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# ASSESSING THE NORTH KOREA THREAT AND U.S. POLICY: STRATEGIC PATIENCE OR EFFECTIVE DETERRENCE?

U.S. SENATE, COMMITTEE ON FOREIGN RELATIONS, SUBCOMMITTEE ON EAST ASIA, THE  
PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

ONE HUNDRED FOURTEENTH CONGRESS, FIRST SESSION

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Testimony before the Senate Foreign Relations Subcommittee  
on East Asia, the Pacific, and International Cybersecurity Policy  
Hearing on Assessing the North Korea Threat and U.S. Policy

By Jay Lefkowitz  
Former Special Envoy for Human Rights in North Korea

October 7, 2015

Over the last 21 years, since President Clinton signed a nuclear freeze agreement with North Korea, (known as the Agreed Framework), the ironically-named Democratic People's Republic of Korea has become a nuclear state. The consensus among experts is that North Korea now possesses approximately 6-8 plutonium nuclear weapons and 4-8 uranium nuclear weapons.<sup>1</sup> And earlier this year, United States Admiral Bill Gortney, who is in charge of the North American Aerospace Defense Command (NORAD), announced that North Korea has developed the ability to miniaturize nuclear warheads and launch them at the US, though there is no evidence that the regime has tested the necessary missile yet. It is also widely known that North Korea proliferates its nuclear technology. In 2007, Israel destroyed a nuclear facility in Syria that had been the beneficiary of North Korean nuclear technology, and this past spring, Secretary of Defense Ashton Carter stated that North Korea and Iran "could be" cooperating to develop a nuclear weapon. There is no doubt, therefore, that North Korea now poses a grave threat to those well beyond South Korea, next to whose border a significant portion of North Korea's million-man army is permanently stationed.

Nor can one honestly say that with North Korea, its threats are merely bluster. It conducted nuclear weapons tests in 2006, 2009, and 2013. It has also engaged in unprovoked conventional acts of warfare with its neighbor to the south, sinking a South Korean warship, the Cheonan, in 2010, and killing 46 sailors; and then shelling the South Korean island of Yeonpyeong that same year, killing four South Koreans and injuring 19 others. In 2013, the regime was discovered to have been trading in weapons with Cuba, when Panama impounded a North Korean ship.

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<sup>1</sup> [http://isis-online.org/uploads/isis-reports/documents/North\\_Korea\\_Nuclear\\_Futures\\_26Feb2015-Master-ISIS\\_Final.pdf](http://isis-online.org/uploads/isis-reports/documents/North_Korea_Nuclear_Futures_26Feb2015-Master-ISIS_Final.pdf); <http://38north.org/wp-content/uploads/2015/02/NKNF-NK-Nuclear-Futures-Wit-0215.pdf>; Blumenthal, Dan, chapter published in "Choosing to Lead: American Foreign Policy for a Disordered World." The John Hay Initiative, 2015.

And, of course, there was the cyber-attack on Sony Pictures Entertainment in 2014, which, despite North Korea's protestations of innocence, has been attributed by the FBI to North Korea.

We should not be surprised that a government that behaves this way mistreats its own citizens. And, as is by now well documented, there is no nation in the world with a more egregious human rights record than North Korea. Its citizens have no say in their government's conduct; and they have extremely little say in their own lives. To live in North Korea is to be subjected to the total suppression of freedom of speech, freedom of expression, and freedom of religion. The regime operates a network of political concentration camps, where as many as 200,000 North Koreans are incarcerated without any due process and subjected to systematic rape and torture, the intentional destruction of families, and even executions. Access to outside information is so restricted that citizens must report purchases of radios and TVs, and the police often make inspections to ensure sets are tuned to official programming with draconian consequences for those who disobey the law. Possession of foreign books, magazines and newspapers also is forbidden, although increasingly news of the outside world filters in through illegal radios and cell phones that are smuggled into the country and used near the borders.

To be sure, there is no trust even between the nation's Supreme Leader and his most senior diplomats. During my tenure as Special Envoy for Human Rights in North Korea, I recall vividly speaking with a North Korean ambassador to a major European nation who told me about his wife and children, who were being held hostage in North Korea during his tenure as ambassador, because the regime could not trust even its senior officials not to defect.

