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SECURITY ON THE KOREAN PENINSULA

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C O N T E N T S

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

SECURITY ON THE KOREAN PENINSULA

WEDNESDAY, OCTOBER 4, 2023

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

The subcommittee met, pursuant to notice, at 2:33 p.m., in room SD–419, Dirksen Senate Office Building, Hon. Chris Van Hollen presiding.

Present: Senators Van Hollen [presiding], Schatz, Romney, and Ricketts.

OPENING STATEMENT OF HON. CHRIS VAN HOLLEN, U.S. SENATOR FROM MARYLAND

Senator VAN HOLLEN. Welcome, everybody. This meeting of the Senate Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy will come to order.

I would like to begin by thanking Senator Romney—Ranking Member Romney—and members of the committee for being here—Senator Ricketts—as we discuss the security and other challenges facing the Korean Peninsula and U.S. interests and the role in the region.

We are grateful to be joined by three experts in this area: Dr. Victor Cha, Mr. Scott Snyder, and Ms. Jenny Town, and I am going to introduce each of them more fully in a minute.

Despite the passage of 70 years since the end of the Korean War, lasting peace on the Korean Peninsula remains elusive and the security concerns stemming from this conflict continued to echo far beyond the region.

The alliance between the Republic of Korea and the United States, forged in mutual sacrifice seven decades ago, remains a key linchpin for peace and prosperity in East Asia and, as we have reaffirmed in recent months, the U.S. commitment to this alliance is ironclad.

In April, President Biden welcomed South Korean President Yoon for a state visit in which the two leaders unveiled the Washington Declaration to reinforce extended deterrence and respond to North Korea's growing nuclear threats.

That same month, Senator Romney and I. and our colleagues passed a bipartisan Senate resolution to honor the 70th anniversary of our historic alliance and President Yoon also addressed a joint session of Congress.

In August, President Biden hosted an historic summit at Camp David with President Yoon and Japanese Prime Minister Kishida to deepen our trilateral cooperation and bring greater peace, prosperity, and security to the Indo-Pacific region.

I salute the efforts of these leaders to heal old wounds, look to the future, and address shared challenges. This trilateral partnership will help to counter the military threat from North Korea as our nations have committed to share real-time data on North Korean missile launches by the end of this year.

I also commend the strong language the leaders issued in response to the PRC's mounting aggression in the South China Sea. This is an historic moment in the U.S.–ROK alliance, one we can build on to confront a range of pressing global security and economic challenges.

One of those challenges is, of course, Putin's war against Ukraine, which has shaken the international order not just in Europe, but around the world.

Autocrats across the globe, including Xi Jinping in China and Kim Jong-un in North Korea, are paying close attention to the collective response of the United States and our allies and will draw lessons based on that response.

Kim Jong-un has been seeking to leverage Russia's need for a supply of basic munitions to gain access to Russia's advanced missile technology. At the U.N. 2 weeks ago, President Yoon vowed that South Korea and its allies will not "stand idly by," and we must not.

I look forward to recommendations from our witnesses as to what we can do together, but among the steps we should take is to better enforce the existing U.S. and international sanctions against the DPRK including the provision of the bipartisan *Otto Warmbier BRINK Act*, which I authored a couple years ago, took effect in 2019.

That law put additional teeth into the sanctions regime, applying secondary sanctions against foreign banks and entities that violate them, but the sanctions regime has been subject to a lot of leakage. In fact, the United Nations has identified a variety of schemes the DPRK is using to evade those sanctions and some of the firms that are aiding and abetting them in that effort, and North Korea's theft of cryptocurrency to fund its illegal weapons programs is another area we must do more to monitor and crack down on.

We must also do more to shine a light on the horrendous human rights abuses taking place in North Korea. The DPRK's increasing alignment with Russia and China raises other concerns that we will discuss as we go forward.

There are many other areas where we have to coordinate our efforts with South Korea including countering the PRC's economic coercion, preventing the export to the PRC of cutting-edge technologies that can enhance China's military technologies, and the need for the United States and South Korea to work together with other countries in the region to support our goal of a free and open Indo-Pacific.

We have a lot of ground to cover today. Before I introduce our witnesses, let me turn it over to Senator Romney for his opening statement.

Senator Romney.

STATEMENT OF HON. MITT ROMNEY,
U.S. SENATOR FROM UTAH

Senator ROMNEY. Thank you, Mr. Chairman, and thank you to the members of this panel for being here.

I have met at least one of you before, but others of you I have followed by virtue of your expertise and appreciate your willingness to testify here today and provide your perspective and experience.

I apologize in advance for having to leave at 3:20. I have another engagement that I, unfortunately, will have to run to attend, but I am deeply interested in this topic.

I would underscore the significance of the years—70 years—as an anniversary of the Korean War. Dear friends of mine served in that war—in that conflict and my heart is moved by the sacrifice made by many of the people of your nation—of the South Korean nation as well as our nation who have served together to provide for the security that now exists in South Korea.

I recognize—we all do—that the South Korean War—the Korean War was, rather, at the outset of the Cold War and in some respects we are facing another Cold War today, not with the former Soviet Union so much as with an assertive China.

At the outset of those things our circumstances are different. One is that the ROK has been an extraordinary technological leader and economic powerhouse. It is hard to imagine a place which is more technologically advanced than South Korea, that provides more products to the world than South Korea.

It has fought well above its weight class in the world of economic affairs and in geopolitics, which is greatly appreciated here and by other nations around the world.

At the same time, North Korea has become, at least in my view, more belligerent and more malevolent in the last year or two.

We are seeing that not only with aggressive actions with their missiles, but also with various flights and so forth that are threatening and, of course, with North Korea indicating a potential to provide weapons to Russia in their invasion of Ukraine.

I am concerned about the fact that South Korea has a nuclear neighbor to its north with a massive investment in conventional as well as nuclear arms, and at the same time does not have a nuclear capacity of its own, and I would presume if I lived there I would be disturbed by that lack of balance and would be wondering how that could be remediated.

I look forward to hearing your perspectives on these matters. I share the chairman's deep conviction that it is critical that our nations remain closely allied, that that we combine our support with the support of other nations in the region, Japan, obviously, in particular, and that association I would like to get your perspective on as well.

With that, Mr. Chairman, we will turn to your questions and then we will be able to hear ultimately from our panelists.

Senator VAN HOLLEN. Thank you. Thank you, Senator Romney, for those remarks. I am now going to introduce more fully our three witnesses. Thank you all again for joining us.

We have Victor Cha, who is the senior vice president for Asia and Korean Chair at the Center for Strategic and International Studies and is also the distinguished professor of government at Georgetown University.

He was appointed in 2021 by the Biden administration to serve on the Defense Policy Board as an advisory role to the Secretary of Defense. From 2004–2007, he served on the National Security Council and was responsible for Japan, Korea, Australia, New Zealand, and the Pacific Island nations.

Earlier he was deputy head of delegation at the Six-Party Talks and received two outstanding service commendations during his tenure at the NSC. He is the author of seven books, two-time Fulbright Scholar and currently serves on 10 editorial boards of academic journals among many other accomplishments and expertise. Thank you, Dr. Cha, for being here.

Scott Snyder is a senior fellow for Korea studies and director of the program of U.S.-Korea policy at the Council on Foreign Relations.

Prior to joining the Council on Foreign Relations, Mr. Snyder was a senior associate in the international relations program of the Asia Foundation, where he founded and directed the Center for U.S.-Korea Policy and served as the Asia Foundation's representative in Korea from 2000–2004.

He was also a senior associate at the Pacific Forum Center for Strategic and International Studies. He has worked as an Asia specialist in the research and studies program of the U.S. Institute of Peace and as acting director of the Asia Society's contemporary affairs program.

He was the Pantech visiting fellow at Stanford University's Shorenstein Asia-Pacific Research Center from 2005–2006 and received an Abe Fellowship in 1998 from 1999 by the Social Security's Research Council. Again, thank you, Mr. Snyder, for being here to share your expertise.

Jenny Town is a senior fellow at the Stimson Center and the director of Stimson's 38 North program. Her expertise in North Korea, U.S.–DPRK relations, U.S.–ROK alliance, and the northeast Asia regional security is well known and established.

She was named one of *Worth* magazine's "Groundbreakers 2020: Fifty Women Changing the World," and one of *Fast Company's* most creative people in business in 2019 for her role in co-founding and managing the 38 North website, which provides policy and technical analysis on North Korea.

Ms. Town is also an expert reviewer for Freedom House's Freedom in the World Index where she previously worked on the Human Rights in North Korea Project. From 2008–2018, Ms. Town served as the assistant director of the U.S.-Korea Institute at Johns Hopkins School of Advanced International Studies known as SAIS.

Ms. Town, welcome and thank you very much for being with us.

Let me now turn it over to you, Victor Cha, for your statement.

STATEMENT OF DR. VICTOR CHA, SENIOR VICE PRESIDENT FOR ASIA AND KOREA CHAIR, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES, WASHINGTON, DC

Dr. CHA. Thank you, Chairman Van Hollen, Ranking Member Romney, and distinguished members of this subcommittee.

I am going to use my time to reflect on two recent and important developments with regard to security on the Korean Peninsula. From a U.S. perspective, one of these is positive and one of these is negative.

The positive developments relate to the vast improvement, as Senator Romney suggested in his comments, in trilateral relations between the United States, Japan, and South Korea.

The scope of agreements reached at Camp David really are impressive and unprecedented and it leads me to ask sort of why did this happen—why did these three allies come together, and I think there are five reasons.

The first is that the external security environment has compelled a much higher level of cooperation among the allies. To put it bluntly, the war in Europe really has changed everything, not just in Europe, but also in Asia.

The unthinkable such as war in the Taiwan Strait or on the Korean Peninsula has now become possible and leaders are looking for ways to try to create more certainty and more stability.

A second factor is China's increasingly assertive behavior in the East China Sea, in the South China Sea, and in the Taiwan Straits that has created much more uncertainty in the minds of leaders in Asia when you couple that with the war in Europe.

A third factor bringing the three allies together, of course, is North Korea's unceasing ICBM and weapons of mass destruction campaign. In the past months, North Korea has tested its first successful solid propellant nuclear ICBM and this campaign shows no signs of abating anytime soon.

The fourth factor contributing to the success of trilateralism is South Korean President Yoon's efforts at improving relations with Japan. The South Korean President basically took what would be the hardest foreign policy issue domestically and pushed forward even when initially it was not being reciprocated by Tokyo.

The significance of this trilateral cooperation cannot be underestimated. When the United States, Japan, and South Korea are together, each is safer and each has a stronger ground upon which to deal with China.

While Camp David has been a positive development for security on the Korean Peninsula, the negative development relates to the budding relationship between North Korea and Russia. It is not new in the sense that there has always been cooperation between Pyongyang and Moscow, but there are a few elements that are new.

First, the North Korean leader arguably has leverage in the relationship for the first time in recent memory. Putin needs fresh supplies of ammunition and shells from North Korea to prosecute this unjust war in Ukraine and that gives Kim Jong-un a lot of leverage.

Second, the Kim-Putin summit reduces Kim's need to talk to the United States. It is noteworthy that the Biden administration has

stated its interest in reengaging in dialogue with North Korea with no preconditions as to the results of those talks.

This, to me, is a subtle but significant change that suggests greater flexibility in the U.S. position. However, the prospects of such talks I think are even less likely because of the Putin-Kim summit.

Indeed, I believe that part of the reason for Kim's engagement with Putin is because of the spectacular failure and the inability to recover from the era of summit diplomacy with the previous administration in the United States.

The only way the North Korean leader could save face with regard to that was to come out of the COVID lockdown and seek a major summit with either Xi Jinping or Putin and he got his summit with Putin.

Third, I am concerned that this summit meeting could result in substantial and significant Russian support of North Korea's weapons programs. To put it bluntly, the North Korean leader would not have traveled all the way to Russia simply for a food for munitions deal.

Kim is looking for Russian assistance with his nuclear weapons program, with his military satellite program, a nuclear-powered submarine, and his ICBM program.

Fourth, the summit will likely lead to more DPRK forced labor being sent to Russia. We have just done a report looking at Russia and China, who have been major perpetrators of North Korean human rights abuses.

There are several options for how the United States should respond to this and I will just highlight a few. The full list is in my written testimony.

The first is to seek coordinated responses in the form of sanctions through the G–7+ and the NATO AP4 venues. It is no longer possible to seek action on North Korea through the U.N. Security Council given Russia and China's opposition.

Second, consider a new declaratory policy to neutralize DPRK ICBM launches including the possibility of preemptive action. This is a risky policy, but it would be aimed at deterring further testing by DPRK.

Third, consider South Korean lethal assistance to Ukraine. South Korean President Yoon has stated that North Korea's provision of lethal assistance to Russia is a direct threat to South Korea's security. South Korea thus far has provided humanitarian assistance and indirect lethal support through third parties like Poland and the United States.

Fourth, consider enhanced South Korea cooperation with AUKUS. Should Russia provide nuclear submarine technology to North Korea this might be considered a response. South Korea has world-class port facilities that could be nuclear certified.

Then, finally, frame choices for China. Beijing remains ambivalent about this new cooperation between Pyongyang and Moscow. The United States should make clear to China that it cannot use North Korea as a vehicle for indirectly supporting Russia's war.

In conclusion, there are some who might argue that this new development in DPRK-Russia cooperation is a response to the Camp

David summit. I do not believe that to be the case. Russia's need for ammunition alone would have made this cooperation inevitable.

This concatenation of developments in the region, however, is precipitating an arms race in Asia, but this is not at the initiative of the United States or its allies.

China's massive nuclear buildup, North Korea's drive to become a nuclear weapons state the size of France, and most of all Russia's war in Europe have fundamentally changed the security environment in the region and on the Peninsula in ways that have compelled countries who support the peaceful status quo to respond.

Thank you very much.

