CONGRESSIONAL TESTIMONY

North Korea after Kim Jong-il: Still Dangerous and Erratic

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Madam Chairman and Members of the Committee, thank you for inviting me to join these timely proceedings. Having analyzed North Korea over three decades, it is my judgment that the regime in Pyongyang remains armed, dangerous and prone to miscalculation.

Last week Kim Jong-eun recklessly pursued a long-range missile launch in contravention of United Nations Security Council resolutions and a voluntary agreement with the United States. He used his maiden public address to announce the primacy of military force, and he ominously exhorted North Koreans to prepare for a "final victory." He boasted of unprecedented military achievements, suggesting potential progress in fabricating a nuclear ICBM while parading a road-mobile missile. Kim Jong-eun's determination to show seamless continuity during this rare leadership transition reminds us that North Korea may resort to lethal force without warning, as it did twice in 2010 and on numerous occasions in previous years. Meanwhile, the North's people suffer from economic hardship and brutal political oppression. In all these and other ways, North Korea is indeed still dangerous. It is also erratic in the sense that the moment we publicly predict the next move of "Kim 3.0" he may seek to dash our expectations yet again.[1]

My main argument is that the United States lacks an effective, long-term strategy for achieving peace on the Korean Peninsula. Despite a robust alliance with the Republic of Korea, we are gradually losing leverage over an opaque regime in North Korea determined to acquire nuclear weapons designed to hit American soil. We lack direct contact with North Korea's collective leadership and rely far too much on second-hand information. A sober assessment of our North Korea policy assumptions should produce both a new strategic approach and strengthen America's defensive posture in Northeast Asia. Let me explain briefly why our present approach is not working and what we should do about it.

Last week's failed missile launch demonstrated that we are counting on North Korean technical incompetence to ensure a large measure of our security. Thus, it would be a mistake to assume that we dodged a bullet when North Korea's Unha-3 missile exploded less than two minutes after launch. In reality, this launch portends an exponential advance in North Korean military might. While the liquid fueled Unha-3 may be operationally impractical as an ICBM (at least compared to modern, solid-fueled rockets), it does provide an important test of the staging required for a long-range missile designed to carry a nuclear warhead.

North Korea's missile provocation carries costs to the United States and its allies which transcend merely damaging American credibility. It poses real military threats that must be addressed through a

[1] The phrase comes from analyst Jonathan Pollack.

comprehensive strategy that also includes better defensive military means. Cutting food aid and pursuing UN Security Council resolutions are insufficient, even feeble, responses, and they do nothing to check North Korea's unrelenting ambition to build a long-range nuclear weapons program.

North Korea's missile exhibitionism has exposed five serious tactical mistakes in United States policy. *Tactical mistake number one is Washington's fixation on the quixotic objective of persuading North Korea to negotiate away its limited plutonium stockpile sufficient for 6-10 weapons.* Coercive diplomacy works best when seeking limited goals, not goals that threaten regime survival. The regime's dogged pursuit of nuclear weapons suggests that a nuclear weapon is viewed as crucial to its survival, and the finite plutonium stockpile means it cannot afford to squander that insurance by either selling it or bargaining it away. Yet we have persevered with a maximalist goal of denuclearization despite our lack of leverage or credibility when it comes to meting out punishment for noncompliance.

Meanwhile, North Korea has in all probability used Houdini-like misdirection to expand a more advanced highly-enriched uranium (HEU) weapons program, one that would provide for a larger nuclear stockpile, be harder to detect, and be easier to proliferate off the peninsula. In November 2010, when visiting U.S. experts were shown the North's surprising achievements in fashioning an HEU program, America simply doubled down on its preexisting determination to pursue denuclearization as the supreme policy objective. America's staunch ally in ROK's Lee Myung-bak's government fully embraced the same approach.

But without a realistic means of achieving denuclearization, our efforts only emit a smokescreen for North Korea's ambitions. *This highlights a second tactical mistake: namely, becoming ever-more reliant on China to tamp down the North's nuclear ambitions.* Outsourcing the problem has presented China with a choice between pacifying a screaming baby (North Korea) and calming down a nonplussed adult minder (the United States). Given such a choice, China has found it easier to restrain the United States than North Korea. Consequently, China grows in importance, while U.S. influence over North Korea and within Northeast Asia is at risk of receding.