It is against this backdrop that United States officials have wrestled with crafting a policy toward North Korea over the last two decades. While Presidents Clinton, Bush, and Obama have all spoken harshly at times about North Korea's nuclear ambitions and human rights violations, none of them have been willing to take serious steps to effectuate a regime change for fear of seriously destabilizing the region. And for good reason. Without a North Korean public ready and able to take control of its own destiny, a sudden regime collapse would create a highly unstable and potentially intolerable situation for China, South Korea, and Japan, the three largest and most powerful neighbors in the immediate vicinity. Both China and Japan would be very concerned about North Korea's nuclear facilities falling into the hands of South Korea, which, were it to re-unify the peninsula consistent with its stated policy of reunification would suddenly double in size and become a nuclear power. At the same time, South Korea would be very concerned about the prospect of millions of poor and under-nourished North Korean refugees

suddenly streaming across the border and putting enormous financial demands on South Korea. In short, while none of North Korea's neighbors may be happy with the current state of affairs in North Korea, the status quo may well be more attractive to each of them than the uncertain future of a sudden regime collapse.

In lieu of a policy of rollback or of mere acquiescence in the status quo, successive American governments have adopted a policy of engagement and containment intended, first and foremost, to prevent North Korea first from acquiring, and after that failed, from further developing, nuclear weapons. First there was President Clinton's Agreed Framework, which was his Administration's response to North Korea's announcement in 1993 that it would withdraw from the Nuclear Non Proliferation Treaty (NPT) to which it had become a party only eight years earlier. Pyongyang promised to dismantle its plutonium processing plant at Yongbyon in exchange for up to \$4.5 billion in aid, assistance in building two civilian nuclear reactors, and potential entry into the World Bank and IMF. President Clinton declared: "This is a good deal for the United States. North Korea will freeze and then dismantle its nuclear program. South Korea and our other allies will be better protected. The entire world will be safer as we slow the spread of nuclear weapons."

In reality, the Agreed Framework was flawed from the start. Like the recently negotiated Iran nuclear deal, it was an executive agreement, rather than a treaty, and it had no real bipartisan support. When, predictably, the North Koreans started cheating by trying to develop nuclear material through another method, the Bush Administration terminated a supply of fuel oil that was essential to the agreement, which prompted the North Koreans to kick out the U.S. inspectors and restart the nuclear plant. And as we now know, only 12 years later Pyongyang conducted its first nuclear test.

Next came the Bush Administration's Six Party Talks, which began shortly after the collapse of the Agreed Framework when North Korea formally withdrew from the NPT. These talks followed much the same pattern as previous negotiations with North Korea: In exchange for financial assistance, Pyongyang would make promises to cease certain activities or allow inspections of certain facilities. Inevitably, North Korea would renege on such promises and engage in provocations intended to propel the United States to offer additional assistance in an effort to induce North Korea to make additional accommodations. Thus, by way of example, in September 2005, after two years of talks, North Korea agreed to give up its weapons in exchange for aid. A small amount was provided but then the same cycle restarted, with North Korea testing its first nuclear weapon in

October 2006. The international community responded sharply with more talk of sanctions. The UN Security Council enacted additional sanctions although enforcement was questionable, especially by China. Then, in February 2007, North Korea promised to end its nuclear program in exchange for aid, which began to flow in significant amounts in 2008. Finally, during the waning months of the Bush Administration, in response to North Korea's agreement to let inspectors visit certain nuclear facilities, North Korea was rewarded by being removed from the United States' official list of state sponsors of terrorism. But by January 2009, as the Bush Administration came to an end, North Korea had reneged on its 2007 agreement.

Nor has this pattern changed during Obama Administration. In May 2009, as a welcome to the new President, North Korea conducted another underground nuclear test. Then, in March 2010, it raised the stakes regionally by sinking the South Korea warship Cheonan, which left 46 sailors dead. But in February 2011, the food situation took a turn for the worse as foot and mouth disease spread throughout the north and once again, the regime was eager to talk about making concessions. This led to the agreement in February 2012 where, in return for food aid from the United States, North Korea agreed to stop nuclear activity at its main facility in Yongbyon. Yet no sooner was the ink dry on this agreement than North Korea launched a missile in April leading to the suspension of food shipments.

By 2004, Congress had begun to recognize that the United States' twin policies of constructive engagement with containment were yielding neither a constructive dialogue with Pyongyang nor effective containment. As a result, and taking from the history of the latter days of the Cold War when the United States employed a policy of linkage in its approach to the Soviet Union, negotiating on military, economic, and human rights issues side by side, Congress passed the North Korean Human Rights Act without dissent and with key support from members of both parties. I was privileged to be appointed by President Bush as the first Special Envoy pursuant to the Act.

