



Statement Before the
House Committee on Foreign Affairs
Subcommittee on Asia and the Pacific

***“North Korea’s Diplomatic Gambit:
Will History Repeat Itself?”***

A Testimony by:

Victor Cha, Ph.D.

Professor of Government, Georgetown University
Senior Adviser and Korea Chair,
Center for Strategic and International Studies

April 11, 2018

2172 Rayburn House Office Building

Introduction

Chairman Yoho, Ranking Member Sherman and distinguished members of the committee, it is a distinct honor to appear before this committee to discuss the challenges posed by North Korea.

As we assess the situation surrounding North Korea, it would not be unfair to characterize the recent turn of events as volatile. Over the past year, the Trump administration appeared to be gearing up for a conflict when the president said that the United States would rain “fire and fury” against Pyongyang. But just last month, the president abruptly changed course and accepted an invitation to meet with North Korean leader Kim Jong-un by the end of May 2018—a decision that caught even his own White House and State Department by surprise.

I have been a scholar, policymaker, and pundit on Korea in Washington, D.C. for 25 years. While there are many things that seem familiar about the current situation, there are also things that feel different. We are near the threshold, or even crossing the threshold of events that in the past seemed only remotely possible.

North Korea is about to cross into becoming a homeland security threat to the United States. Under the leadership of Kim Jong-un, the state has enshrined in its constitution that it has no intention to give up nuclear weapons.

The United States is talking more about military strikes than it ever has done before. The president said that if things do not work out, we will have to go to: “Phase two may be a very rough thing, may be very, very unfortunate for the world.” At the same time, President Trump has created diplomatic whiplash for everyone with his decision to promise summit diplomacy with North Korea. But for many in Washington, D.C., diplomacy may have run its course. Again, the president’s statement that “we have run out of road” on North Korea is an ominous reflection of where he thinks this may all end up.

And South Korea, China, and Japan are in new and unenviable positions where they must try to find a solution between an unpredictable United States and an incorrigible North Korea.

It is at times like these when miscalculation or misperception can be the enemy of peace. Where signaling or mis-signaling can easily create an action-reaction spiral that could throw the peninsula into a war. We are in a moment that calls for prudence in our tactics, policy, and strategy.

History has demonstrated that the United States cannot afford to make a mistake on the Korean peninsula. Indeed, whenever we have neglected Korea or undertaken uninformed policies, it has redounded negatively for the United States. In 1905, we agreed to Japan’s dominance of Korea, which did not fare well for either the United States or Korea. In January 1950, we drew a defense perimeter that excluded Korea (and Taiwan), which played a role in North Korea’s decision, with Soviet and Chinese support, to invade the South in June 1950. In the fall of 1950, we made the decision to advance a counteroffensive north of the 38th parallel, which resulted in a bloody war with China.

This is not to argue that the outcome of war in all of these cases -- with Imperial Japan, North Korea, and China -- was the fault of the United States. And this is not to say that every decision made by the United States on the peninsula has been bad. On the contrary, we have made careful and thoughtful decisions which have contributed to one of the most successful alliances in modern history.

However, the United States sometimes has a propensity for rushed and expedient decisions on Korea, made in the heat of the moment, that have never gone well. In these critical moments, when we make such choices, they have cost tens of thousands of American lives. We cannot afford such costs again.

The Current Crisis

Where exactly are we today? What are we to make of the Olympics peace diplomacy at the Pyeongchang Olympics, and U.S.-North Korea “Hamburger summit”? Is the North Korean leader turning over a new leaf? Is the regime threatening to attack the U.S. homeland? Or, is it seeking an exit ramp from a perpetual cycle of crises? Let us look at the numbers.

Between 1994 and 2008, North Korea conducted 17 missile tests and one nuclear test. From January 2009 through the end of the two terms of the Obama administration, this number increased to 65 missile tests and 4 nuclear tests. During the first year of President Trump’s term, we have seen 20 missile tests and one hydrogen bomb test. By this metric alone, the threat has increased.

