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ON FOREIGN AFFAIRS

Thank you Chairwoman Ros-Lehtinen, Congressman Berman and members of the Committee. It is a distinct honor to appear before this committee to discuss the challenges posed by North Korea (DPRK).

I have testified before this committee in the past on the same topic and I can say without hesitation that the challenges of North Korea going forward are more multifaceted and more complex.

### Neojuche Revivalism

First, allow me to address the internal situation in North Korea. Kim Jong-il is ailing and he is clearly trying to hand power over to his 20-something year old son, Kim Jong-eun.

The massive Communist party rallies in October 2010 provided the world's first real glimpse of Kim Jong-eun. On occasion in world history, courageous leaders have brought about monumental change. Does the young Kim, who has been educated for part of his life outside of North Korea in Switzerland, have what it takes to finally catapult the North Korean people out of the dark ages?

No. His youth is not the issue. Stalin appointed the first leader of North Korea, Kim Il-sung, and he took power at the tender age of 33. The current leader of North Korea, Kim Jong-il, was anointed as the successor in his 30s as well. The Kim family dynasty presumes that its leaders will rule for fifty years so they have to appoint them young.

The real problem is the system itself. Despotism regimes like North Korea cannot survive without ideology to justify their iron grip. And the ideology that accompanies Kim Jong-eun's rise appears to look backwards rather than forwards. I call it "neojuche revivalism." This constitutes a return to a conservative and hardline "juche" (self-reliance) ideology of the 1950s and 1960s – harkening back to a day when the North was doing well relative to the now richer and democratic South. Neojuche revivalism is laced with "songun" (military-first) ideology which features the North's emergence as a nuclear weapons state (Kim Jong-il's one accomplishment during his rule). This revivalist ideology leaves no room for opening because it blames the past decade of poor performance on "ideological pollution" stemming from experiments with reform.

The revolution in North Korea died long ago but the young son will be forced to cling to the core but outdated ideological principles that worked during the Cold War. It is no coincidence that Kim Jong-il has frequented visits in the past two years to factory towns that used to be the center of North Korea's mass worker mobilization (Chollima) movements of the 1950s. It is no coincidence that NKEconWatch's website, which has the best Google earth imagery of the North, has reported the rebuilding of chemical and

vinylon factories which were the heart of Cold War-era Pyongyang's now decrepit economy.

Neojuche revivalism is untenable in the long term. Mass mobilization of workers without reform can only work with massive inputs of food, fuel, and equipment which the Chinese will be increasingly relied upon to provide. Beijing seems content to backstop its communist brethren for the time being. But heightening world food and fuel prices because of the revolutions in the Middle East may make them a bit stingier with Kim.

#### Nuclear and Conventional Threats

Meanwhile, the threats from North Korea have only become more multifaceted with North Korea's brazen unveiling of its uranium enrichment program to an American scientist last November. This potentially provides Kim with another path to nuclear bombs based on highly enriched uranium rather than just weapons-grade plutonium. While the scientist was shown one facility at Yongbyon, most experts believe that it may represent only the tip of the iceberg of a larger program with sites around the country. Few believed the Bush administration when they challenged Pyongyang in October 2002 about these activities. Few deny them now.

In addition, newspapers recently are reporting that commercial satellites have picked up activity near suspected nuclear test sites. From past experience, I can tell you that any activity around such sites is not good. Even a pickup truck or two, or some guys innocently playing cards is not innocent at all. They all constitute indications that some preparations are underway for a third nuclear test, which I think could happen in 2011. A third nuclear detonation would give them valuable data necessary to further develop their program. Many experts believe that once they perfect this, the technical challenges to developing a deliverable warhead are not high. And while much of our focus during the Bush administration was on dismantling their nuclear program, the DPRK's ballistic missile program has developed unabated for over a decade.