In my role as Special Envoy, I tried to spotlight the regime's human rights abuses and in particular, assist those brave North Koreans who managed to escape and make their way across the border into China. Our Administration worked closely with our friends and allies in the region to help accommodate increasing numbers of refugees, and on those occasions when China violated international law by sending captured North Korean refugees back into North Korea, we called them out on their unlawful conduct loudly and clearly. We also worked to expedite

family reunifications for Korean families who live on opposite sides of the 38<sup>th</sup> parallel, and we increased our efforts, both governmental and in support of NGOs, to broadcast news from free nations into North Korea. President Bush also sought to put his personal spotlight on North Korea's human rights abuses by meeting very publicly with defectors such as Kang Chol-hwan, the author of *Aquariums of Pyongyang*, and Kim Seong Min, the founder of Free North Korea Radio.

What we were unable to do sufficiently, however, and what the Obama Administration has likewise failed to do, is link our focus on human rights issues to the broader security dialogue that we were having with Pyongyang. Where, during the latter years of the Cold War, the United States regularly raised the issue of human rights in its direct dialogue with the Soviets (and even spoke directly to the Soviet Premiers about the plight of particular Jewish refuseniks), and Congress in 1974 passed the Jackson-Vanik law, an amendment to the Trade Act that imposed limitations on U.S. trade with countries that restricted freedom of emigration and violated other human rights, the United States has thus far refused to adopt a similar policy of linkage with North Korea. This is regrettable. While changing the human rights situation in North Korea, though clearly a commendable goal, may not be an appropriate end in itself for our policy toward Pyongyang, there is surely a role for human rights in a multi-faceted strategy toward North Korea. The Helsinki Accords in the 1970s demonstrated that an emphasis on human rights can well be a productive means toward a national security objective.

Unfortunately, the Obama Administration has barely paid lip service to the human rights situation in North Korea or to China's treatment of North Korean defectors. During Secretary Clinton's trip to China in 2009 shortly after she became Secretary of State, she gingerly addressed the human rights issue, never once even mentioning China's practice of sending defectors back across the border, and spoke instead more generally about Tibet and Taiwan. Moreover, she was quick to point out that she would not let human rights issues play a serious role in her dialogue with China, noting that "our pressing on those issues can't interfere with the global economic crisis, the global climate change crisis, and the security crisis."

At the same time, the Obama Administration has repeated many of the same mistakes of its predecessors, vacillating between support and sanctions. After offering North Korea an "outstretched hand" in his first inaugural address, which Pyongyang flatly rejected (refusing even to continue the Six Party Talks), President Obama's approach gradually shifted to one that he outlined in a 2015 statement on his foreign policy as one of "strategic patience." To be sure, his administration has now cut off even food aid to the regime, which given

Pyongyang's practice of diverted such aid to its military is a welcome step, one wonders whether patience is really the best approach to a North Korea intent on growing its nuclear capabilities. Perhaps the Obama Administration should learn a lesson from one of the missteps of the Bush Administration, which was to lift the economic sanctions on Banco Delta Asia, a Macao-based bank that in 2007 the United States determined was holding \$25 million in laundered North Korean assets. The effort to freeze these assets, perhaps more than any U.S. action before or since, got Pyongyang's attention. Yet inexplicably, without any progress on the nuclear talks, the U.S. lifted those sanctions in 2007.

Because we are on the verge of a new nuclear agreement that bears many hallmarks of President Clinton's Agreed Framework, I will conclude by observing that while our record of deterring nuclear attacks has been successful to date, our record of containing new nuclear regimes is not faring as well. At the same time, just as we have largely abandoned the human rights issue as a tool with which to pressure North Korea and build a multi-lateral coalition against the regime, we have also largely abandoned the promotion of dissent in Iran, even though events in recent years have demonstrated that a large percentage of the population is eager for reform. Indeed, the Iranian population is much more open to western influences than the North Koreans. With respect to both countries then, a serious national security strategy should incorporate human rights as one of our tools.

So what should the United States do? While a policy of regime change is still premature, a policy focused only on containment is not likely to succeed, given North Korea's increasing offensive capabilities and belligerence, and the unwillingness of China to cut trade with Pyongyang. Instead, the United States should remain open to a policy of constructive engagement alongside containment, but with engagement on all issues, security, economic, and human rights. Ultimately, security will only come when North Korean citizens are empowered to take their destiny into their own hands.

