear and Missile Tests and the Six-Party Talks: Where Do We Go from Here?"

COMMITTEE MEMBERS PRESENT: Rep. Manzullo, Rep. Royce, Rep. Scott, Rep. Klein, Rep. Jackson-Lee, Rep. Connolly, Rep. Poe, Rep. Boozman, Rep. Inglis, Rep. McMahon, Rep. Watson

NONCOMMITTEE MEMBERS PRESENT: Rep. Fortenberry

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

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

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record)*
Chairman Faleomavaega, Ranking Member Manzullo, Rep. Connolly, Rep. McMahon
Rep. Watson

Lisa Williams
Staff Director

Opening Statement
Congresswoman Diane E. Watson
Joint Subcommittee Hearing
Subcommittee on Terrorism, Nonproliferation and Trade
Subcommittee on Asia, the Pacific and the Global Environment
Wednesday, June 17, 2009
10:00 A.M.

"North Korea's Nuclear Missile Tests and the Six Party Talks: Where Do We Go From Here?"

Thank you, Chairman Faleomavega and Chairman Sherman for calling this timely and vital hearing on North Korea's missile tests and the Six Party Talks.

The Six Party Talks remain the best forum for the United States and other member nations to discuss North Korea's nuclear programs. However, on April 14, 2009, the Democratic People's Republic of Korea announced that it was terminating its participation. As President Obama has stated, "There is a path to peace for North Korea.", but to the detriment of the economic security of his people, Kim Jong Il continues his

grandstanding on the world stage by reversing the disablement process and restarting nuclear programs at the Yongbyon complex.

In response to the unwillingness of Kim Jong Il to come back to the negotiating table, his continued defiance of past resolutions and continued nuclear weapons development, the United Nations passed Security Council Resolution 1874, which imposes further economic and commercial sanctions, and encourages U.N. member states to search cargo ships leaving North Korea.

I believe it is essential the United States and other U.N. member nations enforce this resolution to its full extent.

Chairman Faleomavega and Chairman Sherman, I would like to thank today's witnesses for taking the time to appear before this committee. I look forward to their testimony as they address the many issues surrounding North Korea and its people.

Thank you and I yield back the balance of my time.

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CONGRESSWOMAN SHEILA JACKSON LEE OF TEXAS

"North Korea's Nuclear and Missile Tests and the Six-Party Talks: Where Do We Go from Here?"

June 17, 2009

Let me first thank the Chairman for his leadership in bringing this important issue before the committee. I want to also thank our witnesses Selig Harrison, director of the Asia Program at the Center for International Policy; Ambassador Thomas C. Hubbard, Senior Director at McLarty Associates in Washington, D.C.; Scott Snyder, Senior Associate of International Relations; Richard Clarence Bush III, Professor at Cornell University and Director for the Center for Northeast Asian Policy Studies.

Mr. Chairman, let me thank you very much for convening along with our subcommittee in Terrorism this very crucial, vital and hopefully productive hearing. I would like to start by pleading and demanding for the release of two political prisoners, Ms. Lee and Ms. Ling. These are not the words of their family members, who have been gracious and respectful of this process and have been great Americans, but I think it is time now for those of us who have attempted to walk on eggshells to call attention to the abuse of process, the ludicrousness of the indictment and the offenses, what they are, ridiculous, outrageous, and clearly not a part of the community of world nations.

North Korea should be called what it is, shameful. Ms. Ling and Ms. Lee have no argument, no conflict with North Korea or her people. If there was a violation in small measure of a boundary line, we apologize. Their families have apologized. My understanding is that Ms. Lee and Ms. Ling are not trained in the technology of border lines. They happen not to be experts on the fine points of a line drawn without presence and visibility. So if any of the people of North Korea are

listening, then take mercy on individuals who are innocent and release them now.