[The prepared statement of Dr. Cha follows:]

Prepared Statement of Dr. Victor Cha

Chairman Van Hollen, Ranking Member Romney, and distinguished members of the Subcommittee, I am honored to share my views with you on this important topic. The views represented in this testimony are my own and not those of any employer or institution with which I am affiliated. In my testimony, I would like to reflect on two recent and important developments with regard to security on the Korean peninsula. From a U.S. perspective, one of these is positive and one is negative.

THE MEANING OF CAMP DAVID

The positive development relates to the vast improvement in trilateral relations between the United States, Japan, and South Korea. I have been studying relations between these three key allies in Northeast Asia for decades. My first book, in fact, was on the trilateral relations among Japan, Korea, and the United States and how invaluable this was to U.S. strategic interests.

During the Cold War, the United States saw the individual bilateral alliances with Korea and Japan as a strategic, trilateral whole when it came to defense and deterrence. The United States had troops deployed in both countries and the "Korea Clause" of the 1969 Nixon-Sato Joint Communique and Okinawa Reversion plan affirmed the role that Japan would play in Korean defense.

In the post-Cold War era, Washington saw the trilateral relationship as an institution that could promote democracy, economic prosperity, and support of the liberal international order in a region of the world that did not yet readily accept such values.

Today, the three allies are instrumental to shaping a strategic environment in which to manage China's rise, and they are critical to consolidating supply chains in emerging technologies.

In this long history of these three-way relations, there have been several memorable moments, but I will focus on two: one good and one bad.

The first, a positive moment, was in June 1965 when the United States brokered the normalization of diplomatic relations between Japan and South Korea. This settlement included massive technological and economic assistance that eventually helped to launch the South Korean economy. It was no doubt a controversial agreement at the time for South Korea, but it was the right decision made by the government in pursuit of Korean national interests.

The second, a negative moment, was in 2022 when Japan-Korea bilateral relations plummeted to one of its lowest points in history. Japanese company assets in Korea were on the verge of being confiscated following a South Korean supreme court ruling about compensation for forced labor during the occupation period from 1910 to 1945. South Korea threatened to decouple from an intelligence-sharing agreement with the United States and Japan (GSOMIA). Japan put South Korea on an export control list. South Korea nullified an agreement with Japan on compensation for comfort women victims. And Japanese and South Korean leaders had fallen into a state of non-dialogue even as threats mounted around them from China and North Korea.

Of course, there have been other difficult periods in bilateral relations, like in the 1970s—when Mun Se Kwang attempted to assassinate President Park and murdered his wife. But what arguably made 2022 more damaging is that Korea and Japan were on the road to actively decoupling from each other's security—which was a gift to North Korea, China, and Russia, and a major liability for the United States.

It is in this context that the Camp David summit of August 2023 represents the third historic event in the history of trilateral relations. The scope of agreements reached is impressive: the institutionalization of trilateral meetings at the leader level and at the cabinet/minister level; the creation of a new, named set of trilateral exercises; and many other areas of cooperation scoped out in the Spirit of Camp David statement including: (1) securing supply chains, (2) combatting disinformation, and (3) promoting coordinated development assistance. This institutionalization of trilateral relations and the broadened scope of cooperation is unprecedented.

How were the three allies able to accomplish this? I think there are five reasons. First, the external security environment compelled a higher level of cooperation among the allies. Put bluntly, the war in Europe has changed everything. Its ripple effects are felt in Asia and has altered the way leaders think about security. The unthinkable—such as war in the Taiwan Strait or on the Korean peninsula—has become possible. The Ukraine war has made the security environment in Asia unstable, and leaders look for ways to create more stability.

A second factor is China's increasingly assertive behavior in the East China Sea, South China Sea, and in the Taiwan strait. This alone may not worry Koreans and Japanese enough, but in combination with the war in Ukraine and Taiwan's election in a few months, there is more uncertainty than ever before.

A third factor bringing the three allies together is North Korea's unceasing intercontinental ballistic missile (ICBM) and weapons of mass destruction (WMD) campaign. It has done scores of missile tests during the Biden presidency. In the past months, North Korea has tried to launch military satellites, rolled out a new submarine capable of launching multiple submarine-launched ballistic missiles (SLBMs), and successfully tested its first solid propellant nuclear ICBM. This campaign shows no sign of abating any time soon.

A fourth factor contributing to the cooperation between our Korean and Japanese allies is U.S. domestic politics. Our upcoming elections worry Seoul and Tokyo. The possibility of a return to foreign policy by the United States that denigrates allies in Europe and Asia and views them as liabilities rather than assets creates an impulse to try to institutionalize trilateral cooperation now to avoid uncertainty in the future.

The fifth factor contributing to the success of trilateralism is South Korean President Yoon's foreign policy. While President Biden certainly has supported coalition-building among U.S. allies in Asia and hosted the Camp David summit, Yoon's efforts at improving relations with Japan were instrumental. From early on in his presidency, Yoon made Japan rapprochement a top priority. He gets a lot of credit for this from the White House, which refers to Yoon's efforts as brimming with "political courage." Yoon basically took on the hardest foreign policy issue domestically and pushed forward even when the Kishida government in Tokyo did not initially reciprocate.

The significance of this trilateral cooperation cannot be underestimated. When the United States, Japan, and Korea are together, each is safer, and each has a stronger ground upon which to deal with China. This is not a trilateral alliance per se because of domestic sensitivities in Korea and Japan, but it is about as close as you can get to one, complete with the new, named trilateral exercises and the commitment to consult.

THE NEW UNHOLY ALLIANCE

While Camp David was a positive development for security on the Korean peninsula, the negative development relates to the budding relationship between North Korea and Russia. Kim Jong-un's second visit to Russia took place this past month, featuring new military cooperation between these longtime neighbors. Kim's 6-day long sojourn was longer than his previous trip in 2019, where he visited the Vostochny space center, Komsomolsk-on-Amur defense industry, and Vladivostok. He toured Russian jet fighters, rockets, strategic bombers, and guided missile frigates. Just when you thought the situation with North Korea could not get any worse, it has with the consummation of this unholy alliance.

It is not new in the sense that there has always been cooperation between Pyongyang and Moscow historically, but there are a few elements that are new. First, the North Korean leader arguably has leverage in this relationship for the first time in recent memory. In the past, North Korea was always the supplicant, asking for patron prices for Russian energy and debt relief. Now, Putin needs fresh supplies of ammunition and shells from North Korea to prosecute his unjust war in Ukraine.

Second, the Kim-Putin summit reduces Kim's need to talk to the United States. The Biden administration, despite numerous attempts, has had no success in engaging the North Koreans in disarmament dialogue. It is noteworthy that the Administration has stated its interest in reengaging in dialogue with DPRK with no preconditions as to the results of such talks. This is a subtle but significant change that suggests greater flexibility. But the prospects of such talks are even less likely now in the aftermath of the Kim-Putin summit. Indeed, part of the reason for Kim's engagement with Putin is because of the spectacular failure of the previous U.S. Administration's summit diplomacy with North Korea. The abrupt end to the U.S.-DPRK summit meeting in Hanoi in 2019 was a tremendous embarrassment for Kim. The country shortly after that went into a 3-year Covid-19 lockdown. The only way the North Korean leader could save face was to emerge from the lockdown with a major summit with either Xi Jinping or Putin.

Third, I am concerned that this summit meeting could result in substantial and significant Russian support of North Korea's weapons programs. To put it bluntly, the North Korean leader would not travel all the way to Russia simply for a food-for-munitions deal. The visit to the space station, Russian Pacific Fleet, and other military facilities all suggest that Kim is looking for Russian assistance with his nuclear weapons program, military satellite program, a nuclear-powered submarine, and his ICBM program.

Fourth, the summit will likely lead to more DPRK forced labor being sent to Russia. A recent report (*https://www.bushcenter.org/publications/how-china-and-russia-facilitate-north-koreas-human-rights-abuses*) by the Bush Institute details how Russia and China have been major perpetrators of North Korean human rights abuses. The remittances from these workers do not go to the families, but end up in government coffers to support the weapons programs.

There are several options for the United States in response to these developments.

- Seek coordinated responses in the form of censure and sanctions through the G7-plus and NATO + Asia-Pacific 4. It is no longer possible to seek United Nations Security Council Resolutions (UNSCRs) on North Korean misbehavior through the UN Security Council given Russian and Chinese opposition.
- Coordinate legislative actions on Russia and North Korea among like-minded partners like the United States, Japan, Korea, and Australia. This becomes even more important because the groupings above do not have any enforcement authority like the UN. Therefore, providing each ally with enforcement tools based on new directives is key.
- Accelerate and enhance trilateral military cooperation among the United States, Japan, and Korea. This would include all of the new initiatives enumerated in the Camp David summit.
- Consider a new declaratory policy to neutralize future DPRK ICBM launches, including pre-emptive action. This is a risky policy, but it would be aimed at deterring further testing by DPRK.
- Consider South Korean lethal assistance to Ukraine. South Korean President Yoon has stated that North Korea's provision of lethal assistance to Russia would constitute a direct threat to South Korea's national security. Seoul has thus far provided only humanitarian assistance directly to Ukraine but has provided indirect lethal support through third parties like the United States and Poland.
- Consider enhanced South Korean cooperation with AUKUS. Should Russia provide nuclear submarine technology to North Korea, this might be considered as a response. South Korea has world-class port facilities that could be nuclear certified.
- Frame choices for China. Beijing remains ambivalent about this new cooperation between Pyongyang and Moscow and has maintained an arms-length distance from military support of Russia's unjust war in Ukraine. The Chinese foreign ministry thus far has refused to comment on DPRK-Russia relations, but foreign minister Wang Yi met Sergei Lavrov in mid-September for 4 days of consultations. The United States should look for opportunities to widen the divide between Xi and these other protagonists, and should make clear to China that it cannot use North Korea as a vehicle for indirectly supporting Russia's war.

There are some who argue that this new development in DPRK-Russia cooperation is a response to the Camp David summit. I do not believe this to be the case. Russia's need for ammunition alone would have made this cooperation inevitable regardless of U.S.-Japan-Korea trilateral cooperation. While it is true that this concat-

enation of developments in the region is precipitating an arms race in Asia, this is not at the initiative of the United States or its allies. China's massive nuclear build-up, North Korea's drive to become a nuclear weapons state the size of France, and most of all, Russia's war in Europe have fundamentally changed the security environment in the region and on the Korean peninsula in ways that have compelled countries who support the peaceful status quo to respond.

Senator VAN HOLLEN. Thank you, Dr. Cha.

Mr. Snyder.

STATEMENT OF SCOTT SNYDER, SENIOR FELLOW FOR KOREA STUDIES, COUNCIL ON FOREIGN RELATIONS, WASHINGTON, DC

Mr. SNYDER. Thank you, Mr. Chairman, for the privilege of participating in this hearing on security on the Peninsula and for spotlighting the impact of a new era of major power rivalry on the Peninsula and Indo-Pacific security situation.

Thank you also for your strong voice of support for the U.S.-South Korea alliance reflected in your opening comments, which is our most valuable instrument for responding to international security challenges not only on the Peninsula, but increasingly globally.

The U.S.-South Korea alliance has become even more important in the context of a possible contagion of revisionist actions modeled on Russia's invasion of Ukraine that China and North Korea as challengers to internationally accepted borderlines might be tempted to repeat in Asia.

Bipartisan congressional support for the alliance is also important against the backdrop of domestic political polarization and emerging forms of narrow nationalism in the U.S. and South Korea that could hamper alliance cooperation that has served us so well for 70 years.

I see three main impacts of the evolving global security situation on the Korean Peninsula. The first one you touched on in your opening statement and that is the paralysis of the U.N. Security Council as a result of major power rivalry as the main instrument by which we impose penalties on North Korea for its illegal ballistic missile launches and nuclear tests.

China and Russia have opened a back door of supply to North Korea despite UNSC resolutions intended to keep the front door closed, and they are protecting North Korea from punishment from further UNSC violations.

Given the paralysis at the U.N., the United States has no choice but to build a coalition of the willing among like-minded countries in similar fashion to the development of the Proliferation Security Initiative in the mid 2000s, which supported efforts to discourage North Korean illicit maritime transfers.

U.N. paralysis requires a revamp of the array of sanctions designed to deny North Korea's supply of technologies that have military uses. This effort should bypass Chinese and Russian non-cooperation through the pursuit of secondary sanctions as a means by which to hold banking entities accountable.

The *Otto Warmbier BRINK Act* that you sponsored is a step in the right direction toward addressing these issues, and the U.S. and South Korea and Japan need to grapple more actively with North Korea's exploitation of cyber theft as an instrument for cir-

cumventing legal restraints and its ability to conduct international transactions.

There is also a need to supplement the public reporting on North Korean illicit transfers that had been supplied by the U.N. panel of experts as a means by which to hold North Korea's actions in the light.

Second, evolving byproducts of U.S.-China rivalry include an expanded focus on competition with China and the strengthening of like-minded cooperation among the United States, Japan, and South Korea.

The deepening institutionalization of U.S.-Japan-South Korea coordination as a result of the Camp David summit has enhanced the effectiveness of that coalition to deal with the danger of Chinese coercive behavior.

There is also the development of a tit-for-tat dynamic between the U.S., Japan, and South Korea on the one hand and Russia, China, and North Korea on the other.

While strengthening our own coalition, the United States and South Korea, in my view, should resist the urge to allow policy toward North Korea to be subordinated to the U.S.-China rivalry, which may serve to push China, North Korea, and Russia closer toward each other.

Rather, the United States and South Korea should pursue efforts to compartmentalize North Korea as an area where China maintains a limited shared interest in denuclearization despite U.S.-China strategic competition.

Third, North Korea's continued missile testing and the adjustment of its nuclear doctrine will continue to place pressure on the United States and South Korea to reconcile the gap between the global view of extended deterrence through which the United States pledges to uphold global nonproliferation norms while responding to North Korean nuclear threats and the peninsular view, which focuses on the imbalance between a North Korea that has nuclear weapons and a South Korea that does not, as Senator Romney referenced.