This means the United States should support the instincts and desires for self-governance that we know from defectors many North Koreans possess, and giving non-violent, non-military tools of statecraft a chance. Congress should pass the North Korean Sanctions Enforcement Act; make available significantly more financial resources for independent civilian broadcasts like Free North Korea Radio; help those North Koreans who defect travel safely to South Korea or other safe havens; and promote family reunification visits (ideally on both sides of the DMZ), and cultural exchanges with the West. The President should also use the bully pulpit to speak clearly about the threat posed by North Korea and about China's enablement of the North Korean government. And because China has

greater influence over North Korea than any other nation, our North Korea policy must be part and parcel of our China policy.

As we saw from the experience of the captive nations of Eastern Europe toward the end of the Cold War, the promise of peacefully changing the situation in North Korea does not have to be a pipe dream. Military deterrence is crucial, and we need to work assiduously to build an international coalition aimed at preventing nuclear proliferation by North Korea. But we should also open the door to promoting evolution within the regime, and signaling our friendship and support to would-be reformers. In that light, it would be useful to take President Park's comments about the long-term goal of peaceful reunification seriously. As she travels to Washington D.C. later this month, the Congress should explore not only more effective strategies to address North Korea's nuclear ambitions, but also what a strategy that focused on peaceful reunification would entail.



**Statement before the**  
**Senate Committee on Foreign Relations**  
**Subcommittee on East Asia, the Pacific, and**  
**International Cybersecurity Policy**

***“ASSESSING THE NORTH KOREA  
THREAT AND U.S. POLICY: STRATEGIC  
PATIENCE OR EFFECTIVE DETERRENCE?”***

A Testimony by:

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**October 7, 2015**

**Dirksen Senate Office Building 419**

Senator Gardner, Senator Cardin (ranking Democrat) and members of the committee, it is a distinct honor to appear before this committee to discuss the challenges on the Korean peninsula.

I have three sets of comments to make today about the problem of North Korea. The first has to do with discerning their strategy of provocations; the second relates to the stability of the leadership; and the third relates to the path forward on both weapons and human rights, and what we might do to contend with this very difficult problem.

A caveat. Our knowledge of North Korea leaves much to be desired. It is indeed one of the hardest intelligence targets in the world given the regime's opacity. I believe the Chinese have lost a great deal of insight after the execution of Jang Song-thaek in December 2013. There are far fewer NGOs operating in the country compared to the past. And overhead satellite imagery provides us with a bird's eye view only of happenings on the ground. Thus, our assessments are often based on assumptions, judgments, hunches, and even guesses with the modest data that is available.

There have been media reports that North Korea might conduct some form of provocation to celebrate the 70<sup>th</sup> anniversary of the Workers' Party of Korea on October 10 this year. Experts believe that the most likely action will be the launching of a satellite. While such a launch would be ostensibly for civilian purposes, given North Korea's special history of missile activities, a launch would be a violation of UN Security Council Resolutions 1718, 1874, 2087 and 2094.

The systems that are of particular concern are the ones that could reach the United States. There are two systems of note, the untested KN-08 IRBM, also known as Hwasong-13, and the flight-tested Unha-3, also called Taepodong-3.

The untested road-mobile KN-08 could potentially make North Korea's nuclear force more survivable and less deterrable. Its estimated range of between 3,100 – 3,700 miles will allow it to hit Alaska, and places it well within the reach of Guam. Although only mockups of the KN-08 have been paraded – twice, once in 2012 and once in 2013 – it was enough to garner the attention of NORAD commander Admiral William Gortney's, who voiced his concerns earlier this April with his acknowledgement of North Korea's capability to successfully finish and deploy this new missile system.

The Unha-3, as many of you may recall, was used to successfully launch North Korea's first satellite, the Kwangmyongsong-3 Unit 2 into orbit on December 2012. The three-stage missile test occurred in defiance of U.S. and regional objections and in clear violation of existing UNSCRs. The test occurred several months after North Korea had failed in its first attempt to put Unha-3 into orbit that April, which had derailed the "Leap Day Agreement."

U.S. forces in Japan and Korea are already under threat from the North's Nodong MRBMs, which has a range of 620 miles, far enough to hit all of Japan. North Korea is widely believed to have around 200 Nodongs, and potentially 100 of the untested but

longer-ranged Musudan MRBMs (2,000 – 2,500 miles). Last year marked the most intense North Korean missile tests period ever, with more than hundreds of missile, rocket, and artillery tests by the Kim Jong-un regime.