A third tactical mistake concerns the use of humanitarian assistance as a bargaining tool over the North's nuclear programs. Humanitarian assistance should be given only on humanitarian grounds, and food provides no leverage vis-à-vis a goal vital to regime survival like a nuclear-armed missile. While the Obama administration wished to keep "nutritional assistance" separate from nuclear talks (and the food was a request from North Korea), the administration played into Pyongyang's negotiating tactics by delaying humanitarian assistance that should have begun careful distribution months earlier. Meanwhile, the absence of humanitarian aid workers on the ground in North Korea is hurting malnourished and at-risk elements of the population, not the regime itself.

A fourth mistake on the part of U.S. negotiators has been to allow North Korea to wriggle out of a firm verbal commitment not to launch any missiles, including those that might send a satellite into orbit. I believe American negotiators who say that they made this explicit in the process of striking the

moratorium on nuclear and missile tests. I also can point to the international consensus—including China and Russia – that existing UN Security Council resolutions prohibit the missile program that the North so flamboyantly rolled out in the past month. But giving the North sufficient grey area to claim it was all a misunderstanding and that a weather satellite is harmless has made the United States look downright foolish.

Finally, we are the on verge of a fifth tactical error by not following up our admonitions with resolute action. Declaring the missile launch to be "unacceptable" does more harm than good if our only responses are rhetorical blandishments and unenforced sanctions.

The result of these and other tactical errors is that the United States is gradually paying reputational costs and teaching North Korea to ignore our warnings. Consider the fact that only several weeks ago the President put U.S. credibility in the hands of a multilateral nuclear summit in Seoul that was overshadowed by the missile diplomacy of a military regime spearheaded by a man still in his twenties. Kim Jong-eun, in effect, successfully outmaneuvered U.S., Chinese, South Korean, Russian, and Japanese military forces, which ended up within close proximity of each other in and around the East China Sea. The outcome could easily have been miscalculation and conflict between major powers. Now *that* should be unacceptable.

In announcing the missile launch as a breach of contract and unacceptable, the United States offered little evidence that it would pursue options that the regime in Pyongyang might regret. Instead, Washington continued to look to Beijing to crack down on its ally, an action China has simply not been willing or able to do.

The United States needs a fresh assessment and a new long-range strategy for ending the threats posed by North Korea. Such an assessment should mobilize the entire inter-agency process, all-source information, and then be based on a commitment that the United States national security community is willing to back over time in concert with our allies, especially South Korea.

That new strategy would look at five areas: strengthening defenses; strengthening alliances; creating crippling new targeted financial measures; establishing direct, high-level contact with North Korea's leaders, if only to facilitate potential fissures and better understand pressure points; and using engagement to dramatically expand the flow of information into and out of North Korea. Put together, I believe such a top-down and bottom-up strategy of defense, pressure and information could within this decade break North Korea's endless cycle of prevarication and provocation. In the short-to-mid-term, we should seek to deny the North any advantage from growing military capabilities, and in the mid-to-long-term we should seek denuclearization through unification.

First, Kim Jong-eun's satellite diplomacy should catalyze us to bolster our missile defenses. It is too risky to pursue overt regime change in North Korea to stem Pyongyang's provocations. However, the United States can defeat North Korea's intolerable missile program by developing low-technology-risk, boost-

phase intercept capabilities based on proven Cold War propulsion technologies. Specifically, the United States and its allies can plug the gap in current missile defenses, which address mid-phase (SM-3 missiles) and terminal phase (PAC-3) but not missiles in their ascent or boost phase. Previous attempts to build boost-phase interceptors failed because of immature laser technologies, impractical operational concepts, and exorbitant cost. I have co-authored with Paul and Matthew Giarra a notion for how to proceed with cost-effective, boost-phase interceptors.[2] To fix this shortcoming, a high-speed, two-stage, hit-to-kill interceptor missile, launched from a Predator-type UAV can defeat many of these ballistic missile threats in their boost phase.

Second, we need to further reinforce the military capabilities and interoperability between the United States and South Korea, the United States and Japan, and among the three countries. Comprehensive missile defenses need to be matched with greater integration of command and control, as well as intelligence, surveillance and reconnaissance capabilities among the United States, South Korea and Japan. Additional steps should also be taken to give higher priority to U.S. forces in Korea, a command that has inevitably suffered from decade-long priorities placed on the conflicts in Afghanistan and Iraq. My aim is not to shortchange those theaters of conflict, but to recognize how we have neglected our commitment to maintain deterrence and readiness on the Korean Peninsula. At the same time, we need to work closely with Seoul as it prepares over the next to assume responsibility for any wartime operational control in December 2015.