In addition to enhancing the U.S.-South Korean nuclear planning consultations through the Nuclear Consultative Group announced last April, the United States should also provide training to dedicated South Korean units in nuclear weapons response and containment in the event of nuclear use on the Peninsula.

This would equip South Korean personnel to respond in real time to nuclear use scenarios rather than having to wait on U.S. specialized units from off the Peninsula in the event of use.

Thank you again for the opportunity to join you today and I look forward to the discussion.

[The prepared statement of Mr. Snyder follows:]

Prepared Statement of Mr. Scott Snyder

Mr. Chairman, I am pleased to have the opportunity to testify before this committee on the security situation on the Korean Peninsula. We have just passed the 70th anniversary of the signing of the U.S.-Republic of Korea (ROK) Mutual Defense Treaty, which marked the beginning of a security alliance "forged in blood" during the Korean War. Throughout the past 70 years, the alliance has evolved to encompass economic cooperation powered by chips, electric batteries, and clean technology, as the threat perceptions of our two countries have expanded in the face of common threats not only on the peninsula, but also regionally and globally.

As like-minded democracies, the scope of common values, interests, and actions that initially bounded the United States and South Korea together to address the North Korean threat now extends to potential revisionist security threats across the Taiwan Strait, in the South China Sea, and from Russia's invasion of Ukraine. Likewise, the scope of U.S.-South Korea alliance cooperation extends both to non-traditional security as we cooperate to combat threats against public health, energy security, and climate change and to the growing integration of our economies to ensure supply chain resiliency and maintain leadership in technological innovation and development.

I emphasize the U.S.-South Korea alliance because it is the most promising instrument through which the United States maintains its interest and stake in promoting stability on the Korean Peninsula while also The Council on Foreign Relations takes no institutional positions on policy issues and has no affiliation with the U.S. Government. All statements of fact and addressing major threats to security in the Indo-Pacific region. Because the viability of the alliance provides the foundation for U.S. strategy and policy toward security on the peninsula and in the region, please allow me to make a brief comment on the importance of defending the alliance from the emerging internal threat posed by domestic political polarization in our two countries.

My forthcoming book, *The U.S.-South Korea Alliance: Why It Might Fail and Why It Must Not*, argues that the risks of a "go it alone" approach to Indo-Pacific security represented by "America First" or "Korea first" policies threaten the longstanding bipartisan consensus and strong public support that the alliance enjoys. There remains a risk that narrow partisan arguments that denigrate or demean our allies and partners might undermine this support. In the United States, arguments against the alliance might revolve around whether allies are paying enough to justify our commitment to defend against a threat "over there."

In South Korea, there could be arguments that cooperation with North Korea is more important than the alliance with the United States on the one hand or that South Korea cannot rely on the credibility of U.S. defense pledges against North Korea's nuclear weapons on the other. *In this regard, the determination of Congress to preserve the bipartisan consensus supporting the U.S.-South Korea security alliance is a bulwark against any possible degradation of the effectiveness of the alliance in preserving our mutual security and prosperity.*

The primary security developments facing the United States on the Korean Peninsula today revolve around the implications of the changing geopolitical context on North Korea's foreign policy and strategic aims, the impact of South Korea's closer alignment with the United States on the relative priority of North Korea in the context of broader Indo-Pacific issues, and the implications of North Korea's nuclear declarations for the future of the regime.

THE ERA OF MAJOR POWER RIVALRY AND ITS IMPACT ON NORTH KOREA'S FOREIGN POLICY

North Korea under Kim Jong Un has consistently pursued its objective of attaining domestic prestige and international legitimacy as a nuclear weapon state. Upon becoming leader, one of Kim's first acts in 2012 was to enshrine the nuclear legacy of his forefathers into the preamble of the North Korean constitution. Kim dangled the prospect of "complete denuclearization" to win a series of summits with China, South Korea, and the United States under President Donald Trump. But the regime's internal statements and actions underscore Kim's quest to illegally gain international recognition as a "responsible nuclear state," but outside the Nuclear Nonproliferation Treaty.

The failure of Kim's 2019 Hanoi summit with President Trump meant Kim returned home empty-handed. As a result, Kim redirected his diplomatic focus away from the United States, redoubled his missile and nuclear development in response to a hostile external environment, and recentralized his domestic economy. An extended self-quarantine during the COVID–19 pandemic weakened North Korea economically, but Kim used the pandemic to demonize foreign influences in the country and reassert political loyalty to himself as the primary condition for survival in an isolated North Korea. The intensification of major power rivalry between the United States and China and the Russian invasion of Ukraine further catalyzed North Korea's inward focus, created space for Kim's diplomatic maneuvers, and undermined the effectiveness of UN sanctions.

Kim Jong Un's recent summit with Russian President Vladimir Putin reflects North Korea's geopolitical realities and marks the emergence of Kim's post-COVID foreign policy 2.0. No longer pursuing a sanctions-relieving deal with the United States in exchange for partial denuclearization, Kim's foreign policy 2.0 is marked

by a sanctions-defying arms deal with Putin in exchange for tangible Russian military and economic rewards. Kim now faces a more favorable geopolitical environment for growing his nuclear arsenal and burnishing his legitimacy without facing the risks or demands that would come from the United States. And Kim may still hold out hope that his meeting with Putin is only a warm-up for renewed summitry with a reelected President Trump in 2025.

Additionally, paralysis at the UN Security Council resulting from geopolitical rivalry has created new opportunities for North Korea to benefit from global divisions that did not exist prior to the pandemic. Moreover, global sanctions applied to Russia following its invasion of Ukraine expanded the domain of sanctioned countries to include both North Korea and Russia, with the perverse impact of partially relieving North Korea's isolation and expanding Kim's freedom of action.

The main implication of stalemale at the UN Security Council for U.S. policy toward North Korea is the evisceration of an effective UN-centered international sanctions regime, enabling North Korea to engage in nuclear and missile tests with virtual impunity from political censure and with assurance that the country will face no further tangible costs for its actions. The nine major UN Security Council resolutions punishing North Korea for missile tests since 2006 have been undermined. China and Russia brazenly supply North Korea through the back door of bilateral transfers while the UN front door remains firmly shut. Moreover, North Korea has adapted its myriad sanctions evasion practices since the high point of UN sanctions pressure in 2017 to render the sanctions ineffective.

Thus, the sanctions regime against North Korea is in desperate need of a revamp, even if such a regime will not stand on the foundation of UN Security Council resolutions. *Instead, the United States should pursue the establishment of a broad multilateral sanctions regime among like-minded actors in a fashion similar to that of the Proliferation Security Initiative (PSI)*, a multilateral effort established in 2006 to interdict illicit North Korean commercial transfers. By building a coalition of the willing, the United States can sustain some pressure on North Korea while attempting to bypass Chinese and Russian non-cooperation through the pursuit of secondary sanctions that hold entities with exposure to the U.S. banking system accountable for their assistance to North Korea.

The reestablishment or revitalization of a multilateral sanctions regime targeting North Korea is necessary but will not be sufficient unless it is accompanied by an updated analysis of North Korea's pattern of external resource procurements and the ability to hold accountable entities physically located in states not participating in the multilateral regime. For instance, the United States, Japan, and South Korea have already announced cooperative measures to monitor and interdict North Korean earnings from cybertheft operations undertaken by the North Korean Government. Such efforts need to be pursued with both greater urgency and expanded scope.

Meanwhile, the Biden administration should be ready to engage in diplomacy with North Korea where possible. The securing of the release of Private Travis King underscores the necessity and value of maintaining diplomatic channels and openness to dialogue, even while prospects for denuclearization negotiations remain low. Prospects for broader diplomacy will remain poor until the North sends a clear signal indicating its willingness to talk.

U.S.-SOUTH KOREAN ALIGNMENT ON INDO-PACIFIC STRATEGY AND ITS IMPACT ON POLICY TOWARD NORTH KOREA

The second geostrategic development with implications for policy toward North Korea is the decision by South Korean President Yoon Suk Yeol to align South Korea's policies toward China more closely with the United States. President Yoon's closer alignment with the United States is reflected in his government's decision to adopt the U.S. strategic framework for the region by issuing South Korea's first Indo-Pacific strategy. The adoption of an Indo-Pacific strategy reflects the broadening of the scope of U.S.-South Korean strategic coordination beyond a sole focus on North Korea to include more active coordination on China. Effective policy coordination toward China will require a significant investment of time, effort, and resources by both governments. But in the course of expanding the scope of coordination to include China policy, the importance of effectively addressing North Korea's nuclear development must not be lost in the shuffle.

In addition, the Yoon administration's courageous effort to stabilize relations with Japan and the deepening of trilateral cooperation between the United States, Japan, and South Korea have implications for policy toward North Korea. The institutionalization of trilateral coordination among the United States, Japan, and South Korea will strengthen the credibility of U.S. extended deterrence, enhance real-time moni-

toring and responses to North Korean missile launches, and align trilateral public diplomacy toward North Korea on issues such as human rights and its destabilizing military development, all while enabling the expansion of a values-based investment, development, and deterrence strategy against Chinese aggression across the Indo-Pacific region.

Alongside the deepening of trilateral cooperation, there is also the development of a tit-for-tat dynamic between rival coalitions among the United States, Japan, and South Korea on the one hand and China, North Korea, and Russia on the other hand. The development of such a dynamic makes it more likely that North Korea will receive a measure of protection and support from China and Russia while diminishing the likelihood of positive interactions between North Korea and the United States, Japan, or South Korea. One ironic impact is that the development of rival coalitions eases North Korea's isolation and deepens its dependency on China and Russia in return for greater protection from UN sanctions.

Deepening U.S.-China geostrategic differences will continue to offer Kim Jong Un solace rather than restraint despite the limited shared interest that the United States and China have in North Korea's denuclearization. *The United States and South Korea should resist the urge to subordinate North Korea as an issue on the U.S.-South Korea policy agenda with China or to think about North Korea simply as a subcomponent of the China challenge. Instead, the United States and South Korea should pursue an approach to China built on a U.S.-South Korea alignment borne of common values but that attempts to compartmentalize North Korea as an area where both sides hold shared interests despite U.S.-China strategic competition.* Such an approach should exploit differences within the emerging China-North Korea-Russia coalition and encourage Chinese efforts to maintain restraint on the worst of North Korea's destabilizing behavior.

For instance, China may be dissatisfied with Kim's warming relations with Putin, but Chinese leader Xi Jinping has both a close relationship with Putin and sufficient leverage over North Korea that he is unlikely to be drawn into a fruitless competition for influence over Kim. The biggest risk inherent in the warming of relations between Kim and Putin is the possibility that Kim might misread warming relations as a justification for ignoring perceived Chinese restraints on North Korea's ability and willingness to pursue a seventh nuclear test. The United States and South Korea should make efforts to separate China from North Korea and Russia rather than allowing rising U.S.-China competition to force Xi into closer alignment with Kim and Putin.

U.S.-SOUTH KOREAN ALLIANCE COORDINATION AND NORTH KOREA'S NUCLEAR WEAPONS DEVELOPMENT

A third dimension of the international security challenge posed by North Korea's enshrinement of its nuclear status in the regime's constitution is that it further deepens the intractability of the North Korean nuclear issue and makes it possible for the North to use its nuclear program as a poison pill meant to guarantee Kim's primary objective of regime survival. Rather than enhancing the regime's legitimacy and survivability, however, it highlights the dangers to global security of Kim Jong Un's "I survive or we all die" quest for absolute security.

North Korea's threats to preemptively use tactical nuclear weapons against South Korea have generated debates within South Korea over its own acquisition of nuclear weapons independent of the United States, giving hope to North Korea that its nuclear threats might generate unprecedented tensions in the U.S.-South Korea alliance. At the April 2023 summit between Presidents Biden and Yoon, the United States and South Korea responded to South Korean public support for an autonomous nuclear capability with the Washington Declaration, which pledged closer nuclear planning and coordination through the newly established U.S.-South Korea Nuclear Consultative Group. At that time, President Biden personally underscored U.S. policy that North Korea's use of nuclear weapons would result in the end of their regime and committed to closely consult with the South Korean President on such matters. The United States has increased the rotation of U.S. nuclear-capable strategic assets to South Korea, which included the first visit of a U.S. nuclear submarine to a South Korean port in over four decades.

The promulgation of the Washington Declaration and subsequent measures have been moderately successful in assuaging South Korean concerns about the credibility of the U.S. pledge to defend South Korea from North Korea's nuclear threats. *Through ongoing nuclear planning consultations at various levels, the United States and South Korea must continue to bridge the gap between the global view of extended deterrence through which the United States pledges to uphold global nonproliferation norms while responding to North Korean nuclear threats and the peninsular view*

which focuses on the imbalance between a North Korea that has nuclear weapons and South Korea that does not. Another step that the United States should take as part of this process involves the training of South Korean military units on how to implement effective responses in the event of the detonation of a North Korean nuclear device on South Korean soil. Such training would provide South Korea with its own dedicated nuclear response capability and would save the precious hours it might take for U.S. units to arrive in South Korea to carry out a response to a nuclear disaster.

CONCLUSION

North Korea's decades-long pursuit of nuclear weapons has gradually turned the regime from a peninsular to global security threat. The rise of major power rivalry has complicated the already slim prospects for resolving the threat and has provided additional protection for North Korea, which is the source of the threat. Kim Jong Un's quest for regime survival and legitimacy has exacerbated an intractable and potentially catastrophic situation that has both peninsular and global implications. The international community must seek levers that catalyze the pace of change inside North Korea and take measures to limit the truly daunting consequences that may come if Kim Jong Un indeed takes steps to export his own insecurity to the rest of the world.

Senator VAN HOLLEN. Thank you, Mr. Snyder.

Ms. Town.

STATEMENT OF JENNY TOWN, SENIOR FELLOW, DIRECTOR OF 38 NORTH PROGRAM, STIMSON CENTER, WASHINGTON, DC

Ms. TOWN. Thank you, Mr. Chairman, and Ranking Member Romney and distinguished members of the subcommittee.