North Korean cyber operations cannot be ruled out either. The hack of Sony in November 2014 raised concerns and questions about the extent of this new threat. CSIS just completed a study this month that warns that the North is developing its cyber capabilities in tandem with its other asymmetric threats, and has embedded these capabilities in party and military institutions responsible for events like the Cheonan naval ship sinking and other provocations. This potentially means that cyber operations could become more than just criminal acts, but could be integrated in the future with a military strategy designed to disrupt U.S. systems.

Commercial satellite imagery does not indicate a nuclear test in the offing. However statements by the U.S. and South Korean governments suggest that there is nothing to prevent another test at the Punggye-ri site.<sup>1</sup>

### Strategy to Coerce and Divide

North Korea's strategy is to become recognized as a full-fledged nuclear weapons state with the capacity to reach the United States homeland with ICBMs and to deter the U.S. on the peninsula with shorter-range, even battlefield use, nuclear weapons. The sanctions under the Obama administration have not prevented the North from making progress in achieving this goal, if we take seriously the recent spate of statements attesting to advancements in their weapons (A list of those statements are attached in Appendix A).

The North is not interested in diplomatic give and take, but to win through coercive bargaining. That is, the strategy is to disrupt the peaceful status quo because they know we value it more than they, and then negotiate a dialing down of the crisis in return for benefits, some of which will be reinvested in their weapons development. That period of time when negotiations help to calm the waters after a provocation are seen by some as "successful diplomacy," but by others as mere extortion.

The North's strategy is also to divide allies. Sometimes known as "divide and conquer" Pyongyang likes to engage with one (i.e., the U.S.) while holding the other at arm's length (i.e., ROK). The North may be attempting some version of this currently as it will offer family reunions to the South in October while carrying out missile and nuclear tests directed at the U.S.

### Uncertain Leadership Stability

The leadership is now in its fourth year but there continue to emerge stories about purges of high-level officials. Aside from the infamous execution of his uncle and the unknown

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<sup>1</sup> Kim Eun-jung, "N. Korea ready for atomic test, yet no imminent sign: Seoul's defense chief," *Yonhap News*, February 10, 2014, available here <http://english.yonhapnews.co.kr/northkorea/2014/02/10/33/0401000000AEN20140210004151315F.html>

whereabouts of his aunt Kim Kyong-hui, the leader has removed about 70 officials, including the defense minister. Many of these are his own people, not merely those of his father's generation. Moreover, the leadership is hypersensitive to external criticism of the regime's legitimacy. This is evident not just in the histrionic response to the screening of the movie, *The Interview*, but also in the way they have reacted with anger at international criticisms for human rights abuses. In conjunction with the Bush Institute and several other NGOs, CSIS hosted an international conference on the one-year anniversary of the UN Commission of Inquiry report on North Korea in February 2015 that drew pointed criticism and officials protests from the government in Pyongyang. This is unusual because we have done scores of conferences on the challenges of North Korea's nuclear threats in the past with no response from the North. This does not appear to be the signs of a well-ensconced and secure leadership.

### The Way Forward

North Korea remains the greatest proliferation threat in the world today and yet there are no clear and easy solutions. The choices are often made between options that are bad, and options that are worse. The issue has not been a front-burner one for this administration which has practiced a policy of "strategic patience." In the meantime, Pyongyang is growing its capabilities every day and is slowly but surely seeking to alter the strategic balance on the peninsula and in the region.

The United States must maintain resolute deterrence and stand ready to respond with overwhelming force to North Korean threats even as Washington seeks a peaceful, diplomatic solution. Diplomacy cannot wholly remove the use of force from the table if there is to be any urgency on China's part to work with the other parties to denuclearize the North.

The international community cannot countenance further tests and/or provocations, as this would only exacerbate an already acute moral hazard problem in our policy. A battery of financial sanctions on individuals involved in proliferation, cyber operations, and human rights abuses must be applied, the authorities of which were established in the Presidential Executive Orders 13382, 13466, 13551, 13570, 13619, and 13687, but these have yet to be implemented fully.

The North Koreans also must be made to understand the "non-utility" of their nuclear arsenal and that any such use would lead to their ultimate destruction. The one lesson of the nuclear revolution is that states that acquire nuclear weapons do not use them. It is an open question whether the regime has any understanding of the fundamentals of nuclear deterrence, which places an even higher premium on area missile defense in the region.

The North Korean threat provides proximate cause for a tightening of trilateral political and defense cooperation between the United States, Japan and ROK, which has been weakened recently. Allied trilateralism is not just important for deterrence against a nuclear North Korea, but for conveying to China the long-term strategic costs of its support of the regime.