Soft talk and hesitant conversation is of no value, and I believe that this is not an issue of war, but it is an issue of strong, persistent demand that these two individuals, these women and family members need to be released. The issue of North Korea's nuclear pursuit, and the imprisonment of Ms. Ling and Ms. Lee are separate issues and should be treated separately.

North Korea's possession of nuclear weapons undoubtedly poses a major security issue for the United States and other countries in that region. The dangers of North Korea's nuclear and missile tests requires serious attention and we need to find specific solutions to deal with North Korea's actions.

Since Kim-Jong-Il's reported stroke in August of 2008, the question of a possible succession has been elevated. Moreover, Prior to North Korea's missile tests on April 5th, and April 14th, 2009, North Korea announced a withdrawal from the six-party talks. These actions weaken our ability to engage North Korea on the global stage. It is

Congressman Gerald E. Connolly (VA-11)

APGE/TNT Joint Hearing: North Korea's Nuclear and Missile Tests and the Six-Party Talks: Where Do We Go from Here?
Wednesday June 17, 2009

Thank you, Mr. Chairman.

The current problem with North Korea stems from years of neglect on the diplomatic front. In October of 1994, the U.S. and North Korea signed the Framework Agreement in Geneva. The Agreement was not a panacea to the problems that plagued U.S.-North Korean relations, but it was a start.

The Framework Agreement opened the door to a continued dialogue between the U.S. and North Korea through 2001. The relationship was tenuous, but it established a line of dialogue between Washington and Pyongyang. This changed in March of 2001. In advance of President Bush's meeting with President Kim Dae Jung of South Korea, then Secretary of State Colin Powell said of the U.S.-North Korea relationship: "We do plan to engage with North Korea to pick up where President Clinton and his administration left off. Some promising elements were left on the table and we will be examining those elements…we are not avoiding North Korea."

But the next day, Secretary Powell dramatically dialed back his remarks and said, "There was some suggestion that imminent negotiations are about to begin – that is not the case. We're…getting ourselves ready for what the future holds." That same day, President Bush followed up with a description of "[his] skepticism about whether or not we can verify an agreement in a country that doesn't enjoy the freedoms that our two countries understand…"

Congressman Gerald E. Connolly (VA-11)

Under the Bush Administration, there was no sense of urgency in addressing the North Korea situation. Following President Bush's lead, Secretary Powell said, "We'll be formulating our policies and... decide at what pace and when to engage. But there's no hurry." This led to years of neglect with respect to diplomacy and dialogue with North Korea. As a result, they pursued nuclear ambitions without abandon, without inspectors, and without U.S. pressure. Now we are paying the price.

During the past eight years, we refused to acknowledge the importance of international engagement through our neglect of the U.N., when we repeatedly moved unilaterally to address international issues. But it is the international community that can solve the North Korean issue effectively through the six-party talks.

Now is the time to address reengagement with North Korea. We should not condone North Korea's behavior, but we need a new approach to confront its provocative actions. The recent U.S. and international response to North Korea has not been effective. It is time for a new approach.

OPENING STATEMENT OF MICHAEL E. MCMAHON

- Mr. Chairman, North Korea's recent erratic behavior is truly a sign that the previous administration's multi-lateral approach to this clearly hostile country has been anything, but successful.

- North Korea's recent actions and in particular, the detainment of Laura Ling and Euna Lee, illustrates North Korea's targeted aggression towards the United States.

- In particular, North Korea's nuclear collaboration with Iran and Syria is completely unacceptable and raises the issue of nuclear proliferation.

- North Korea's role in this black market raises the distinct possibility that proliferation has been taking place for over a decade.

- I commend the administration's recent decision to hail and request permission to inspect North Korean ships at sea suspected of carrying arms or nuclear technology, but to not board them by force.

- No one on this committee wants to head towards a conflict, but North Korea's precarious actions must be curbed before leading to a greater security threat.

- I welcome our distinguished witnesses and look forward to their assessments on how to balance our diplomatic approach when directly negotiating with North Korea.

- Thank you, Mr. Chairman. I yield back my time.

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