It is really a deep honor to be here today and to be able to appear before you and I am truly grateful for both the committee's interest in this issue, but also this incredible opportunity to be part of this discussion with Dr. Cha and Mr. Snyder.

The recent summit between Putin and Kim in what seems to be a new level of military cooperation forming between the two comes as no surprise. Deepening alignment between China, Russia, and North Korea has been taking form for the past few years and especially between Russia and North Korea since Russia's invasion of Ukraine.

However, since the failure to reach an agreement in 2019 to keep U.S.-North Korea rapprochement alive we have essentially been sidelined by Pyongyang.

Overtures have been made to the North Koreans to try and revive those negotiations and essentially repeat the conversations of the past despite, as we have all talked about, the drastic shifts in the geopolitical situation that work in North Korea's favor now.

Certainly, that has not worked and instead North Korea has spent the last few years even while in pandemic isolation building up its WMD programs in ways that challenge U.S. and allied forces and are on trend with the arms race in the region.

We are now watching this move into a new phase and Pyongyang is cultivating actual security partners as well, and Russia seems more than willing given its precarious situation. To what extent is still unclear, but it seems enough to have Kim excited.

The question this raises is how do we get back in the game? This is, obviously, a challenge we have not figured out and one that we are seeing the consequences of play out in real time.

While the U.S. has focused heavily on strengthening our alliances with South Korea and Japan to great success, as many have

mentioned, and bolstering our extended deterrence arrangements, these efforts are still just one piece of the security puzzle.

They are not going to reduce tensions or mitigate the threat environment on their own and, in fact, they often strengthen the North's conviction that its choices are just.

North Korea as the smaller country meets power with power to prove that it will not be intimidated, and the U.S. and South Korea are also good at meeting power with power. For every negative action North Korea takes, we are ready to increase pressure and demonstrate how much overmatch of capabilities we have, remind them that we could annihilate them if they cross the line.

However, as the bigger country and the stronger forces in this equation, we really should assess when we use these kinds of responses to be more strategic and to avoid the kind of escalation spiral we are caught in today.

At the same time, what we are not good at is matching good will for good will. The trust deficit between our countries means that we assume North Korea's negative choices to have the most sinister intent and we tend to believe that about their positive actions as well.

This also has been an obstacle to diplomacy in the past. There have been times when North Korea wanted to negotiate, was willing to take or took unilateral actions to create windows of opportunity, but our own skepticism and reluctance to reciprocate led to missed opportunities.

In fact, we are actually posed with one of those moments today. The release of Travis King was the best possible outcome for all parties involved, and acknowledging that and finding a way to reciprocate that good will could potentially help create some small diplomatic opening.

In my submitted remarks, I have listed a few recommendations for how to think about rebuilding diplomacy with North Korea and I will highlight just two here.

The first is we need a full-time envoy. North Korea's impact on regional and global security dynamics is serious and consequential and needs to be treated as such.

Despite what else is happening around the world, we should upgrade the Special Representative position back to a full-time position to strategize, to coordinate interagency efforts, and to be proactive and persistent in trying to reestablish channels of communication with the North Koreans.

Second, we need to recognize that North Korea's loyalties and alignments are not forever, and even the competition of influence between Russia and China shows that Pyongyang cares most about the results.

Finding ways to instill some confidence that resuming talks with the United States on a range of issues, not just nuclear, comes with some easy wins while we work towards more difficult outcomes may help lower the perception of political or even personal risk for our North Korean counterparts and may eventually be compelling.

Certainly, there are no magic answers here that are going to guarantee success and changing course is undoubtedly going to come with criticism, but waiting for North Korea to come around as the security situation on the Korean Peninsula becomes more

dangerous does not serve the collective interests of the U.S. or our allies.

Thank you, Mr. Chairman.

[The prepared statement of Ms. Town follows:]

Prepared Statement of Ms. Jenny Town

Subcommittee Chairman Van Hollen, Ranking Member Romney and distinguished members of the Subcommittee, it is a distinct honor to be able to testify this afternoon, about the growing challenges to security on the Korean Peninsula.

The recent summit between Russian President Vladimir Putin and North Korean leader Kim Jong Un at the Vostochny Cosmodrome, was a stark reminder of how the geopolitical trends in the region are shifting as well as the cost of passive diplomacy toward North Korea.

This was by no means a surprising development; signaling between Russia and North Korea has been deepening for some time now, especially since Russia's invasion of Ukraine. Kim is one of the few leaders who has consistently and openly supported Putin's war, pledging both political and tactical support—a commitment that came at little cost to North Korea, but was sure to be rewarded.

On the heels of the trilateral summit between the United States, South Korea and Japan at Camp David, Moscow's willingness to host Kim at the space launch facility and openly engage North Korea on rocket and satellite technologies, fighter jets and other military technologies, appears to signal more than just a potential arms deal in the works to help prolong Russia's warfighting ability in Ukraine. These developments suggest a sense of reciprocal high level political signaling, but that Putin sees a role for North Korea in Russia's larger "war against the West"—a proposition that could help North Korea accelerate its WMD development.

That said, the way Russia-North Korea relations have evolved in recent years illustrates the importance of finding ways to rebuild diplomacy with North Korea. While Pyongyang is not sending signals it is open to diplomacy with the United States, especially on nuclear issues, waiting for it to do so would be a serious mistake.

A LOOK BACK: MISSED OPPORTUNITIES

The Hanoi Summit in 2019 was a major window of opportunity for U.S.–DPRK relations, one that is unlikely to be replicated in the foreseeable future. Not only was Kim Jong Un still willing to negotiate about the DPRK's nuclear weapons program, but there was high level political will in South Korea and the United States to try to facilitate that process in mutually beneficial ways. China and Russia were also supportive of these diplomatic efforts, although carving out their own interests along the way.

An agreement at that time, even if not ideal, would have created a starting point for cultivating cooperation, building trust and providing a basis for testing each party's resolve: what were the various parties willing to do to reap the benefits of better relations? How far were they willing to go? From enhanced regional security and stability to economic development and integration, to confidence and security building measures that could pave the way for more substantive progress on denuclearization or even arms control talks on the Korean Peninsula, the possibilities at the time under that particular cast of leaders, seemed promising.

While cautious optimism was warranted, there were signs that Kim Jong Un saw a real opportunity to explore cooperation. To create a political environment conducive to and build momentum for diplomacy, Kim took a number of positive unilateral steps ahead of the first U.S.–DPRK summit in Singapore, including a self-declared moratorium on nuclear and long-range missile testing, the return of U.S. detainees, partial demolition of the country's nuclear test site, and partial dismantlement of the country's main rocket launch pad, the latter of which closed loopholes in disputes between rocket launches and missile launches that had derailed agreements in the past. Domestic measures were also taken, including the elimination of anti-U.S. propaganda as well as a buildup of domestic expectations that a diplomatic breakthrough was on the horizon that would bring about greater economic development. Even after Singapore, North Korea was quick to act on the return of U.S. POW/MIA remains as the one concrete action item stipulated in the Singapore Joint Statement.

While U.S.–DPRK relations were in good standing, inter-Korean relations also evolved quickly. For instance, with one inter-Korean summit already under his belt, Kim hosted South Korean President Moon in Pyongyang in September 2018, allowing him to speak to a live North Korean audience, hosting K-pop exhibitions in

Pyongyang (cultural exposure that had historically been banned), and even standing on the top of Mt. Paektu, hands raised to show that the two Koreas were moving forward together. North Korea's willingness to both negotiate and start to implement the inter-Korean Comprehensive Military Agreement also showed a level of good will, cooperativeness, and eagerness to move forward that hadn't existed in decades.

These measures all came with hefty political risk, especially for Kim. Not only was it his diplomatic debut, but the live domestic coverage of the summits and the raising of domestic expectations was a big gamble—one that eventually, did not pan out. The inability to come to agreement in Hanoi was consequential and meant the collapse of inter-Korean talks as well, as Seoul was unable to move forward with an ambitious cooperation agenda. Not only was there a price to pay by both those advising and negotiating on the North Korean side, but efforts were needed to spin the diplomatic efforts as a success while tamping expectations back down about the country's future. By the end of the year, when no further progress was made on defining an acceptable first step agreement, Kim's disillusionment with negotiating with the United States was palpable and rhetoric started to shift toward a "new way," one that set forth a plan to make the economy more resilient to a persistent sanctions regime and that appeared to focus diplomatic energy on more like-minded states, where the potential benefits of cooperation were lower but easier to attain.

IMPLICATIONS FOR RESUMING NUCLEAR NEGOTIATIONS

The prospects of recreating the conditions that lead to the summitry of 2018–2019 are extremely low for the near-term.

North Korea's View of Nuclear Weapons

The biggest obstacle to resuming negotiations about denuclearization of the Korean Peninsula is that Pyongyang's attitudes toward its nuclear weapons program have fundamentally changed. Alongside the announcement of its new "Law on DPRK's Policy on Nuclear Forces" in September 2022,[1] wherein North Korea described itself as a responsible nuclear state and outlined conditions under which it would consider nuclear use, North Korean rhetoric about its nuclear weapons program also shifted. While past descriptions of the country's nuclear weapons were posed as contingent on the United States maintaining its hostile policy against the DPRK, leaving the door open to negotiations, Kim Jong Un's speech to the Supreme National Assembly denounced future negotiations to this end, adding "We have drawn the line of no retreat regarding our nuclear weapons so that there will be no longer any bargaining over them."[2]

Just last week, Kim announced that a constitutional amendment had been passed that "ensures the country's right to existence and development, deter war and protect regional and global peace by rapidly developing nuclear weapons to a higher level." He explained (*http://www.rodong.rep.kp/en/index.php?MTVAMjAyMy0wOS0yOC1IMDA1QA==*) how the country's nuclear weapons were for self-defense against a "protracted confrontation with the U.S. . . . and its vassal forces" and stressed the need for "exponentially boosting the production of nuclear weapons and diversifying the nuclear strike means and deploying them."

Alignment with China and Russia and Embracing a "New Cold War"

From about 2021 on, North Korea has embraced the suggestion of a "new Cold War" and its alignment within it, deepening its ties to China and Russia. This, as some scholars have noted (*https://www.38north.org/2022/11/the-real-significance-of-north-koreas-recent-military-activities/*), marks a "fundamental shift away from the North's 30+ year policy of nonalignment with China or Russia and efforts to normalize relations with the United States."

Moves were swift to strengthen relations with China and Russia, with the North Korean defense minister pledging in 2022, "strategic and tactic[al] coordinated operations with the Chinese army, and Kim Jong Un touting a new level of "strategic and tactical cooperation" with Russia. The inclusion of tactical cooperation was new in both instances.

North Korea has certainly benefited from these alignments, especially as the United States strengthens both bilateral and trilateral security cooperation with South Korea and Japan. China and Russia, embroiled in competition with what they perceive as a U.S.-led or West-led security bloc in the region, have viewed North Korea as an important security partner. They have provided political cover for

[1] "DPRK's Law on Policy of Nuclear Forces Promulgated," Naenara, September 9, 2022.

[2] "Respected Comrade Kim Jong Un Makes Policy Speech at Seventh Session of the 14th SPA of DPRK," Rodong Sinmun, September 9, 2022.

North Korea at the UN Security Council, blocking any attempts at imposing new sanctions for Pyongyang's continued WMD testing, and have resumed exports and aid to North Korea, with little clarity on what Pyongyang provides in return. In Russia's case, there have been multiple U.S. intelligence leaks (*https://www.washingtonpost.com/national-security/2022/11/02/north-korea-russia-weapons-ukraine/*) of transfers of arms and munitions from North Korea. While China is a major partner to North Korea these days, especially economically, North Korea has made clear that Russia is currently its primary focus. The differentiating factor here appears to be who can provide Pyongyang the greatest benefit in the short-term. China is still conscious of its international reputation, which constrains the type and depth of cooperation it is willing to openly engage in with North Korea. Russia, on the other hand is less sensitive to international pressure and condemnation due to the country's growing pariah status and has proven willing to openly cooperate in both economic and military terms.

North Korea is the only United Nations member that recognizes Crimea, Donestsk, Lugansk, Zaporizhzhia and Kherson as Russian territories, and its willingness to provide tactical support for war efforts speaks volumes. Moreover, some scholars suggest (*https://www.38north.org/2023/09/does-kims-visit-to-russia-signal-an-end-to-north-koreas-strategic-solitude/*) that South Korea's efforts to support Ukraine, even if indirectly, and arms provisions to Poland, likely play some role in Moscow's calculus as well.

The potential benefits (*https://foreignpolicy.com/2023/09/15/russia-north-korea-putin-kim-summit-diplomacy-weapons-missiles-space-cooperation-sanctions/*) of cooperation with Russia to North Korea are more obvious spanning from food and oil imports in exchange for services such as skilled labor (construction workers), to a range of conventional and/or strategic technologies, parts or components, raw and composite materials for its missile programs or even military industry, and more. Moreover, given Pyongyang's call for exponential expansion of its nuclear arsenals and its limited capacity to produce plutonium in particular, given its one 5 Megawatt plutonium production reactor, Russian technical assistance (*https://www.38north.org/2023/09/siegfried-hecker-on-the-new-russia-dprk-relationship-and-nuclear-cooperation/*) in getting the long-stalled Experimental Light Water Reactor (under construction since 2011) running and weaponized, or even direct, clandestine supply of plutonium cannot be ruled out.

Whether Russia is truly willing to go that far to help North Korea ramp up its WMD capabilities is yet to be seen. At the same time, the possibility that it could demonstrates an urgency for Washington to find new ways to engage North Korea.

REBUILDING DIPLOMACY WITH NORTH KOREA

Rebuilding diplomacy with North Korea has to start with the fundamental recognition that North Korea has its own national interests and will act accordingly. It is an insecure country among political, economic and military giants. While it possesses nuclear weapons, constant reminders of how the United States and its allies can bring about "the end" (*https://www.npr.org/2023/04/26/1172116000/u-s-and-south-korea-announce-moves-to-strengthen-alliance*) of either the state or the regime only fuels that insecurity and feeds North Korea's conviction in its choices.

