

United States Senate  
Committee on Foreign Relations

U.S. Policy Toward North Korea

March 7, 2013

Testimony Prepared By:

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Chairman Menendez, Senator Corker, other distinguished members present today:

Thank you for the invitation to testify before the Committee on the subject of U.S. policy toward North Korea. It is a privilege for me to appear again before this Committee and provide my views and recommendations on the DPRK's missile and nuclear programs.

For the past twenty years, I have worked both in and out of government on fashioning and implementing policies to meet the threat that North Korea poses to the United States, to our friends and allies in the region, and to the broader international community. The nature and scale of this threat are most clearly reflected in Pyongyang's determined pursuit of longer range ballistic missiles and nuclear weapons. The DPRK satellite launch this past December, which involved much of the same technology as a missile test, and last month's nuclear test demonstrate the failure of U.S. policy approaches across three presidential administrations. President Clinton, President Bush and now President Obama have all declared a nuclear-armed North Korea to be unacceptable. But all have watched as the North has developed and expanded these very capabilities.

While some may argue that U.S. policies have been successful in slowing the North's progress and in galvanizing support within the broader international community, such as witnessed in the adoption of UN Security Council resolutions imposing sanctions on the Kim regime, these successes are at best tactical. Today, North Korea has declared itself to be a nuclear power and appears determined to acquire the means to hold hostage American cities and American lives. Its neighbors, especially our allies Japan and South Korea, are currently within range of its short and medium range missiles, as are U.S. troops and bases in those countries. And the regime's history of selling both missile and nuclear technology, including to Iran and Syria, make the DPRK the number one proliferation threat of our time.

For these reasons, as one who assesses the strategic challenge from North Korea from the perspective of non- and counterproliferation, I see a long held pattern of failed policies that must be changed. The North Korea Nonproliferation and Accountability Act (S.298), recently passed by the Senate, is a positive step. But more than a comprehensive report is necessary. The Obama Administration should alter the familiar but futile course that has been followed by it and its two predecessors, Democrat and Republican alike. A new comprehensive strategy is required, based on experience not hope.

It is in this context that I offer the following lessons learned for your consideration.

(1) The Kim regime, now in its third generation, will agree to abandon its missile and nuclear programs only if it judges that such a move is essential for its survival. The DPRK places the highest value on its missile and nuclear capabilities, perhaps second only to the survival of the regime and keeping the elites loyal to sustain it. Nuclear weapons and ballistic missiles are seen as a deterrent to attack and as a means of preventing external interventions as occurred in Libya. Recent comments in the state controlled media about the fate of Colonel Qadaffi after giving up his nuclear program reflect both the insecurities of the regime and its determination to keep its nuclear weapons. Missile and nuclear capabilities are also seen as important both to intimidate and coerce adversaries and to engender internal prestige at home.

The missile and nuclear programs are also a means of earning hard currency for a country that is economically bankrupt, as observed in sales of SCUD missiles to any customer with the ability to pay cash and the provision of a plutonium generating reactor to Syria. And, in both bilateral and multilateral negotiations, the North has used the nuclear program as a means of extracting inducements from the United States and others who seek its elimination, from heavy fuel oil to food assistance.

(2) Following from the first lesson, the prospect for a negotiated solution eliminating the North's missile and nuclear programs should be seen as a long shot. At times, previous administrations thought they were close to achieving this outcome, but it never happened. In the 1992 North-South Denuclearization Joint Declaration, in the 1994 Agreed Framework, and in the 2005 Six Party Joint Statement, Pyongyang formally agreed to abandon its nuclear program, only to violate its obligations each time. In between agreements, expectations would rise and fall as the DPRK would pocket each successive concession, always demanding more.

This pattern of failed negotiations, each time followed by violations of commitments, provocations, and the offering of more inducements to get North Korea to return to the negotiating table, has been for two decades the main characteristic of U.S. policy toward North Korea. While the United States and others have at times applied sanctions on the North, such as after its missile and nuclear tests, these sanctions have not dissuaded the Kim leadership. Imposing economic hardships and threatening further isolation of the regime have not altered its behavior. In part, this is because the regime cares little whether all of its people are fed or starve, and prefers to keep them dependent on the state for their very existence. In part, it is because regime stability is dependent on its isolation. And in part, it is because China has undercut the impact of sanctions and has continued to keep open a lifeline of assistance to the North, no matter how blatant or lethal its actions.

(3) The record of failed negotiations is not an argument that diplomacy is hopeless, or that negotiations should be abandoned. But diplomacy as practiced in the past and present context does not constitute a strategy, even though it has most often masqueraded as such. A comprehensive approach that integrates all tools of statecraft is required if negotiations are to have any chance of succeeding and, alternatively, if we are going to be

prepared to meet the threat if the DPRK continues its missile and nuclear proliferation activities.

Without such a change in U.S. policy, negotiations will not succeed. Specifically, Pyongyang must be faced with a choice: it can retain its missile and nuclear programs or pay a high price. It must no longer be allowed to use these programs as a means to extract concessions that only serve to strengthen the regime and perpetuate the missile and nuclear threat.

Pressure can have an effect on the regime's calculations. From 2001 through 2006, the United States employed a series of counterproliferation tools, including interdiction through the Proliferation Security Initiative, freezing regime funds abroad, and curtailing its illicit activities, such as cutting off its customer base for missiles and cooperating with other countries to end its drug and counterfeiting activities. These tools -- financial, intelligence, law enforcement and diplomatic -- must be brought together as part of a broader strategy for countering the North Korean threat. As for diplomacy, we need to move beyond diplomacy focused primarily on negotiating tactics or on the "carrots" for the next round of Six Party or bilateral discussions. The main diplomatic focus should be on China, the principal obstacle to bringing effective pressure on the North.