While opening channels of communication with the North, the United States should also conduct a bottom-up policy review to preempt a possible crisis in the U.S.-South Korea alliance. The trend of the past decade will reach a turning point by next year. The April 2012 National Assembly election in South Korea's National Assembly resulted in a narrow victory for the conservative ruling party. Whether the conservatives, the main opposition Democratic United Party or even an independent third party prevails in the December presidential election, the winning candidate is almost certain to press for reinvigorating economic ties with the North. South Koreans are unlikely to countenance watching North Korea slip further into China's ambit.

Third, we need to move beyond ineffective sanctions to find new means of applying real pain on recalcitrant leaders who flagrantly put international security at risk. The United States can use the combined force of government and the private sector to clamp down on the mostly Chinese banks the North's leadership relies on to fund critical leaders in the military, party and ruling circles. Precision-guided financial measures that go as far as those attempted nearly a decade ago with Banco Delta Asia could squeeze key decision-makers like Jang Sung-taek if they were targeted and maintained over time.[3] The North will seek

[2] Patrick M. Cronin, Matthew N. Giarra, and Paul S. Giarra, "Plugging U.S. Missile Defense Gaps," *The Diplomat*, April 16, 2012, http://the-diplomat.com/2012/04/16/plugging-u-s-missile-defense-gaps/.

[3] We have outlined some of the more stringent measures that can be used to target the offshore bank accounts of a leadership in David L. Asher, Victor D. Comras and Patrick M. Cronin, *Pressure: Coercive Economic Statecraft and U.S. National Security* (Washington, D.C.: Center for a New American Security, January 2011), http://www.cnas.org/pressure.

to evade growing pressure, and financial measures will require constant adaptation and sustained high-level political support in Washington.

Fourth, the United States should seek to use serious pressure and defense tactics to open up more direct, high-level talks with Kim Jong-eun, Jang Sung-taek, and the two or three generals central to the collective leadership. We know too little about their decision-making dynamic. Only by winning access to the true inner circle of North Korea can we hope to determine potential fault lines, pressure points, and opportunities. Long-term engagement will make us smarter about what kind of transition may be possible for North Korea, while preparing us for a hard landing should the regime implode.

Fifth and finally, the United States and South Korea should expand their efforts to dramatically expand the flow of information into North Korea. North Koreans cannot forever be walled off from increasingly prosperous neighbors. A million cell phones now operate within North Korea, and the burgeoning flow of information may be hard to stop in one of the world's most closed regimes. Kim Jong-eun may actually understand this, as his uncharacteristic admission of failure after the Unha-3 shattered suggests.

Our defensive and coercive power, of course, must serve larger political goals. As we operationalize a multi-faceted strategy, we need to weave in all instruments of alliance power, including potential incentives for engagement and economic ties. I have written elsewhere about how the United States, South Korea and other allies and partners have lost what limited economic leverage we have over North Korea.[4] Over the past five years, the tenuous North Korean regime has drifted further away from South Korea and increasingly depends on China for its economic sustainment. Deployed intelligently, at the right time and with the right actors, economic engagement can be part of a long-term solution to peace on the Korean Peninsula.

Asia's only other economic pariah state, Burma (also known as Myanmar), has recently undergone a radical change in direction. Since the 2010 rise of Prime Minister Thein Sein as a nominal civilian leader, that country has gradually moved away from self-isolation by undertaking reforms; but it has not yet instituted real democracy. The release of hundreds of political prisoners; the reinstatement of the main opposition party and its leader, Aung San Suu Kyi; and the agreement to swap ambassadors with the United States have all been viewed as affirmations that the country is on a new path.[5] If Burma stays on its current trajectory, it may well go from being largely dependent on China to relying on a far more balanced set of economic relations with China, India, and other nations, including the United States. Similarly, if North Korea were to repair ties with South Korea, then the United States could support a

[4] Patrick M. Cronin, *Vital Venture: Economic Engagement of North Korea and the Kaesong Industrial Complex* (Washington, D.C.: Center for a New American Security, February 2012), http://www.cnas.org/node/7824.

[5] Associated Press, "Myanmar Wins Plaudits for Long-Awaited Release of Prominent Political Prisoners," *The Washington Post,* January 14, 2012, http://www.washingtonpost.com/world/asia-pacific/myanmar-wins-plaudits-for-long-awaited-release-of-prominent-political-prisoners/2012/01/14/gIQAwUGuxP_story.html.

growing economic relationship between North Korea and the outside world.[6] If Burma appears to benefit from reform, then perhaps North Korea could be persuaded to follow a new path as well. A diversified economic and political strategy would give North Korea far more independence.