The Six-Party talks need to be modified in the aftermath of the next North Korean provocation to other forms of multilateral coordination, including a five-party format involving the U.S., Japan, ROK, China, and Russia to include a more open discussion about the future of the peninsula and unification.

Finally, any future denuclearization strategy for North Korea must not ignore the human rights condition in the country. The international mobilization on North Korean human rights lacks partisan coloring, remains resilient, and puts as much pressure on the regime as the standing UNSCR sanctions regime. This is because the movement hits at the very heart of the regime's legitimacy.

In the United States, the champions of this movement number no more than 172 despite a refugee resettlement program that was signed into action eleven years ago. According to research by the Bush Institute, these individuals are doing well, but lack the support network that exists for the estimated 26,000 North Koreans that have resettled in South Korea, and yet they went through difficult ordeals to make this country their home.<sup>2</sup> Support of these individuals is the most direct way to improve the human condition in North Korea and to spread word of the regime's lies. No issue has raised more of a response than the direct calling out of the regime for how it treats its people. In the end, the North Korean state is built on a myth of utopian leadership. The more that myth is broken, the more the regime will be forced to change.

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<sup>2</sup> Victor Cha, "Light Through the Darkness," The Bush Institute at George W. Bush Presidential Center, January 2015, available at [http://www.bushcenter.org/sites/default/files/gwb\\_north\\_korea\\_report\\_call\\_to\\_action.pdf](http://www.bushcenter.org/sites/default/files/gwb_north_korea_report_call_to_action.pdf)

**Appendix A: DPRK Statements on Advancement of Missile/Nuclear Weapons Program in 2015<sup>3</sup>**

Date	Statement's author	Statement's Details	Significance of Statement
February 7, 2015	Rodong Sinmun	<ul style="list-style-type: none"> <li>▪ Kim Jong-un “watched a test-firing of new type of anti-ship rocket to be equipped at KPA naval units.”</li> <li>▪ “As the head of the East Sea Fleet ordered the test-firing, the ultra-precision anti-ship rocket blasted off from a rocket boat. The intelligent rocket precisely sought, tracked and hit the ‘enemy’ ship after taking a safe flight.”</li> </ul>	The statement confirmed the addition of an anti-ship cruise missile (ASCM) to the DPRK’s growing missile program, specifically adding to the regional threat posed by the Korean People’s Navy (KPN).
May 9, 2015	Korean Central News Agency (KCNA)	<ul style="list-style-type: none"> <li>▪ Kim Jong-un had observed an “underwater test-fire of Korean-style powerful strategic submarine ballistic missile.”</li> <li>▪ “He stressed that the acquisition of the technology of firing ballistic missile from a strategic submarine underwater made it possible for the KPA to possess a world-level strategic weapon capable of striking and wiping out in any waters the hostile forces infringing upon the dignity of Songun Korea and conduct any underwater operation.”</li> </ul>	The announcement suggests progress in DPRK’s nascent submarine launched ballistic missile (SLBM) program, which adds another component to its growing asymmetric capability. The SLBM Regardless of whether the test took place or not, the KCNA’s announcement confirms DPRK’s intentions to improve its submarine and SLBM capabilities.
May 20, 2015	Spokesman for the Policy Department of the National Defense Commission	<ul style="list-style-type: none"> <li>▪ “The DPRK’s underwater test-fire is part of the measures to increase the self-defence capability of its army and people, pursuant to the line of simultaneously developing the two fronts and a new higher level in the development of strategic striking means.”</li> <li>▪ “The DPRK has reached the stage of ensuring the highest precision and intelligence and best accuracy of not only medium-and short-range rockets but long-range ones.”</li> </ul>	The statement is a defense of DPRK’s SLBM launch on May 9, and a reiteration of technological improvements in its ballistic missiles program.

<sup>3</sup> Thanks to Andy Lim for the research in this table.