The challenges posed by the DPRK have also become more complex. In 2010, the sinking of the *Cheonan* by a DPRK torpedo in March and the brazen firing of 170 artillery shells on Yeonpyong island in November constituted clear violations of the 1953 armistice and by any metric were premeditated acts of war, which Beijing refused to acknowledge. The North had not conducted provocations of this scale since 1968 when they attempted a commando raid on the South Korean presidential compound and when they captured the U.S. intelligence vessel, the *USS Pueblo*, in international waters. There are several theories as to why the North did this, having to do with Kim's dislike of the conservative South Korean (ROK) government, longstanding disputes over maritime boundaries, and an internal leadership transition. But I would like to draw the

committee's attention to one other theory, in particular. North Korean officials are fond of saying that the U.S. attacked Iraq and Afghanistan because they did not have nuclear weapons, but that we would never attack them or Iran because these countries have nuclear capabilities. Kim may be engaging in more provocative conventional attacks short of war because he increasingly believes his own rhetoric that the DPRK is now a nuclear state, and therefore feels invulnerable to potential retaliation by the U.S. or the South Koreans. We know this is wrong as the North does not have a second strike capability, but this does not mean they may believe it mistakenly, particularly as they become less confident in their deteriorating conventional deterrent, including the degraded artillery sitting on the DMZ.

I cannot overemphasize to the committee how dangerous a situation this is.

The following scenario is a not-too-remote and clear one. The North provokes again as part of a strategy to force the ROK government to cave to DPRK military pressure. They are unrestrained because they believe their nuclear deterrent is sufficient to prevent retaliation. But Seoul cannot tolerate another attack. What was so different about the Yeonpyeong shelling was that it was captured on television for every South Korean citizen to see. Not responding would be political suicide for an ROK president. Thus, Seoul responds with a military strike swiftly and decisively, confident in their own minds that 1) the North would not dare enter a war they would lose; or 2) the ROK could contain the escalation ladder. This sort of miscalculation on both sides, ladies and gentlemen, is how wars start.

So how do we deal with this? The Bush administration basically operated on three tracks. First, it contained North Korea's horizontal proliferation with a robust PSI (Proliferation Security Initiative) regime and other measures designed to curtail and deter such activities. Second, it used a new tool, financial sanctions, designed to target those monetary transactions and accounts linked to proliferation financing and illicit activities. And third, they engaged in negotiation and diplomacy, particularly in the administration's second term, to achieve denuclearization agreements. The primary result of this latter activity was the 2005 and 2007 agreements from the Six-Party talks.

The Obama administration has been operating with essentially the same toolbox. I believe it came in initially quite inclined to pursue high-level bilateral engagement as a way to accelerate the Six-Party agreements from the previous administration. But the North Korea missile and nuclear tests in 2009 threw cold water on this, and instead gave the administration more multilateral tools in the form of UNSCR resolutions to pursue counterproliferation activities against the DPRK. I give the administration credit for emphasizing trilateral coordination with the ROK and Japan in dealing with DPRK

provocations. This was evident in Secretary Clinton's trilateral meeting with former Japanese Foreign Minister Maehara and South Korean Foreign Minister Kim in December of last year. I also give them credit for stepping up the tempo of military exercises with the allies in response to DPRK provocations, including the July and November exercises of last year, and "Key Resolve/Foal Eagle" which is finishing up today. I believe the North is less likely to attempt provocations directly into the teeth of a U.S.-ROK or U.S.-Japan or even a trilateral military exercise. They practice more of a "hit-and-run" strategy, and therefore there is high value to continuing these exercises as a deterrent against more attacks like *Cheonan* or Yeonpyeong.

However, one cannot help but wonder where this is all leading. I support the current policy of sanctions, counterproliferation, and military exercises. I, as much as anyone else, believe these are necessary. But even a hawk must acknowledge that a long-term policy of sanctions and military exercises in the end may lead to war before they lead to a collapse of the regime (particularly if China continues to backstop Kim with food, hard currency, and energy). A study I directed at CSIS did a time-series analysis over 27 years back to March 1984 to chart on a weekly basis two pieces of data: 1) DPRK provocations and 2) periods of major negotiations. Never once in the entire 27 year period was there a period in which the DPRK provoked in the midst of negotiations involving the U.S. Now, there are many ways that one could interpret that data, but it does tell us that when the U.S. is in a negotiation process, the DPRK does not do conventional attacks, or nuclear/missile tests.