Deterrence alone will not reduce nuclear dangers posed by North Korea, as Pyongyang responds to power with power. Relying on deterrence messaging, using overly aggressive or increasingly muscular language, emphasizing pressure on the North, or pursuing any concession that is achieved through what Yun and Aum describe (*https://thebulletin.org/2020/10/a-practical-approach-to-north-korea-for-the-next-us-president/*) as "reluctant submission rather than its motivated self-interest," will not be meaningful or sustainable. They note, the biggest flaw in U.S. policy "is the belief that the United States can somehow bully North Korea into giving up its nuclear weapons."

This notion that we can force North Korea to a point where they must choose between denuclearization and survival belies the extent to which North Korea has been able to adapt to the various restrictions imposed upon it, find partners willing to violate or ignore unilateral and/or international sanctions, and endure suffering along the way for what it perceives as a just cause.

Furthermore, continuing to pursue a denuclearization-centered approach means Washington will be left standing by the wayside for some time, passively watching North Korea's continued development of its nuclear and ballistic missile capabilities and, especially now, deepened security partnerships along perceived Cold War alignments—all developments that increase uncertainty and instability in the region and pose further challenges to U.S. and allied relations.

This is especially true as an arms race is accelerating in Northeast Asia. Expecting North Korea to see denuclearization as a pathway to either greater prosperity or increased security while the rest of the region arms up is setting ourselves up for failure, especially when there is such a trust deficit between our countries.

The United States has clearly given thought and attention to U.S. and allied defenses and cooperation and has demonstrated great resolve and commitment to our mutual defense and extended deterrence commitments. However, that is only one part of the equation and in the absence of diplomacy, risks exacerbating competition and adversarial relations in the region.

Equally important, however, is the need to rebuild diplomacy with North Korea. As a former witness testified previously, previous failures should not preclude additional diplomatic attempts to reduce the North Korean nuclear threat.[3] At the same time, new approaches need to better reflect the realities of where our relations are today and the broader geopolitical context in which it takes place. This will require a reframing of our goals and some truly creative thinking about a strategy to achieve them. Some principles to consider include:

- Recognize acts of goodwill and reciprocate: Reciprocating North Korean acts of goodwill can potentially create small windows of opportunity to reopen channels of communication and help identify ways to deescalate tensions. For example, North Korea's return of Travis King took diplomatic coordination across multiple stakeholders, but the result was the best possible outcome for all those involved. While there is nothing formally expected in return for King's release, some small reciprocal gesture could help reinforce this positive development.
- Gear up for diplomacy: North Korea may be small and poor, but its weapons development impacts the regional and global security environment in disproportionate ways. While the U.S. is focused on bolstering extended deterrence to assure our allies in the region against growing North Korean WMD capabilities, that assurance will always be a bottomless pit until the threat has abated. For such a challenge, the Biden administration needs more than just a part-time special representative to spearhead efforts. This posting has been, and should be, reconstituted as a full-time position, working to create new opportunities to reengage Pyongyang and coordinate interagency efforts. This is especially important now as a new Special Envoy for North Korean Human Rights begins her tenure.
- Determine short-term goals beyond denuclearization: While the Biden administration has conveyed several invitations to the North Koreans for unconditional talks, the perception is that the subject of talks—either explicit or implicit—is denuclearization. While denuclearization of the Korean Peninsula should remain a long-term goal, including the prevention of South Korea from pursuing nuclear weapons, there is greater urgency at the moment to reduce tensions and avoid endless arms racing and nuclear war. While it is unclear what topics Pyongyang might respond to, probing interest across a range of issues in either bilateral or multilateral formats could prove useful, especially as U.S.-China relations begin to thaw.
- Build concrete proposals to manage expectations: It seems unlikely that Pyongyang will see the prospect of re-engaging with the United States in long, drawn out negotiations that may or may not result in an agreement as compelling. One reason it favors Russia in the current environment is that engagement poses little political risk and high reward for Kim Jong Un. Convincing Kim that there are benefits to better relations with the United States will take more explicit proposals, even in the invitation phase, to set bounded expectations of what the purpose of talks will be, what is on the table to be gained—preferably with little negotiation—and what longer-term goals this interaction could feed into. Building North Korea's confidence that reasonable results are possible within a short time frame, may lower the perceived political risk of engagement and create new opportunities.
- Clear pathways for informal engagement: As North Korea emerges from its prolonged COVID-related isolation, opportunities to engage at informal levels become possible again, such as humanitarian work and Track 2 engagement. While there is currently no guarantee when the North Koreans may be willing to resume these types of engagements, the U.S. Government could work to clear out some of the bureaucratic hurdles, such as those outlined in H.R. 1504/S. 690

[3] Prepared remarks of Bruce Klingner, "North Korea Policy One Year After Hanoi," Subcommittee on East Asia, the Pacific, and International Cybersecurity Hearing, Committee on Foreign Relations, United States Senate, February, 25, 2020, p. 19.

on *Enhancing North Korea Humanitarian Assistance Act*, involved in pursuing this work to help organizations and individuals be ready to act when the opportunity arises.

- Recalibrate the scope, scale, and frequency of Joint Military Exercises: Military readiness is important, especially when tensions are high, and managing combined forces in action is complex. That said, the strategy of back-to-back exercises for months on end, some standard and some reactive to North Korean actions, should be reassessed. At what point do actions become excessive or even counterproductive? While North Korea often objects to joint military exercises in general, recent statements have more specific complaints about the "aggressive provocation of the U.S. far beyond its constant military readiness," and drills that "continue all the year round, day after day and month after month, with the involvement of huge war hardware specially targeted on a country."[4] [5]
- Better manage messaging about extended deterrence and military exercises: Coordinating public messaging across allies is a challenging task, but one that is important to alliance management as well as messaging to adversaries. Constantly portraying drills as the "largest ever" or using terms like "annihilation drill" can be unnecessarily aggressive. Moreover, finding ways to make information (*https://www.38north.org/reports/2022/09/us-rok-strategic-dialogue-recalibrating-deterrence-against-an-evolving-dprk-nuclear-threat/*) about alliance consultation institutions and processes more transparent and accessible, such as a dedicated alliance-focused website, could help convey to the general public a sense of deep, ongoing cooperation without the confrontational messaging.

CONCLUSION

North Korea's nuclear ambitions have proven resilient to pressure and enduring, especially as the security situation in the region becomes more dangerous. Strengthening U.S. and allied defenses, and extended deterrence coordination and consultation are important to the protection of our common and collective interests. But this is just one part of the equation. Rebuilding diplomacy with North Korea is equally important to reducing the risks of nuclear conflict—whether intentional or accidental—and to curbing endless arms racing in this vital and dynamic region. For the United States, this will take creative, concerted and persistent efforts to bring about, and some early wins up front to keep our foot in the door. Failing to do so could have serious implications for security on the Korean Peninsula.

Senator VAN HOLLEN. Thank you. Thank you, Ms. Town.

Now we will begin the questioning period here, and I think all of you know well that one of the big issues we are facing right now here in the United States Senate and House is the question of maintaining our security assistance and commitment to the people of Ukraine as they continue to battle Putin's aggression.

The Senate version of the Continuing Resolution included at least a down payment on that assistance. The House version that ultimately passed did not. President Biden has committed to making sure that we meet our commitments and there is bipartisan support in the United States Senate and House to continue to provide that assistance.

As we watch what is happening across the Capitol, obviously, there are concerns that have been raised. My question to each of you, beginning with you, Dr. Cha, is as South Korea watches this week, we know that President Xi is watching closely. We know that our adversaries are watching very closely what happens in Ukraine.

Of course, so are our allies, I believe. To each of you, beginning with Dr. Cha, what would be the impact on the psychology of our security alliance between the United States and South Korea?

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[4] "Press Statement of Kim Yo Jong, Vice Department Director of C.C., WPK," *KCNA*, July 14, 2023.

[5] "U.S.-led Hostile Forces' Ceaseless War Provocations Under Fire," *KCNA*, May 19, 2023.

What would be the psychological impact in South Korea were the United States to discontinue its support to the people of Ukraine?

Dr. CHA. It is a great question. I will offer some thoughts on it.

I think—so the region, South Korea—our allies South Korea, Japan, and Australia—are watching very closely what the United States is doing in Ukraine and how we are supporting Ukraine.

If we were to discontinue funding, I think politically they could rationalize it and say, well, South Korea and Japan, we are treaty allies. Ukraine is not a treaty ally. It is not a member of NATO.

I think publicly politically they can rationalize it, but inside behind closed doors, I think they would be very concerned that an attack of this nature against a country unprovoked and then the United States does not continue its support of Ukraine would certainly have a major impact on the credibility of the U.S. commitment not just in Europe, but also in Asia.

I would say also Asian allies including allies like Australia, Japan, and South Korea have also stepped up. They want to work with the United States and help to support the United States and NATO in terms of what they are doing in Ukraine.

As you know well, the Japanese, the South Koreans have been providing a lot of assistance and the South Korean President has even hinted that he would provide more assistance, not just humanitarian, but lethal assistance.

Nevertheless, if the United States were to stop funding the defense of Ukraine, it would have a major impact on the way allies think about our credibility.

Senator VAN HOLLEN. Thank you.

Mr. Snyder.

Mr. SNYDER. I would agree, as I suggested in my opening remarks, that there is the risk of a revisionist contagion that I think our allies in Asia are focused on.

I think that is the reason why the Russian invasion of Ukraine had such a big impact on their own threat perceptions in the region and so I do think that that would be a setback.

As related to the idea of allies stepping up, I agree that the idea that most have is that they would go together with the United States. If they are asked to fill a gap, I think in particular in the context of South Korea there are a couple of obstacles.

One is domestic resistance. The more important one is that with the Putin-Kim summit Russia has established a kind of mutual deterrence dynamic with South Korea as related to the possibility of lethal assistance to Ukraine, and that is essentially the threat that if South Korea provides lethal assistance to Ukraine, then Russia would up its assistance to North Korea, and vice versa.

There is also a mutual deterrence dynamic with regard to the question of how much Russia does with North Korea as related to how South Korea would respond in terms of providing greater assistance to Ukraine.

Senator VAN HOLLEN. Thank you.

Ms. Town.

Ms. TOWN. I tend to agree with my colleagues in terms of that this is very much seen as we are going together, that this is an allied response. I think there would be a certain sense of betrayal if there was—if the U.S. did stop with assisting Ukraine.

I think there is a lot of South Koreans, especially the South Korean public, who does see a lot of themselves in the Ukraine example, of a country that has been attacked.

At the same time, I think there is the same kind of debate inside South Korea as there is here in the United States where there is, certainly, also another faction of the public who does not see any affinity towards Ukraine and does not see it as their business either, especially when there are domestic issues that plague the administration.

The U.S. leadership on Ukraine is such—is especially important when we are talking about allied relations and I do think it would cause our allies to also start to pull back and start to rethink their choices.

Senator VAN HOLLEN. Thank you.

Senator Romney.

Senator ROMNEY. Professor Cha, I wanted to begin this by asking you to elaborate on one of your recommendations and I did not quite understand. I think it was number two, which was preemptive action with regards to a missile launch. What did you mean by that? Perhaps give me some logic or some pros and cons.

Dr. CHA. Sure. One of the problems we have, Senator, is since last year, North Korea has done over a hundred ballistic missile tests. We have never seen anything like this before.

All of us have been studying this issue for decades and we have never seen that level—that tempo of activity before. Those tests are for demonstration purposes, but they are also for advancing their capabilities—you need to test to know whether it works—and we really do not have a good way of deterring those tests.

When we are negotiating with them, I think as Jenny would agree, they do not test as much, but they are not interested in talking right now.

At the same time, the three allies have gotten much more integrated in terms of missile defense tracking, real-time early warning—these sorts of things—and my point is that given that this is a moving target and it is getting worse and worse, what else can we do to try to deter them from testing.

One of the ideas there, and it is a risky one, is declaratory policy to say that we reserve the right to actually take down a missile if it is headed over Japan or if it is headed towards Hawaii or the West Coast of the United States and that could be a mid-course intercept or it could be on the launch pad.

Now, they are firing now mobile missiles so it is harder to take it out preemptively, but the idea is that we need to consider something to deter further missile testing and we do not have anything that is doing that right now.

It is risky. I acknowledge it is risky, but perhaps we are at that point now.

Senator ROMNEY. Thank you.

As I think about the last couple of decades with our relationship with the DPRK, it seems to be that we have gone from pillar to post, guardrail to guardrail, from being aggressive and oppositional at one hand to writing love letters on the other to having a meet—we have been all over the map.

It strikes me that we have no consistent strategy or policy with regards to the DPRK and I wonder if you draw any lessons from that or any suggestions about what we might do to develop a consistent policy approach with regards to the DPRK because what we have done so far, from what I can tell, has not worked.

I look to you. Are there lessons learned from the last decades that we ought to consider as we think about the next decades? Begin with you, Dr. Cha.

Dr. CHA. Having participated in the failure of that diplomacy, I would agree with you. I think we have been trying to deal with North Korea since Ronald Reagan and have been unsuccessful.

The deal that we put on the table effectively has been the same, which is they freeze and dismantle their major programs in return for economic assistance, food, political recognition, and a security guarantee—not a security guarantee, a peace assurance on the Peninsula and the region.

It has come in different formats—bilaterally or multilaterally, Six-Party Talks, but I think we have to come to the realization that it is not the deal that they want anymore and, frankly, we are at a loss as to what to pursue next.

As you have said, we have tried everything from expert working level talks to summitry, leader to leader, on at least three different occasions—in Singapore, in Hanoi and at Panmunjom, and none of those have reached a conclusion.