The rapid advancement of the North’s long-range ballistic missile program, in particular, has been of concern, and has outpaced all of the expert predictions. The community of experts believe now that North Korea is months away from fielding an ICBM capable of reaching anywhere in the U.S. There are still some technical hurdles that remain undemonstrated, but the exhibition of key capabilities (solid fuel, mobile launchers), suggest linear development to a survivable nuclear and missile deterrent. This poses multiple threats, including a homeland threat, a proliferation threat, and a demonstration effect threat (in sense that others may want to emulate North Korea).

Options?

So, how are we to deal with this? There are diplomatic reasons to welcome a summit between the leaders of the Northeast Asian powers, including an unprecedented one between the United States and North Korea. However, a summit is not a strategy. Indeed, a summit without a strategy is a tactic, and should this tactic fail, it may actually bring us closer to war as we will have exhausted all diplomatic options. What is needed is a strategy that we can implement regardless of the success or failure of the diplomacy.

The core of any strategy is a combination of compellence, counterproliferation, and deterrence. In the former case, the United States has at its disposal ten UN Security Council Resolutions, as well as six Executive Orders, statutes, rules and regulations to sanction North Korean individuals, companies, and third parties who have financed proliferation.

The point of these sanctions is to apply continual pressure and impose costs on the regime such that it can no longer afford to continue on its nuclear path. Critics say that sanctions do not work, pointing to anecdotal evidence of Audis on the thoroughfares of Pyongyang. I disagree. I participated over 10 years ago in executing the first smart sanctions campaign against North Korea. What the Trump administration is executing now is beyond anything that we could have imagined a decade ago in terms of the scope of coverage and global participation in the sanctions campaign. This is a major league campaign that is having an impact. Sanctions have led to an increase in prices of gas, rice and other commodities in the country. It has effectively reduced 1/3 of oil imports, and banned all coal and sectoral trade exports, to the extent that over 90 percent of North Korea's 2.7 billion in exports was banned under UNSCR 2375. Subsequently, UNSCR 2397 banned the remaining 10 percent, meaning that nearly 100 percent of North Korea's exports are now banned from import by UN members states.

We must remember that sanctions do not work until they do. That is, every sanctions campaign – e.g., Iran – was said not to work until the day it changed the target state's behavior. And when the target's behavior changes, no one pays attention anymore to what the sanctions accomplished. President Trump's "maximum pressure" campaign is probably the most successful element of the policy thus far.

Counterproliferation

The second element to the strategy deals with counterproliferation. North Korea presents not only a vertical proliferation threat, but also a horizontal one. No country has been more consistent in its willingness to sell its weapon systems to other bad actors, and the U.S. must consider seriously that Pyongyang would do the same with its nuclear and ballistic missile capabilities.

The global sanctions campaign helps to reduce the sources of hard currency available to the regime to fund its programs. In addition to targeting proliferation financing, a comprehensive strategy must expand UN member states' participation in a campaign to stop any transfer of WMD materials from North Korea. The core of any such effort begins with U.S. allies in the theater including South Korean and Japanese intelligence, port authorities, coast guards, and navies. Radiating out from this ring would be additional levels of support from the United States and other UN member states that would stop transfer efforts in ports, in customs areas, and at sea. Chinese and Russian cooperation would make this a meaningful effort at multilateral security cooperation in Northeast Asia.

Deterrence

The third element to the strategy is deterrence. The United States must meet the North Korean threat by substantially improving our alliance capabilities in the region. One of North Korea's objectives is to hold U.S. and Japanese cities nuclear hostage in order to decouple alliance commitments to defend South Korea. To counter a decoupling strategy, the United States and allies must increase the tempo of military exercising to enhance readiness; it must do more to build seamless information-sharing channels with allies; it must increase allied cooperation on ASW (anti-submarine warfare); it must integrate allied MD (missile defense) capabilities; and ultimately

must build new strike capabilities to reaffirm our extended deterrence commitments to our allies. This will not only deal with North Korea, but also make our alliances stronger for the next generation in ways that enhance overall stability and security in the broader region.

China

What about China? China's interests in resolving the North Korean problem overlap only partially with ours. It is true that the effectiveness of sanctions will be measured in large part by the extent of Chinese cooperation. Talk to anyone in the White House who works on this and they will cite one statistic to you – 90 percent of North Korea's external trade is with one country, China. Since the Mar-a-Lago meeting with Xi Jinping in April 2017, President Trump has been focused on eliciting more cooperation from China. But there are limits to what China will do. It still believes that a collapse of the regime does not work to China's interests and for this reason it will never completely cut North Korea off. But if I had said to you last year that China would cut off coal, seafood, textiles, iron, and some oil with North Korea, you would have laughed in my face. Yet they are doing so, contrary to many predictions.