<b>June 15, 2015</b>	Korean Central News Agency (KCNA)	<ul style="list-style-type: none"> <li>▪ Kim Jong-un “watched a drill of firing new type anti-ship rockets...The highly intelligent rockets safely flew at the designated altitude, accurately detecting and hitting the ‘enemy’ warship.”</li> </ul>	The second test-fire of the new ASCM was another “milestone” in improving its operational capability for the KPN.
<b>June 20, 2015</b>	Rodong Sinmun	<ul style="list-style-type: none"> <li>▪ “It is long since the DPRK entered into the full-fledged stage of manufacturing smaller and diverse nuclear strike means. It does not hide the fact that it has reached the phase of ensuring the precision and intellectual level and the highest rate of hits of its long-range rockets.”</li> </ul>	The Rodong Sinmun editorial was aimed at comments made by the new commander of PACOM, Admiral Harris who spoke to <i>TIME</i> magazine and said “the greatest threat we face is North Korea.” In response, the editorial boasted about the continuing miniaturization of DPRK’s nuclear weapons and ICBMs’ capability.
<b>September 14, 2015</b>	Director of DPRK’s National Aerospace Development Administration (NADA), interview with KCNA	<ul style="list-style-type: none"> <li>▪ NADA “is pushing forward at a final phase the development of a new earth observation satellite for weather forecast, etc. positively conducive to the development of the nation’s economy and made big progress in the research into the geostationary satellite, a new higher stage in the development of satellite”</li> <li>▪ “the world will clearly see a series of satellites soaring into the sky at the times and locations determined by the WPK Central Committee”</li> </ul>	The statement suggested improvements in DPRK’s missile and satellite technology. DPRK successfully launched its first satellite, the Kwangmyongsong-3 Unit 2 into orbit in December 2012, which demonstrated its Unha-3/Taepodong 3’s capability as a space launch vehicle (SLV) and as an ICBM threat. His statement also suggest plans for a potential long-range SLV launch to celebrate the upcoming 70 <sup>th</sup> anniversary of the Workers’ Party of Korea on October 10.
<b>September 15, 2015</b>	Director of DPRK’s North Korean Atomic Energy Institute (unnamed), interview with KCNA	<ul style="list-style-type: none"> <li>▪ “Scientists, technicians and workers in the field of atomic energy of the DPRK have made innovations day by day in their research and production to guarantee the reliability of the nuclear deterrent in every way by steadily improving the levels of nuclear weapons with various missions in quality and quantity as required by the prevailing situation.”</li> <li>▪ “...all the nuclear facilities in Nyo’ngbyo’n including the uranium enrichment plant and 5 MW graphite-moderated reactor were rearranged, changed or readjusted and they started normal operation...”</li> </ul>	His statement confirmed the restart of the 5 MWe Reactor and uranium enrichment plant at the Yongbyon Nuclear Scientific Research Center. Furthermore, he confirmed that the Yongbyon facility, along with uranium enrichment had restarted two years ago, and proclaimed that both the quality and quantity of its nuclear weapons have improved.

TESTIMONY ON UNITED STATES POLICY TOWARDS NORTH KOREA  
PREPARED FOR THE SENATE FOREIGN RELATIONS SUBCOMMITTEE ON EAST  
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It is hard not to feel a sense of drift when thinking about US policy towards North Korea over the last decade or so. The current policy, at one point termed “strategic patience,” by the Obama Administration, has apparently been thought good enough, perhaps because of the other issues on the foreign policy agenda, and perhaps also because successive administrations have tried, with China and our allies, Japan and South Korea, to engage the North on numerous occasions to no avail.

From the American perspective, these overtures have failed because the North has not been serious about engagement. We perceive the DPRK as preferring instead to blame the United States and the Republic of Korea for their hostility, and embrace its imposed version of splendid isolation, while pursuing its nuclear weapons and ballistic missile programs and depending upon Beijing to do what is necessary to insure that their regime does not suffer economic or political collapse..

Threats may be characterized as the product of intentions and capabilities. Taking the second first, it is the North’s nuclear weapons and ballistic missile programs, rather than its army, navy, air force and special operations forces, that demand the most attention. For whatever reason, the North Koreans decided to forgo the accumulation of plutonium and nuclear weapons for almost a decade after the 1994 Agreed Framework, but when that deal collapsed, they moved promptly to again accumulate plutonium and begin to enrich uranium to support nuclear weapons development. By the end of this decade, by any estimate, North Korea will have tens of nuclear weapons, some mated to ballistic missiles for delivery to targets in the region and intercontinentally. This will be a new situation that plausibly will impact the North’s intentions, which have never been particularly easy to read in the past.

One of the few things that observers of North Korea seem to agree upon is that the regime’s first goal is its own survival. This means that the government’s actions may predictably bring enormous hardship to its own people, sanctions may be imposed that bring most harm to the most vulnerable – the young and the old – and the regime will still not fear pressure to change course. The DPRK enjoys the peculiar stability of a totalitarian state. But no one can be certain about whether the coming acquisition of a true nuclear weapons capability – vice the possession of only a few “devices” – will make the North more likely to take risks, or more risk averse. At the same time, we can be fairly certain that the regime’s policies will continue to be driven by the strategic objective of eventual reunification of the Korean people under its authority, and include instrumental goals of undercutting the US-ROK and US-Japan alliances, while preserving its relationship with Beijing.