I do not want to sound skeptical, but I think that it is very difficult to imagine a deal that would satisfy us that could be had with the current regime in North Korea or the things that they would want to have a serious negotiation or things that is very difficult for us to give up like our alliance relationship with South Korea, our troops on the Korean Peninsula, our forces in Japan as well.

It is—I guess the—one of the main lessons that I have learned from this is that it is not really the modalities of the negotiation or what is on offer.

The problem right now is that the deal that makes the most sense from a U.S. and allied perspective is not the one the North Koreans want.

Senator ROMNEY. Thank you.

Mr. Snyder.

Mr. SNYDER. As I think about the history, and it is a long history, I think less about a cycle than about a progression in which things are getting worse.

We are learning things about each other and I think that what we are learning with each iteration is actually making it even more difficult to bridge the gap. I think that we did learn something, for instance, from engaging directly in summitry with Kim Jong-un.

The main thing I think we learned is that Kim Jong-un does not want to give up his nuclear weapons, and I think the main thing that he learned is that even though he thought he was entering into negotiations from a position of strength, he was not nearly powerful enough to coerce us into accepting him as a nuclear state.

That dynamic is problematic. I think that where the real challenge comes is that we have spent so much time focusing on denial that we have not necessarily looked as closely as we needed to

about how we can stimulate the pace of change inside an authoritarian near totalitarian regime in such a way is that it can evolve in order to make different choices.

It is an exceedingly difficult challenge that I am putting on the table. I think that is the reason why we have not been able to do it is that our perspective on trying to counter their action has kind of inhibited us and even in policy terms inhibits us from trying to reach in to North Korea and generate the level of debate and even dissent that would actually be necessary for North Korea to change direction.

Senator ROMNEY. Thank you.

Ms. Town.

Ms. TOWN. Thank you, Senator.

It is an important question and one that, yes, there is no easy answers to. I think part of this process is we have to understand that North Korea is also growing stronger every year. Where we started in negotiations with North Korea is not the North Korea it is today, and North Korea has nuclear weapons. This is not a nonproliferation challenge.

When we started negotiating in the 1990s, we were trying to prevent North Korea from building nuclear weapons and we tend to still have that same proposition when we go into negotiations now despite the fact that North Korea tested their first nuclear weapon in 2006 and has since then conducted five other tests.

I think we need to understand that what we are dealing with now—the nature of the denuclearization challenge right now is not nonproliferation.

It is disarmament, and I think that really takes a very different approach in order to solve, of how do you convince an insecure country to disarm and to trust that we have their best interests at heart, especially when there are examples out there that would prove otherwise.

I think that is the fundamental problem with our approach today is that we still continue to hold on to this notion that we can—that we have time, that we can keep North Korea at the train station, and instead they are already racing down the track and what we are trying to do is stop a moving train.

In doing so, I think we need to be more agile. I think one of the lessons we are learning is we need to be more agile.

Right now, we tend to always approach this issue in a denuclearization-centric approach where if North Korea is not willing to talk about denuclearization, which they are not right now, then we are left empty-handed.

They have all of the agency to control the process because we are not really interested in talking about anything else at the moment, even though we do have other security concerns and especially about preventing nuclear conflict on the Korean Peninsula.

I think we need to be more—we need to take these lessons to heart and actually start to pull that process apart instead of looking for the big deal, at the end of the road kind of agreements.

We need to start building this in steps. We need to start providing the kind of incentives and kind of early wins that would help create some momentum in any negotiation process and we

need to be open to talking about issues other than just denuclearization, especially just to rebuild the relationship itself.

Senator ROMNEY. Thank you.

Senator VAN HOLLEN. [inaudible]

Senator RICKETTS. Thank you, Mr. Chairman.

For the last several years the United States has expanded our approach to security on the Korean Peninsula, for example, deploying strategic assets to South Korea like nuclear-armed submarines, the restarted trilateral exercises in cooperation, and then earlier this year as was already referenced the U.S. and South Korea national security authorities announced the Nuclear Consultative Group so our two countries could talk about deterrence strategies. I think this is a step forward in what we are doing.

Dr. Cha, I would like to get your assessment of the NCG and what do you see as the long-term benefits to the United States and to South Korea?

Dr. CHA. Thank you for the question, Senator.

As you know well, the Nuclear Consultative Group was created out of the Washington Declaration to try to address concerns about the credibility of U.S. nuclear extended deterrence on the Peninsula.

Why do the Koreans have these concerns? As Jenny said, the train has left the station. North Korea really has ramped up their capabilities—again, a hundred ballistic missile tests.

The NCG was meant to try to address that in a way that goes beyond the existing dialogues like the KIDD, the Korea—there are several other dialogues, as you know, that take place, but this was meant to be a high level that provided more insight into U.S. nuclear planning.

It is not nuclear sharing, but it is an important next step in terms of the U.S.-Korea military relationship and I think a good one. Does it check the box in terms of credibility of nuclear deterrence? I think for the time being it does.

In the longer term, and as North Korea continues to develop these capabilities, and as China also continues to ramp up their nuclear weapons capabilities through the end of this decade, there will be more questions that come up both in Korea and Japan about the credibility of our nuclear umbrella.

Those are bridges we are going to have to cross in the future eventually, but for the time being, I think this was an important step that the Administration took and all for the better of the alliance.

Senator RICKETTS. Are there specific recommendations you have for the partnership that would make it more effective?

Dr. CHA. One of the things—we at CSIS did a report on this and one of the things that we suggest where, was taken up by the Administration was more direct real-time warning sharing.

There are other things that we can consider. For example, one of the things I mentioned in my testimony is more cooperation between South Korea, Japan, and AUKUS in terms of not necessarily to supply South Korea with nuclear submarines, but just as a very specific example, Australian nuclear submarines if they get service now will need to go all the way to Groton, Connecticut.

Meanwhile, in South Korea there are world-class ports that could be nuclear certified where they could do the work there.

Same is the case for Japan, although there is a different attitude and norm with regard to nuclear weapons in Japan, very clearly.

Another which we have suggested in the past is not to redeploy nuclear weapons to the—U.S. nuclear weapons to the Korean Peninsula, but to at least just begin a preliminary dialogue about what would be the infrastructure prerequisites if we were to consider something like that.

Even beginning that dialogue at a working level, not at a high policy level—at a working level would also send an important deterrence signal not just to North Korea, but in particular to our ally.

As you know well, deterrence is about capabilities and intentions and I do not think there is anybody, any of our allies in the region, that doubt U.S. capabilities, but there are concerns about intentions, and these sorts of things as I have just described them help to send the right signal about the credibility of the U.S. umbrella.

Senator RICKETTS. The CCP has expressed concerns about this partnership. Do you have any concerns about them retaliating because of what we are doing with the NCG?

Dr. CHA. The type of retaliation I am most concerned about is not military retaliation, but economic coercion.

When the United States put a missile defense battery in Korea in 2016–2017, China carried out a campaign of economic coercion against South Korea that cost South Korea tens of billions of dollars, and as you know well they have done this to many countries in the region.

I think that is the most proximate threat in terms of retaliation and, of course, they would draw closer to North Korea as a result of that.

I really hesitate at the idea of thinking that if we do not do something to strengthen our alliances that somehow China and Russia will then moderate what they do with North Korea.

I do not think that is the case. They will continue to pursue a tightening of their relationship regardless of what we do.

Senator RICKETTS. Would you agree that when the CCP actually expresses displeasure about something that probably means we are on the right track with regard to deterrence?

Dr. CHA. Yes. That would be a reflection that the signal is being heard and that we are on the right track, yes.

Senator RICKETTS. Great. Thank you, Mr. Chairman.

Senator VAN HOLLEN. Thank you, Senator Ricketts.

Senator Schatz.

Senator SCHATZ. Thank you, Mr. Chairman. Thank you to all of the testifiers for being here.

I want to follow up on Senator Romney's line of questioning. I have been now—I have been here for 11 years, not on the Foreign Relations Committee the whole time, and looking obviously very carefully about—at this issue both from the United States' equities, but obviously specifically representing the state of Hawaii and it just seems to me that complete, verifiable, irreversible denuclearization of the Korean Peninsula is not feasible.

I remember being—prepping for a hearing and one of my staffers recommended that I not be on the bleeding edge of admitting that, and then Senator Corker just went ahead and said it all.

[Laughter.]

Senator SCHATZ. I just kind of want to get on the record, Mr. Cha, and Ms. Town, in particular, your view of that because it seems to me that we just keep kind of whistling past this graveyard and every time I get a briefing either at the national security level or in the foreign policy context, it is sort of like magical thinking.

Maybe they will not be able to do this. Here is the technological piece. Oh, look, they solved that. Oh, we thought they could not range. Oh, they can range.

Now they have got—and now they can range CONUS and, well, reentry—well, they got that and they keep getting better and better and seem to be totally undeterred and we just need a new pathway.

I will start with you, Mr. Cha. What is that new pathway?

Dr. CHA. That is a really hard question.

[Laughter.]

Senator SCHATZ. Well, why do we not do it this way? Because I do only have 3 minutes. I want to hear from both of you.

Dr. CHA. Yes.

Senator SCHATZ. I agree with you, and maybe it is the wrong question to ask because the problem with our current policy is we start with the end, right?

Dr. CHA. Right. Yes.

Senator SCHATZ. What are some short-term incremental steps that we can take to increase the potential for leverage and the potential for good outcomes in the short term? Forget denuclearizing the Peninsula. Let us talk about risk reduction in the short term.

Dr. CHA. Yes. I did not mean to be flippant about the question. I think it is a very important one. As you know, I am a part time resident of Hawaii so I think about this as well all the time.

Senator SCHATZ. I've seen you on a couple of airplanes. Yes.

Dr. CHA. Yes.

[Laughter.]

Dr. CHA. I do think, practically speaking, it is threat reduction. It is risk reduction. CVID is the bumper sticker and there are political and alliance management reasons why we need to say CVID having to do with Japan and having to do with our Iran policy as well as the NPT regime.

If we were ever to get back into a negotiation, as a former negotiator, the first steps would be threat reduction, risk reduction, freezing Yongbyon, getting inspectors back in, trying to get into the Experimental Light Water Reactor——

Senator SCHATZ. In exchange for what?

Dr. CHA. In exchange for things like reducing sanctions—the 2016–2017 sanctions, the general sector sanctions—which were the ones that the North Koreans were most concerned about when President Trump met them in Vietnam. Political recognition, security assurances—these sorts of things.

The danger, of course, is that people will accuse whichever Administration were to reengage with this as buying the same horse for the 15th time.

Senator SCHATZ. It is two—there are a number of dangers, but the two obvious ones are what it does for nonproliferation policy globally and then the other is politics.

Dr. CHA. Yes.

Senator SCHATZ. Who wants to be the Administration that softens its stance on North Korea as they are engaged in all this belligerent behavior?

I am going to have to stop it there and go to Ms. Town.

Ms. TOWN. Yes. This is the million-dollar question of is denuclearization possible and if we believe it is not then what are we doing.

I think if we think about denuclearization, North Korea's thinking on denuclearization, on its nuclear program, has fundamentally changed. Whatever hope we had before is even less now.

That does not mean we give up. We should continue to try. We should continue to try to work for a denuclearized Korean Peninsula, which also includes preventing South Korea from going nuclear.

In the meantime, I think we really do need to define what our other goals with North Korea are, and there were trends, for instance, that were promising in North Korea prior to 2017–2018 when negotiations started and those were the rise of markets, the growing kind of socioeconomic space and social change that was happening inside the country.

If we look at the policies that we have now, our punitive approach to North Korea because of their nuclear program is really cutting off a lot of the—is really counterproductive to a lot of the productive things we thought were going on.

I think there is a reason to rethink our sanctions policies and really distinguish between that which is actually going to affect any kind of procurement of dual-use goods versus what is going to have spillover effects into the economy.

How do we get—how do we reempower the people? We always talk about wanting to get information in to the people, but we continue to cut off our own access to the people and their access to us and their access to goods and markets.

Senator SCHATZ. Just one final comment. When all you have is a hammer everything looks like a nail and I just think it—we really need your help on developing more tools because otherwise we just keep hammering the same nail and saying how come this is not working.

We need to open up the aperture on a bipartisan basis to get smarter on this because, as Senator Romney said, this policy is a failure and has to change.

Dr. CHA. If I could just say one of the tools on the enforcement side really is some of the—so as Senator Van Hollen mentioned, some of the work that has been done on things like the *Otto Warmbier Act*, the use of banking restrictions, and especially on the secondary sanctioning side.

I know sanctions do not solve all the problem, but these are important sanctions. We are starting a project now where we are try-

ing to identify supply chains for other things that are being imported by countries in the West and China with regard to North Korea for secondary sanctioning.

There is the engagement side, but there is the sanction side and that is an important piece of this as well.

Senator VAN HOLLEN. Thank you. Thank you, Senator Schatz.

I know Senator Romney has to leave now. Thank you, Senator.

When we were thinking about having this hearing on the Korean Peninsula, we thought we might get to the point where there was a consensus that what we have been doing, clearly, is not successful, at least in achieving the goal as we have stated it, which is denuclearization of the Korean Peninsula.

That is a very worthy goal, but in practice, clearly, we have not been able to achieve it, as you all have indicated in response to Senator Schatz's question and others.

I do agree that we need to be thinking of other sort of long-term approaches, but in the meantime I want to ask all of you about both North Korea's relationship with Russia and near-term decisions that we may need to make and then North Korea's relationship with China and what kind of decisions that we might be interested in making jointly with them.

On the case of Russia, we had, of course, President Yoon in response to North Korea's visit to—the visit with Putin say, we will not stand idly by.

My question is what would you all recommend that we do to put some kind of teeth behind that statement, not sit idly by.

Now, Dr. Cha, one idea that you suggested we look at was South Korea provide lethal assistance to support Ukraine. So far they have been providing important assistance—nonlethal assistance.

Then, as I listen to all of you, you have got the issue of North Korea providing munitions to Russia on the assumed promise that Russia would now help North Korea in providing higher technology—more technology to its missile system, submarines, and others in return.