Neither Sunshine policies nor coercion have yet produced significant progress toward denuclearization. Analysts can dispute whether a slow-down, or even a temporary freeze, represents progress; but there is no evidence to support the claim that either policy has reversed North Korean nuclear ambitions. Thus, many South Koreans may conclude that if nuclear weapons are a long-term problem, then the focus in the near-to-mid term should be on ensuring that North Korea does not slide too close to China and away from a path toward unification. There is also a serious chance that South Korea will try to restore inter-Korean economic relations to the primary position, rather than watching China-DPRK ties grow to the point that they could have decisive implications for the future of Korean unification. Whatever South Koreans think about the regime in North Korea, they do not want to see North Korea become a de facto province of China. Such a development would foreclose the longstanding goal of a unified, free and democratic Korea, a hope that many Koreans and Americans have harbored since so many lost their lives in war some 60 years ago.

Renewed economic engagement between North and South Korea would be an important precursor to preventing conflict on the peninsula. It should take place in the context of a bottom-up policy review that holistically evaluates economic trends, nuclear issues, the 2015 transfer of operational control from the United States to South Korea and the need to establish regular military-to-military contacts with North Korea during its time of transition. Predicting the future of North Korea is a perilous task. Yet by mixing engagement with a serious review of national and alliance policy options for 2013 and beyond, the United States can minimize friction in its alliance with South Korea and retain leverage for shaping the future regional security environment. Defenses, allies, financial measures, information, and high-level engagement are the building blocks for a potential new strategic approach.

[6] It's worth adding that if Burma were to become an active member of the international community in good standing, then it would largely have to desist from befriending North Korea.

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Biography

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Dr. Patrick M. Cronin is a Senior Advisor and Senior Director of the Asia-Pacific Security Program at the Center for a New American Security. Previously, he was the Director of the Institute for National Strategic Studies at National Defense University and has a nearly 30-year career inside government and academic research centers, spanning defense affairs, foreign policy, and development assistance.

Dr. Cronin served more than two years at the London-based International Institute for Strategic Studies, where he was the Director of Studies, Editor of the Adelphi Papers, and Executive Director of the Armed Conflict Database. Prior to joining IISS, Dr. Cronin was Director of Research and Senior Vice President at the Center for Strategic and International Studies in Washington.

In 2001, he was confirmed by the Senate to the third-ranking position at the U.S. Agency for International Development. While serving as Assistant Administrator for Policy and Program Coordination, Dr. Cronin led agency, interagency, and international policy deliberations, as well as the interagency task force that helped design the Millennium Challenge Corporation. From 1998 until 2001, Dr. Cronin served as Director of Research at the U.S. Institute of Peace.

Dr. Cronin spent seven years at the National Defense University, arriving at INSS in 1990 as a Senior Research Professor covering Asian and long-range security issues. He was the founding Executive Editor of *Joint Force Quarterly*, and subsequently became both Deputy Director and Director of Research at the Institute. He received the Army's Meritorious Civilian Service Award upon his departure from NDU in 1997. He has also been a senior analyst at the Center for Naval Analyses, a U.S. Naval Reserve Intelligence officer, and an analyst with the Congressional Research Service and SRI International. He was Associate Editor of *Strategic Review* and worked as an undergraduate at the *Miami Herald* and the *Fort Lauderdale News*.

Dr. Cronin has taught at several universities. He was an adjunct professor at Georgetown University's Security Studies Program, The Johns Hopkins University's Paul H. Nitze School of Advanced International Studies and the University of Virginia's Woodrow Wilson Department of Government.

He read International Relations at St Antony's College, University of Oxford, where he received both his M.Phil. and D.Phil. degrees, and graduated with high honors from the University of Florida. His publications include: *Global Strategic Assessment, 2009: America's Security Role in a Changing World* (NDU Press 2009); *Civilian Surge: Key to Complex Operations* (co-editor with Hans Binnendijk, NDU Press 2009); *The Impenetrable Fog of War: Reflections on Modern Warfare and Strategic Surprise* (Praeger 2008); *The Evolution of Strategic Thought: Adelphi Paper Classics* (Routledge 2008); and *Double Trouble: Iran and North Korea as Challenges to International Security* (Praeger 2007).