China can be part of the solution, or it can be part of the problem when it comes to our compellence strategy, which is why it is important to complement compellence with deterrence. If Beijing is willing to work with the global sanctions community in stopping proliferation and convincing the North that the nuclear path only leads to deprivation, then this can be the basis of a working relationship. However, if China takes with one hand and gives with the other – that is, if it backchannels support to the regime while it publicly voices support for UNSCR sanctions, then the United States will be forced to treat China as part of the problem, including sanctioning individuals and entities directly. Thus, while executing compellence, we must also focus without distraction on building the credibility of our extended deterrence capabilities in the region and significantly up-gunning our alliances. Doing so ensures that our North Korea strategy stays consistent with our broadest strategic objective in the region of preventing the rise of another hegemon in Asia.

Diplomacy

What about diplomacy? The purpose of a compellence, counterproliferation, and deterrence strategy is not to choke the regime to death, but to impose enough costs so the target changes its behavior. My personal view is that Kim Jong-un's decisions to participate in the Olympics, to conduct outreach to South Korea for a summit, and to message an inclination for talks with the United States, are in no small part because they are feeling the bite of sanctions.

I do not know whether the current diplomatic path will be meaningful. I think we all want it to succeed for the sake of peace. Having participated intimately in the last set of substantive negotiations and agreements on this issue, I have three observations about the path forward.

First, the permanence of any negotiated outcome will be a function of whether North Korea is willing to compromise on its core position, because this core position is in conflict with the one shared by the United States, its allies, and the global community.

For the United States, the core position is complete, verifiable, and irreversible denuclearization. Normalization of relations, and a peace treaty ending the Korean war are all possible if this core condition is met.

For North Korea, the core position is that the United States must accept North Korea as a nuclear weapons state. Without a change in the North's core position, this deadlock will impede the success of any negotiation.

Second, the only condition that I see under which the North would accept denuclearization is if the United States somehow attenuated its alliance commitment to South Korea. In the recent spate of diplomacy, you will have noticed that the North Korean leader was quoted as having said he is willing to discuss "denuclearization of the Korean peninsula if the security of the regime can be guaranteed." He also said that a nuclear-free Korean peninsula was the last wish of his father.

The media suggested and the administration intimated that these statements constituted a breakthrough. But any who have had experience negotiating with North Korea have encountered these familiar expressions. The "denuclearization of the Korean peninsula" is an expression used by the North that refers to the end of the U.S. nuclear umbrella in Asia, the end of extended deterrence commitments to South Korea, and the removal of ground troops as the only way to signal an end to U.S. "hostile policy." The phrase recalling Kim's predecessor's wishes for a nuclear-free peninsula was the exact phrase that Kim Jong-il used with regard to his father (Kim Il-sung) during the course of the past two denuclearization agreements. These statements, without any additional elaboration of the North's position, do not represent a breakthrough. At most, they represent a restatement of decades-old policy.

According to this logic, the United States has a choice if it wants a deal – it could end its treaty commitment to South Korea, or it could extend that commitment to the entire Korean peninsula. Neither seems likely.

Third, this unprecedented summit offers the unique opportunity for the leaders to discuss a comprehensive settlement that addresses all issues between the two countries. For the United States, this must include human rights abuses in North Korea. Due to the work of Congress and the UN Commission of Inquiry in making this issue an important metric of Pyongyang's true intention to reform and join the community of nations, it is difficult to conceive of a broader political settlement without addressing the government's abusive treatment of its citizens.

Fourth, any future negotiation's success will be premised on our capacity to have strategy dictate the tactics rather than having the tactics operate in place of a strategy. A summit is not a strategy. We often hear President Trump saying, "Let's see...I can go hard in either direction," meaning diplomacy or war. But incremental and tactical steps in a negotiation are directionless without answers to core questions regarding the strategy in advance of a summit.