Could you just speak a little bit to that dynamic? On the one hand, you could see how South Korea threatening to provide more lethal assistance to Russia could be used maybe to get Russia to commit not to provide anything more to North Korea?

On the other hand, obviously, we would like to see as much support as possible go to the people of Ukraine at this point in time. Those are—if you could talk through a little bit that decision tree starting with you, Dr. Cha.

Dr. CHA. Sure. A very important question.

On the South Korean lethal assistance, I was in Korea about 2 weeks ago at a conference where the former national security adviser to the current South Korean President, in a public venue, had said that if Russia is going to provide—if North Korea is going to assist Russia and Russians are going to pay the North Koreans in technology, that is a direct threat to South Korea so South Korea should actually do something about that.

I thought it was a—I was surprised by the statement, but I think it sort of says where the thinking is on this. As you said, Ukraine needs help. If there is any place in the world where there are munition stockpiles, it is on the Korean Peninsula, and I can—pretty

sure that South Korean munitions are going to be better than North Korean munitions.

In terms of what else can be done about it, there is this kind of open question about China because I cannot imagine that China is 100 percent behind all this and they certainly do not like Russia and North Korea getting closer together.

I do not know if there is some way to pull China away from this. They have not been very committal publicly. They were not at the U.N. a couple weeks ago. Wang Yi has gone—has been to Russia, but we do not know what came of that.

Then the third thing is, again, some of the work that you have already done on this and that is in terms of sanctions packages and secondary sanctioning of Russian entities, companies, and others that might—Russian entities and companies, but also secondary sanctioning to those that might be affiliated with those companies as a way to create some sort of compellence so that there are costs to Russia engaging with North Korea.

Senator VAN HOLLEN. Thank you.

Mr. Snyder.

Mr. SNYDER. I was actually at the same meeting that Victor was with the former national security adviser and I do believe that that was an important form of response that was reflected in the broader South Korean media and, I imagine, was also transmitted to Moscow.

One of the key issues is making sure that Putin got the message on that. I think he probably did, but the other aspect of that Putin-Kim meeting that I think we need to keep in mind as we think about all the possibilities for the Russia-North Korea relationship is that these are two isolated leaders that distrust each other and probably do not have much trust in each other's products either.

This is a very transactional relationship. It may be more limited, but they have control of their public communications and I think that Putin and Kim were sort of trolling the U.S. and South Korea a little bit.

I do not want to dismiss the risk of greater Russia-North Korea interaction as a way of expanding the North Korea problem, but I also think that we should not allow it to be overblown.

Senator VAN HOLLEN. Got it. Thank you.

Ms. Town.

Ms. TOWN. Thank you, Senator.

I think on the Russia angle—I was not at that conference, but I was on a panel recently with a Russian diplomat or former diplomat, and the way he described it of Russia's approach was a bit more strategic than just Ukraine.

It was not just about Ukraine. It was about building a security partner for the war against the West, and I think there is—and I think that also feeds into why Russia would be more willing to build actual military cooperation and not just do an arms deal because we know Kim Jong-un did not need to go to Russia to broker an arms deal.

I think they are—this plays into all of the great power competition that is going on and I do think the—it will change South Korea's calculus on Ukraine and because it does suddenly now make

Ukraine more of a Korean Peninsula security issue if Russia is going to directly grow its military cooperation with North Korea.

I think the China angle is also really important here because China does still care about its international reputation and is worried about worst case scenarios in East Asia, and I think this is one area of cooperation and one area of discussion that they would be willing to have of how do we prevent this from actually changing the balance of power in such a negative way that we cannot come back from.

Senator VAN HOLLEN. Let me pick up there because, as I indicated, I wanted to talk a little bit about both the North Korea-Russia relationship and how that is developing, but also the North Korea-China relationship.

I think all of you have made the point that if you go back a number of years, China was willing to work much more closely with the United States with respect to restraining North Korea's nuclear program, nuclear testing, missiles.

They were with us at the U.N. a couple of times many years ago in terms of sanctions. All that has changed and now China has sort of not cooperated with us in that way.

At the same time, I have to believe that they continue to have an interest in constraining North Korea's nuclear programs, both missile and another—potential other weapons test.

Maybe talk a little bit more about how we communicate that with China, because at the same time we have these other big challenges I agree with Dr. Cha. We cannot sort of forfeit the strengthening of our alliances, whether it is through having a South Korean role in AUKUS or other issues.

At the same time, if we agree that China does have a mutual interest with us in constraining the North Korean nuclear weapons program overall, what can and should we be doing on that front?

Maybe we will start with Ms. Town and then go this way.

Ms. TOWN. Thank you, Senator.

It is a tough question because there are a lot of competing interests here and it is—North Korea tends to be fairly low on China's priorities as well and so I think the military cooperation between Russia and North Korea, I do not think came as a surprise to the Chinese.

Certainly, they sent a delegation to Pyongyang ahead of that summit and there was presumably meetings with the Russians before that as well, and there was no condemnation of it that came out from the Chinese after it happened.

Again, I do think there is concern there and recent discussions I have had with Chinese scholars is that they are also wondering what to do, and they are very concerned that the situation is getting out of control.

I think there is room for, perhaps, a regional security discussion to happen at a high level, not about any specific country, but where the region is headed as a whole to see if you can start that dialogue and under the premise of preventing nuclear war.

I also think there is interesting opportunities for other kinds of incentives to be given to the Chinese as well, especially with the prospects of a China-South Korea-Japan trilateral summit coming before the end of the year if there is some concessions that can be

made in that that could incentivize the Chinese to also think twice about where it stands in terms of North Korea and Russia cooperation.

Senator VAN HOLLEN. Thank you.

Mr. Snyder.

Mr. SNYDER. The biggest concern I have about the development of the North Korea-Russia relationship is actually that it will damage the possible apparent restraint measures that China has urged on North Korea as related to a seventh nuclear test.

We do not know necessarily with any assurance what precisely China has done, but the U.S. intelligence community has been expecting this test and it has not happened.

My main concern is really that Kim Jong-un might misread his engagement with Russia as giving him license to do what he did—what his grandfather did in the Cold War—play the Chinese and the Soviets off against each other.

I think that China's overall—North Korea's overall level of dependence on China is great enough that China does not have to go down that road.

I do think that this is an area where both the U.S. and South Korea have an interest in continuing to engage with China even if they are not fully forthcoming about the actions that they take as related to North Korea.

Senator VAN HOLLEN. Thank you.

Dr. Cha.

Dr. CHA. I think unless you are super hard line in China, the majority of sort of, I think, China foreign policy thinkers cannot see this DPRK–Russia thing is in China's interest. It just cannot be.

First of all, they want to neutralize Russia and North Korea getting closer together. Historically, they have always not liked it when Russia and North Korea get too close.

They do not want to be seen as tacitly supporting this in a way that involves them in expanding the war in Ukraine or prolonging it. Then, I think the other thing that they should be concerned about—and there is actually a very good long form interview in Jenny's program in 38 North about this—is the concern about Russia supplying fuel for North Korea's nuclear reactors.

The absence of fuel is one of the biggest constraints right now on North Korea really expanding their nuclear weapons program, but if Russia provides fuel under the guise of civilian nuclear energy, so within NPT regime—within the NPT regime, as I said in my testimony, North Korea's goal is to develop a nuclear weapons force the size of the U.K. or France, and the Chinese cannot possibly think that is good.

The real question is can they get out of their own way to do something that is in their interests and not tie it to how upset they are at U.S.-China competition. Can they get out of their own way and do that? Thus far they have not been able to.

The U.N., basically—when they were asked about this they said, oh, that is just a Russia-North Korea bilateral issue; it is not something we have any comment on. Which I think is a placeholder as they try to figure out exactly what they can do here.

I agree. I think, with the gist of my colleagues' comments, that this is something that we should really investigate with China and

try to engage in a dialogue with them because it is clearly in both of our interest to see this stopped.

Senator VAN HOLLEN. Thank you. There is much more I would like to ask all three of you about, but there is a vote on and I am being summoned to cast my vote since my colleagues are waiting.

Thank you for much food for thought as we move forward on all the issues that we covered. We may submit some questions for the record if you are all willing to entertain those.

You covered—mentioned, Dr. Cha, the issue of responding to economic coercion, and thank you for having me over at CSIS last week to make some remarks on our important alliance between the United States and the ROK.

There are issues of making sure that we coordinate when it comes to the export of very sophisticated technologies that could be used to enhance China's military without trying to hurt their economy, just focused on the military piece, but that requires a lot of collaboration.

There are issues regarding the issue of cryptocurrency and the ROK's use of cryptocurrency and theft of cryptocurrency in itself and to evade sanctions. There are a lot of other issues to talk about.

I do think that you successfully sort of hit some of the big questions that we have to deal with, some of the longer-term questions we have to address as well as identifying some really short-term important interests regarding, for example, working with China to try to discourage another nuclear test—those kind of things.

I know I speak on behalf of all my colleagues who are here and others that wish they would be here thanking you for your expertise—sharing your expertise here today, but also your ongoing efforts in this area.

Finally, let me just close where I began and I think each of you began, which is the importance of the alliance between the United States and South Korea forged in mutual sacrifice, and I think recent events have testified to the strength of that relationship. We want to make sure it remains that way and this hearing is an important part of that process.

Let me thank all three of you and with that, this meeting is adjourned.

[Whereupon, at 3:48 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF DR. VICTOR CHA TO QUESTIONS SUBMITTED BY SENATOR CHRIS VAN HOLLEN

Question. CRYPTOCURRENCY THEFT BY DPRK: According to recent comments by White House Deputy National Security Advisor for Cyber and Emerging Technology Anne Neuberger, "[a]bout half of North Korea's missile program has been funded by cyberattacks and cryptocurrency theft." Reports also suggest that the DPRK is using funds it raises through cryptocurrency theft to evade sanctions, launder money, and strengthen its conventional arms and military readiness. South Korea has also habitually raised efforts to combat this theft as a point of potential cooperation that can be strengthened with the U.S.

Given the pressing nature of this threat, how can the U.S. limit the DPRK's theft of cryptocurrency to fund its illegal weapons program?

Answer. The United States can pursue a range of strategies to increase American cyber resiliency to effectively deter or counter future North Korean cyberattacks and cryptocurrency theft. These strategies include:

- Improving domestic and international cyber frameworks and awareness: Because cybersecurity is a relatively new domain, frameworks to enact and regulate laws, particularly on the global level, are in short supply. The United States can lead efforts to build accountability measures through existing institutions. Domestically, the U.S. has already established a voluntary method for sharing cyber threat and vulnerability information in near-real time between the Federal Government and entities across different critical infrastructure sectors ("Cyber Information Sharing and Collaboration Program [CISCP]"). The U.S. Government should continue to address liability and privacy concerns to encourage more organizations to join the program. The U.S. may also consider expanding the CISCP model internationally to work with allied nations' cyber-defense institutions to monitor and respond to attacks.

  Second, the United States can lead members of the United Nations to support the creation of an international body empowered to draft standards of conduct regarding cybertheft and sabotage. Although the attribution of cybercrimes will remain a challenge, the existence of a framework will improve coordination between states and offer avenues for open discussion on these issues.

  There are no illusions about the challenges of implementing these recommendations. First and foremost, coordination between cybersecurity firms and the intelligence community, and among states, will require stakeholders to address privacy and security concerns. Likewise, achieving an international consensus on the rules and norms surrounding cybersecurity will be difficult and time consuming, particularly as China and Russia—countries that have provided North Korea with tacit consent to carry out cyberattacks—both hold significant sway within the UN.
- Strengthen cryptocurrency security: Given that most of the cyberattacks take place in blockchain and cryptocurrency, the Federal Trade Commission should collaborate with financial institutions to carry out awareness campaigns. Additionally, the anonymous nature of cryptocurrency exchanges and the resulting lack of regulation means that the responsibility to prevent hacking often falls on the users. While two-factor authentication, seed words, and hardware wallets exist, many applications still allow users to opt out of them. The U.S. Government should encourage financial institutions and cryptocurrency exchange applications to invest in further securing crypto wallets and making additional security steps a requirement for all users.
- Address known vulnerabilities: The most exploited vulnerable technical applications are Microsoft Office and Adobe Flash products. In addition to raising public awareness for institutions using these products, the U.S. can establish a communication channel with Microsoft and Adobe to fast-track cyberattack meditations. In recent years, North Korea's ransomware attacks have frequently targeted the U.S. healthcare sector. The U.S. may consider sending a government advisor to vulnerable institutions to train internal IT specialists on how to encrypt data, conduct regular scans on internet-facing devices, update patches, software, and operating systems, and train employees on phishing attacks. This process would supplement the existing joint warning system from the FBI, Treasury Department, and Cybersecurity and Infrastructure Agency.
- Increase the quantity and quality of domestic tech talent to ensure U.S. Government entities and infrastructure are not vulnerable to North Korean cyberattacks: In comparison to leading American technology companies that attract international talent, the U.S. Government faces a shortage of technology workers and struggles to recruit and retain talent to work in the government and defense sectors. The government can increase the quantity and quality of applications by streamlining the security clearance process and forging partnerships with private firms to access a larger applicant pool. The Biden administration's proposed federal budget for fiscal year 2024, which includes a $12.7 billion increase for cyber-related activities within federal agencies, is an important development in the right direction. Implementing initial and retraining programs to adapt worker skills to the challenges related to cyber network defense will help ensure that human capital keeps up with efforts to adopt technologies and practices that enhance cybersecurity.

Question. How can the U.S., South Korea, and other allies work together to combat this threat? What work is already being done to strengthen this coordination?

Answer. The Biden administration has already undertaken important groundwork to allow the United States to work more effectively with South Korea and other allies to increase cyber defense collaboration. Establishing a new Bureau for Cyberspace and Digital Policy and appointing Nathaniel Fick as the cyber ambassador-at-large sends an important signal of U.S. commitment to protecting an open and secure global communications network and building standards of responsible conduct in cyberspace. The establishment of the Bureau has also helped create a more streamlined process to collaborate across the U.S. Government and with allies to take advantage of existing channels for coordination, such as the U.S.-ROK Cyber Dialogue, the U.S.-ROK Working Group on DPRK Cyber Threats, and the U.S.-ROK Cyber Cooperation Working Group.