Our experience with North Korea over the last couple of decades reveals an approach to achieving these goals which poses risks for the US and its allies. The intermittent provocations to the South along the DMZ, on coastal islands and at sea could escalate into hostilities and full-scale conventional war. Intermittent missile and nuclear weapons tests remind the Japanese and the South Korean people that the North is developing weapons that their governments have forgone, making them dependent on America's "extended" deterrent. And reviewing that dependence will always be an option in Tokyo and Seoul.

Most directly threatening to the US will be the emerging reality that America's west coast cities will be targetable by North Korean nuclear armed ballistic missiles. Deterrence, and some defense, will mitigate that new reality, but the essential psychological nature of a deterrent begs the question of effectiveness when dealing with what some suspect may be a psychopathic leader.

Perhaps the most dangerous activity that the North has pursued over the last couple of decades has been the transfer of sensitive nuclear technology and ballistic missiles to other countries. Pakistan's Gari intermediate range ballistic missile is based on the North Korean No Dong missile, as is the Iranian Shah Hab III. And late in the Bush Administration, the Israelis alerted Washington to the North Korean construction of a plutonium production reactor in Syria – which Israel went on to flatten. The US' very reasonable concern about the possibility of a 9/11 nuclear attack is only heightened by this North Korean willingness to transfer nuclear capability to unstable governments willing to pay in hard currency.

So while there are very good reasons not to be passive in designing policy and strategy to deal with North Korea, the question remains of what might work to reduce this threat. Nine points follow which aim to define a policy and create a strategy to manage and eventually reduce the threat.

First, continued, visible security consultations and exercises with friends and allies in the region, Japan and the ROK most importantly, will serve to sustain deterrence of the North while reassuring allies of the US commitment to their security. This should be accomplished without undertaking unnecessary military or naval activity sure to provoke a North Korean response.

Second, we should continue to maintain a sanctions regime aimed at isolating and weakening North Korea, but not delude ourselves into thinking that sanctions alone will bring about the changes we seek in the North's behavior – not so long as China continues to moderate the impact of sanctions.

Third, we should not resist the urge to remind Beijing of its responsibility to use its influence with its clients in Pyongyang to avoid adventures and enter negotiations when the opportunity arises. But we should resist the temptation to subcontract the most urgent security issue in Northeast Asia to China, America's great power competitor in the Asia-Pacific region.

Fourth, we should avoid making the goals of any negotiations with the DPRK preconditions for entering those negotiations. At the same time, any US administration must be wary of entering protracted negotiations with North Korea where they may visibly continue to advance their nuclear or ballistic capability while negotiations are underway. That would include test detonations or launches, or adding to fissile material accumulations at known facilities. In other words, there should be no advantage to the North of stalling, of building while talking.

Fifth, we should not hold preconceived notions of the modality for negotiations. Six party talks may be dead – or not – but the essential participants will be the US and North Korea, whatever the formal structure may be. The critical elements will be a bilateral engagement with close consultations between the US and Japan, the ROK and China.

Sixth, the days of isolating nuclear negotiations from human rights issues and a broader political settlement are over. We should expect such a settlement to eventually include a peace treaty to formally end a sixty year state of war.

Seventh, notwithstanding point number four, above, we should insist that the outcome of negotiations include the eventual re-entry of the North into the Non-Proliferation Treaty regime – lest our negotiations legitimize their nuclear weapons program. It should be clear that would anticipate acceptance of a safeguards regime that provides sufficient transparency to confirm North Korea's status as a non-nuclear weapons state, and without any stockpile of fissile material or production capability to create one.

Eight, we should find an opportunity to unambiguously warn the North Koreans at the highest level that the transfer of sensitive nuclear technology to another state or non-national actor cannot and will not be tolerated by the United States: drawing a genuine red line.

Ninth, we should take prudent steps with our allies to prepare for the realization of our ultimate goal of a unified Korea, whether through the slow transformation of the North Korean state or its sudden collapse.

It is possible, of course, that negotiations on the terms envisioned here cannot be launched, and we will be left with one or another version of containment. This would not be ideal, but any sense of policy adrift should be banished by clarity about what national and international security requires in light of the challenges presented by North Korea to the United States and its allies.