For example, this administration will inevitably see the rubber hit the road on negotiations when North Korea demands some form of sanctions relief, which as I noted earlier is the most successful element of the administration's compellence strategy. The questions that Congress, the White House, and the interagency process must answer before sending the president into a summit are many:

- What is the price we are willing to pay for denuclearization?
- What is the price we are willing to pay to stop the ICBM program?
- Given the President's promise that a North Korean ICBM threat was "never gonna happen," which is the priority – the nuclear warheads or the ICBMs?
- What must North Korea demonstrate in an agreement before we begin to lift sanctions?
- What is the risk we are willing to accept if we can't succeed in the negotiation?
- What is the cost we will accept of a military solution?
- If we undertake a military option, should this be of a limited or all-out nature?

These questions all needed to be answered by Principals and the president in advance of President Trump's meeting, not just to help him, but to have metrics for judging success or failure of any negotiation. But I sense that over the past year, the administration has not spent protracted amounts of its precious time thinking about diplomacy. Rather, it has spent most of its time generating papers about pressure and military options.

Military Strike

Regarding military options, the President has talked about "raining fire and fury" on the North. Former National Security Advisor H.R. McMaster has said the chances of war increase every day. The North has threatened, in turn, that it will incinerate U.S. cities.

I believe the United States must always be prepared to use military force. And the United States must exercise with South Korea and Japan in order to be militarily prepared. But force should only be used under specific conditions.

- **Defense:** If North Korea attacks the U.S. or its allies, or fires a missile at the U.S. or allied populations, the U.S. should respond.
- **Proliferation:** If the North proliferates weapons, technology, or material in ways that kill U.S. citizens, then the U.S. should respond.
- **Pre-emption:** If we detect an imminent North Korean missile attack or nuclear attack, then we must use force to pre-empt that imminent threat.

The most controversial element of force is a preventive war – a unilateral attack by the United States on North Korea to prevent the growth of the threat. I will not debate the legalities of a preventive strike, a decision that rests with the U.S. Congress and the presidency. I look at this

from the perspective of a former NSC staffer who would have to enumerate: 1) the objectives of a military strike; 2) whether those objectives could be successfully accomplished with a strike; and 3) whether the costs for accomplishing this objective would be worth the candle. My personal judgment is that a military strike would not accomplish any one of a number of conceivable objectives, it would be extremely costly, and it would escalate in ways that could threaten hundreds of thousands of American lives.

- First, an attack would not stop the North Korean nuclear threat, it would only degrade it temporarily.
- Second, even a massive attack could not be guaranteed to end the program since we do not have perfect information on locations, and must contend with potential capabilities buried deep underground, even inaccessible to bunker-buster ordinance.
- Third, a unilateral attack would not stop the proliferation threat. It would only make it worse as the North would pursue retaliatory proliferation.
- Fourth, a unilateral attack would have few, if any supporters in the global community, which could undercut cooperation on the sanctions campaign, and in a worst case would undermine alliance cooperation and put China in a stronger position in the region.
- Fifth, a unilateral attack could create the very decoupling dynamic that U.S. deterrence seeks to avoid – in the sense that some partners may support an attack on the Korean peninsula under the condition that they could avoid North Korean retaliation.
- Finally, a strike could lead to massive escalation into a general war. This would put 250,000 Americans in South Korea and 100,000 Americans in Japan (not to mention millions of Koreans and Japanese) at risk without any conceivably workable noncombatant evacuation plan. The largest civilian evacuation we have conducted was 60,000 in 1975 in Vietnam.

The strongest argument for a military strike is that the North Korean threat must be dealt with today rather than tomorrow; otherwise, the irrational and reckless leader is undeterrable and cannot be won over through negotiation. I understand that those who favor a strike believe that the North Korean dictator, like all small dictators, seek personal survival at the core, and therefore Kim might not respond to a limited strike if the consequences would be destruction of his regime.

But there is a flaw in this logic: If the target is undeterrable, then why should we believe that the target would become deterrable with a military strike? Can irrational, belligerent leaders in peacetime really turn rational in wartime? The answer to this question can be a topic debated among ivory-towered rational-choice academics at Georgetown or other universities. But to hazard a guess at the answer in order to execute a military operation constitutes the type of historic uninformed, expedient decision that would once again risk hundreds of thousands of American lives on the Korean peninsula.