Does this mean the Obama administration should dive into negotiations today? Of course not. The administration has made pretty clear the requisite preconditions: First, the North needs to acknowledge the *Cheonan* sinking and the artillery attacks. Second, it must be ready to freeze and negotiate over dismantlement of its uranium enrichment program in addition to returning to the 2005 and 2007 nuclear agreements. Neither of these is likely to be fulfilled in the near future. The inter-Korean military talks, which provided an opportunity for the DPRK to address the *Cheonan* and Yeonpyeong attacks, broke down last month. And Obama administration officials, assistant secretary of state for East Asian and Pacific Affairs Kurt Campbell and Special Envoy for North Korea Stephen Bosworth testified on the Hill last week that they are in no hurry to negotiate.

I am fine with this policy as long as we all acknowledge that the cost of "strategic patience" is likely to be a third nuclear test, and more DPRK conventional provocations that will elicit a South Korean military response and potential escalation. If our policy of sanctions and military exercises through some miracle leads to a collapse of the DPRK, it is fair to say we are not prepared for that. As one official said, U.S. planning for this outcome has improved from the previous administration, but this only means that we

have gone from “really, really unprepared” to “really unprepared.” And if it does not lead to war or collapse, and Kim continues to muddle through, we are still left with a runaway nuclear and missile program in the North operating completely outside international controls or monitoring.

### The Road Ahead

No administration wants to be recorded in history as the one that took the peninsula to war with a policy based solely for four years on sanctions and military exercises. The Obama administration needs to think hard about its next steps. Deferring to our close ally in Seoul is critical, but an apology for *Cheonan* and Yeonpyeong are the highest hanging fruit on the tree, impossible to reach at this point. Moreover, North Korea’s reported offer of a meeting between Defense Secretary Gates and his counterpart is not possible at this point either given all that has happened.

As a baseline, the U.S. must continue to intensify the sanctions and military exercising it has done with allies in the region to counter proliferation and punish Pyongyang for its deviant behavior.

The administration should also push forward with new consultations with the ROK on extended deterrence – both conventional and nuclear – to enhance preparedness for more DPRK provocations.

The administration should continue to seek innovative ways to enhance U.S.-ROK-Japan trilateral solidarity including a renewed effort for a collective security statement.

Parties should consider seeking UN authorization for the U.S. and ROK use of force in self-defense in response to future DPRK violations of the 1953 armistice.

On the nuclear negotiations front, there does not appear to be any movement at the moment, but this should not discourage those who seek to advance the human rights agenda. Here, the lowest hanging fruit in the last month or so centers on the DPRK’s request for the U.S. to restart food assistance. At issue is the remaining 330,000 tons of food left undistributed from the 2008 food agreement with the Bush administration. As USAID officials will attest, this agreement offered the best access and monitoring conditions we have ever achieved with the North including access to all but two provinces, nutritional surveys, and Korean speakers as part of the aid team. U.S. NGOs just returned from the North last month and confirm there is a need. The administration should consider this if they can obtain access and monitoring terms as good as or better than 2008, and after close consultations with Seoul. Bags of rice floating around North Korea with the American flag and written Korean saying “Gift of the American people”

cannot be bad. For what it is worth, historically food assistance to North Korea has constituted a path back to the larger diplomacy.

Chairwoman Ros-Lehtinen. Having worked on this issue in the White House and having studied it for decades, I can tell you North Korea policy truly is the land of lousy options. The choices are never between good and bad. They are always between bad and worse. Restarting food aid may sound like the same old story – rewarding bad behavior that will only elicit more bad behavior. The alternative is to do nothing on nuclear diplomacy or human rights, which is good posturing. But it will buy you a runaway nuclear program with rampant proliferation potential, and now rumblings in South Korea among some conservatives about going nuclear themselves or calling for the U.S. to reinsert tactical nuclear weapons into the ROK. This hardly seems like a good alternative.