(4) The promotion of human rights should be a major element of the U.S. strategy toward North Korea, as it was in the Reagan Administration in its dealings with the Soviet Union. Exposing the North's brutality toward its own citizens has not been a priority component of U.S. policy. In fact, concerns about how such exposure might affect the prospects for engagement with the regime have worked to place human rights atrocities in a separate box which is mostly neglected if seen as complicating higher order diplomacy.

In North Korea, civil and religious freedoms do not exist. Political prison camps are reported to hold as many as 200,000 who have offended the regime and who suffer the greatest deprivation, including summary executions and starvation. As with other totalitarian governments that lack moral legitimacy, the greatest fear of the rulers in Pyongyang is their own people, the foremost victims of their economic malfeasance and repression. Exposing the domestic crimes of the regime is both the moral course and, potentially, an effective means to influence DPRK leaders. Shining the spotlight on the darker corners of North Korea may also help strengthen international resolve to deal effectively with Pyongyang. The decision of the new Park government in Seoul to support a UN Commission of Inquiry to investigate rights abuses in the North is a welcome move that should facilitate giving more prominence to human rights issues by the United States.

(5) Because North Korea is likely to retain and expand its missile and nuclear capabilities, the United States must act to ensure that it can deter and defend against the threat. This requires missile defenses that can protect allies and the U.S. homeland from attack. Failing to deploy defenses that keep pace with the growing threat -- whether as a means to encourage Russian participation in another round of offensive arms reductions

or as a way to reduce the budget -- will undermine deterrence and increase the risk of potentially immense destruction to the United States if deterrence fails. Yet, even as the North Korean threat grows, the Obama Administration shows little interest in strengthening U.S. national missile defenses.

Similarly, the United States must continue to deploy a reliable and credible nuclear force that can meet the full spectrum of deterrence requirements and provide solid assurance to neighboring allies. Going to lower and lower levels of forces in the pursuit of a nuclear free world is likely to embolden our adversaries and shake the confidence of our friends. If U.S. allies doubt our capability or resolve to meet our security commitments in Northeast Asia and elsewhere, the outcome will be the exact reverse of the stated goal of the proponents of global zero and minimal deterrence: more rather than less proliferation of nuclear weapons.

(6) The final lesson that I have learned related to U.S. North Korea policy is that the United States must lead if it is to succeed, either in negotiations, or in ensuring the needed capabilities for deterrence and defense, or in preventing the further spread of the North's deadly weapons of mass destruction. At times, the United States has failed to show the required leadership, avoiding confrontation with the DPRK on a number of its most harmful activities, including its missile and nuclear proliferation. This absence of leadership is recognized not just by the rulers in Pyongyang but by those in Teheran who also seek to acquire missile and nuclear capabilities to intimidate America's friends and undermine U.S. interests in another region of vital interest.

Iran, perhaps an even greater strategic threat than North Korea, watches closely U.S. policy and U.S. resolve in reversing what three presidents have declared to be unacceptable: a nuclear armed North Korea. What they have seen thus far has not dissuaded them from continuing down their path of nuclear proliferation.

Thank you again for the honor of appearing before the Committee.

Robert Joseph is Senior Scholar at the National Institute for Public Policy and Professor in the Graduate Department of Defense and Strategic Studies, Missouri State University. Until March 2007, Ambassador Joseph was Under Secretary of State for Arms Control and International Security. In this capacity, he reported directly to the Secretary of State as the principal State Department officer for non- and counterproliferation matters, arms control, arms transfers, and regional security. His responsibilities included oversight of three major bureaus headed by Assistant Secretaries of State: International Security and Nonproliferation; Political and Military Affairs; and Verification, Compliance and Implementation.

Previously, from January 2001 through November 2004, Dr. Joseph served in the National Security Council as Special Assistant to the President and Senior Director for Proliferation Strategy, Counterproliferation and Homeland Defense. He was responsible, under the supervision of the National Security Advisor, for developing and coordinating U.S. policies and strategies for preventing, deterring and defending against threats to the United States from weapons of mass destruction.

From 1992 until 2001, Dr. Joseph was Professor of National Security Studies and Director/Founder of the Center for Counterproliferation Research at the National Defense University. Earlier, he was U.S. Commissioner to the Standing Consultative Commission and Ambassador to the U.S.-Russian Commission on Nuclear Testing, Principal Deputy Assistant Secretary of Defense for International Security Policy, Deputy Assistant Secretary of Defense for Nuclear Forces and Arms Control Policy, Nuclear Policy/Planning Officer at U.S. Mission to NATO, and Assistant Professor of International Relations and Strategic Studies at the Fletcher School of Law and Diplomacy, Tulane University, and Carleton College.

Dr. Joseph received his BA from Saint Louis University, his MA from the University of Chicago, and his PhD from Columbia University. His awards include the National Defense University President's Award for Individual Achievement and the National Nuclear Security Administration Gold Medal for Distinguished Service. He also received the Department of Defense Medal for Distinguished Civilian Service and multiple Senior Executive Service Meritorious Achievements citations. In 2006, he was the recipient of the annual Ronald Reagan award for his contributions to U.S. missile defense.