When President Biden and South Korean President Yoon met in Washington in April 2023, the two leaders issued a joint statement announcing plans to establish a "Strategic Cybersecurity Cooperation Framework" that would guide the two countries' increased cooperation in cybersecurity efforts and capacity building. Since then, South Korea and the U.S. held the eighth ROK-U.S. Cyber Cooperation Working Group in May, where South Korea expressed a willingness to regularly participate in the U.S.-led multinational cyber exercise. The following month, the two countries held the inaugural meeting of a new high- level consultation channel between the White House and South Korea's presidential office.

All of these efforts are important, tangible steps toward expanding cooperation on deterring cybercrimes and securing critical infrastructure. In addition to strengthening bilateral government-to-government coordination, the U.S. and South Korea should emphasize the critical role of the private sector in evaluating and implementing cybersecurity strategies. As a starting point, Washington and Seoul should consider inviting non-governmental and industry experts to regularly take part in the U.S.-ROK Cyber Dialogues.

There are also ample opportunities for the U.S. and South Korea to work with regional allies and partners. The U.S. should take advantage of the recent vast improvement in trilateral relations between the U.S., Japan, and South Korea to consider military-to- military cyber cooperation and push for better integration and information sharing on cybercrime-related information. The three countries can also discuss coordinated strategies to enhance cyber capacity building in the Indo-Pacific region, targeting those countries that are frequently involved in facilitating North Korean illicit networks.

Lastly, the United States should continue to leverage regional partnerships to build a coalition of like-minded allies and partners in support of cyberspace that is grounded in democratic values. Given that the U.S. is a sponsoring nation and Japan and South Korea are contributing participants of the NATO Cooperative Cyber Defence Centre of Excellence (NATO CCD COE), the three countries can use this channel to explore trilateral and transatlantic means of cooperation on cyber defense. Additionally, the U.S. and South Korea should consider supporting the institutionalization of the Asia-Pacific (AP4) grouping based on South Korea, Japan, Australia, and New Zealand's participation in the 2022 NATO summit in Madrid. The grouping would be particularly well positioned to focus on defending the rules-based international order by enhancing dialogue and cooperation on shared security challenges in the Asia-Pacific region, including cybersecurity.

Question. PRC ECONOMIC COERCION: The PRC uses a range of economic tools to punish countries' political and strategic decisions it views as countering its interests. When I last visited South Korea in August 2017, Beijing was using similar tactics against Seoul following the deployment of the Terminal High-Altitude Air Defense (THAAD) missile system. The PRC reacted to the THAAD deployment by banning Chinese tourists from traveling to South Korea and canceled K-pop music concerts in China. The deployment also prompted boycotts in China against Korea goods and services such as Korean shopping malls. The boycotts by South Korea's largest trading partner resulted in an estimated loss of $7.5 billion to the Korean economy in 2017.

What punitive economic measures does the PRC currently have in place against South Korea?

Answer. The most prominent example of Chinese economic coercion against South Korea was the PRC's targeted campaign against South Korean businesses and goods and services in response to the country's decision to deploy the U.S. THAAD system in 2017. Chinese sanctions against the South Korean conglomerate Lotte (owner of the land where a U.S. missile defense system has been deployed) forced the corporation to close all its stores in China, resulting in more than $7.5 billion in economic damage. The Chinese Government also withheld group tours to Korea, costing South Korea's tourism industry an estimated $15.6 billion in losses.

But the effects of China's targeted economic coercion practices are not isolated and go far beyond the economic tolls. In 2017, South Korea under the Moon administration responded to Chinese economic coercion by distancing itself from regional alliances, stating that it would not consider additional deployment of THAAD, participate in the U.S. missile defense system, or support building the South Korea-U.S.-Japan security cooperation into a military alliance. When the U.S. unveiled its Free and Open Indo-Pacific (FOIP) strategy in 2017, South Korea was reticent to integrate FOIP into its foreign policy agenda or make public statements of support to avoid antagonizing China. The country also effectively preempted an invitation by the Biden administration to join the Quad and initially hesitated to join the Chip 4 alliance in part due to concerns that Xi Jinping would retaliate against South Korea like it did in 2017. In 2020, South Korea remained silent and did not advocate for sanctions when China passed the 2020 National Security Law of Hong Kong suppressing democracy. In 2021, the Moon administration stated that South Korea would not participate in the U.S.-led diplomatic boycott of the 2022 Beijing Winter Olympics over human rights issues in Xinjiang. As these examples show, Chinese economic coercion not only threatens the liberal trading order, but also the liberal international order, forcing countries to make choices on issues that have nothing to do with trade, like democracy, human rights, and regional partnerships.

Question. How can the U.S. work with ROK to respond to this economic coercion? What preemptive measures as well reactive policies would you recommend that the U.S. and our partners pursue to negate the impact of PRC's economic coercion?

Answer. The U.S. and our partners have already begun to establish several reactive policies centered largely on "de-risking" measures aimed at identifying economic security vulnerabilities, practicing trade diversification, and devising impact-mitigation measures. Strengthening newly created institutions such as the Quad, the Indo-Pacific Economic Framework, the Mineral Security Partnership, the Chip 4 alliance, and the Clean Network will help the U.S. and its partners secure supply chains through "reshoring" and "friendshoring." While these measures raise production costs and lower efficiency gains, they are necessary to reduce dependence on China and minimize vulnerability to its economic coercion. The United States and its allies and partners can also consider establishing a more systematic approach to implementing mitigation measures that include trade support, monetary assistance, and investment funds.

While these policies provide protection in certain key sectors, the U.S. and our partners need to implement measures that are not just defensive but aim to change Chinese behavior and deter its economic predatory behavior overall. My research (*https://direct.mit.edu/isec/article/48/1/91/117127/Collective-Resilience-Deterring-China-s*) shows that past targets of Beijing's economic coercion have significantly more leverage than they think, collectively exporting over $46.6 billion worth of goods on which China is more than 70 percent dependent as a proportion of its total import of those goods. These countries also export over $12.7 billion worth of goods on which China is more than 90 percent dependent. These states, and other U.S. partners and allies, should band together and practice a NATO Article 5-type of collective economic deterrence strategy by promising to retaliate should China act against any alliance member. This strategy of "collective resilience" promises a multilateral response in the trade space to the prospect of economic bullying by the Chinese Government and seeks to shape Chinese conformity with the liberal trading order. While forcing China to find a new supplier or pay a higher price for one high-dependence item may not be enough to change its behavior, sanctions on an aggregation of these items would sufficiently inconvenience China and deter future predatory behavior. The collective resilience strategy does not advocate for a trade war, but rather seeks to credibly signal that a collective of states will carry out retaliation if and when China acts against any of the member states.

To signal credible deterrence, coalition members would need to reassure smaller powers that they would not be abandoned when Beijing threatens sanctions to pressure them to leave the coalition. Key members like the United States should commit to trigger actions if Beijing coerces any other member. Though costly, this strategy will have little credibility otherwise. Partner states might also invest in a collective fund to compensate smaller members for losses or offer alternative export or import markets to divert trade in response to Chinese sanctions. The U.S. can consider building coalitions of like-minded groupings. I propose the Group of Seven plus Australia given that these countries: (1) want to preserve the U.S.-led liberal international order; (2) are medium-to-large countries that cannot be easily bullied by Beijing; (3) already participate in the European Union's anti-coercion efforts or have already confronted Beijing's coercion; and (4) have the collective resilience capabili-

ties to leverage China's vulnerability. This grouping is already highly cohesive, making it more feasible to enact collective action.

Question. U.S. DIPLOMATIC ENGAGEMENT WITH DPRK: The Biden administration in 2021 stated that it will pursue a "calibrated, practical approach that is open to and will explore diplomacy with North Korea" to eventually achieve the "complete denuclearization of the Korean Peninsula," even as U.S. and international sanctions remain in place. The approach appears to envision offering partial sanctions relief in exchange for partial steps toward denuclearization. Biden administration officials say they have reached out to North Korea, offering to meet "without preconditions," and that "the ball is in [Pyongyang's] court."

What incentives or other creative approaches would you recommend that the United States employ to increase diplomatic engagement with the North Korean regime?

Answer. The Administration, in a slight change of words, has said that it is willing to meet with North Korea without preconditions as to the ultimate outcome of such talks. This is an important but subtle shift in policy designed to offer a way for the counterpart to re-engage. The unilateral lifting of sanctions is not advisable in my opinion. And talk about a peace regime or peace declaration to try to change the environment for talks with North Korea is unlikely to create incentives for Pyongyang to talk. On the contrary, such an action by the United States would be seen as affirming the North's nuclear weapons state status. The Chinese have been unwilling to use either pressure or incentives to bring the North to the table. Historically, it has been the latter that has elicited some North Korean interest, albeit only temporarily. But Beijing has explicitly linked North Korea diplomacy to U.S.-China relations demonstrating that it does not perceive the North's expanding WMD programs as a threat. I believe this is an incorrect calculation as the North's WMD drive is causing the consolidation of U.S. alliances in the region in an unprecedented fashion that makes China's external environment more unfavorable (from Beijing's perspective).

Question. If diplomacy with DPRK were to restart, what short- and long-term objectives should the U.S. seek in such talks?

Answer. There are important reasons why the long-term objective of the United States' North Korea policy should continue to be the peaceful denuclearization of North Korea. These reasons include preserving the regional security architecture and alliances, particularly with Japan and South Korea, and upholding the global non-proliferation regime.

But if the U.S. were to restart negotiations with North Korea, there are several short- and medium-term objectives that the United States can seek to prevent and deter the threat of North Korean nuclear and military aggression against the United States, its military forces abroad, and its allies in the region. They would primarily be focused on threat and risk reduction measures, including requiring a test ban, a stop to fissile material production, declaration of nuclear and missile-related sites, halting quantitative and qualitative improvements in North Korea's missile program and nuclear arsenal, and preventing the proliferation of DPRK nuclear technology. As a starting point, the U.S. might demand freezing Yongbyon and allowing IAEA inspectors back into the nuclear complex in exchange for reducing the harsher UNSC sanctions imposed in 2016 and 2017 and providing political recognition and security assurances. The United States should remain open to high-level talks with North Korea, but frankly, I think the North Koreans lost so much face from the 2019 Hanoi Summit with the Trump administration that it will be a while before they are interested in talking to the U.S. The recent improvement in relations with Russia reduces even further the incentive for the North to talk to the U.S., not just because of Russian support, but also because the Putin summit will trigger Xi Jinping to reach out to Pyongyang in order not to allow it to get too close to Moscow. There is little that the U.S. can do to intervene in this dynamic. Focusing on reinforcing defense and deterrence with our allies, as well as involving United Nations Command sending states into peacetime deterrence and defense consultations is the best course forward.

THE COMMITTEE RECEIVED NO RESPONSE FROM MR. SCOTT SNYDER FOR THE FOLLOWING QUESTIONS BY SENATOR CHRIS VAN HOLLEN

Question. CRYPTOCURRENCY THEFT BY DPRK: According to recent comments by White House Deputy National Security Advisor for Cyber and Emerging Technology Anne Neuberger, "[a]bout half of North Korea's missile program has been funded by cyberattacks and cryptocurrency theft." Reports also suggest that the

DPRK is using funds it raises through cryptocurrency theft to evade sanctions, launder money, and strengthen its conventional arms and military readiness. South Korea has also habitually raised efforts to combat this theft as a point of potential cooperation that can be strengthened with the U.S.

Given the pressing nature of this threat, how can the U.S. limit the DPRK's theft of cryptocurrency to fund its illegal weapons program?

[No Response Received.]

Question. How can the U.S., South Korea, and other allies work together to combat this threat? What work is already being done to strengthen this coordination?

[No Response Received.]

Question. PRC ECONOMIC COERCION: The PRC uses a range of economic tools to punish countries' political and strategic decisions it views as countering its interests. When I last visited South Korea in August 2017, Beijing was using similar tactics against Seoul following the deployment of the Terminal High-Altitude Air Defense (THAAD) missile system. The PRC reacted to the THAAD deployment by banning Chinese tourists from traveling to South Korea and canceled K-pop music concerts in China. The deployment also prompted boycotts in China against Korea goods and services such as Korean shopping malls. The boycotts by South Korea's largest trading partner resulted in an estimated loss of $7.5 billion to the Korean economy in 2017.

What punitive economic measures does the PRC currently have in place against South Korea?

[No Response Received.]

Question. How can the U.S. work with ROK to respond to this economic coercion?

[No Response Received.]

Question. What preemptive measures as well reactive policies would you recommend that the U.S. and our partners pursue to negate the impact of PRC's economic coercion?

[No Response Received.]

Question. U.S. DIPLOMATIC ENGAGEMENT WITH DPRK: The Biden administration in 2021 stated that it will pursue a "calibrated, practical approach that is open to and will explore diplomacy with North Korea" to eventually achieve the "complete denuclearization of the Korean Peninsula," even as U.S. and international sanctions remain in place. The approach appears to envision offering partial sanctions relief in exchange for partial steps toward denuclearization. Biden administration officials say they have reached out to North Korea, offering to meet "without preconditions," and that "the ball is in [Pyongyang's] court."

What incentives or other creative approaches would you recommend that the United States employ to increase diplomatic engagement with the North Korean regime?

[No Response Received.]

Question. If diplomacy with DPRK were to restart, what short- and long-term objectives should the U.S. seek in such talks?

[No Response Received.]

Responses of Ms. Jenny Town to Questions Submitted by Senator Chris Van Hollen

Question. CRYPTOCURRENCY THEFT BY DPRK: According to recent comments by White House Deputy National Security Advisor for Cyber and Emerging Technology Anne Neuberger, "[a]bout half of North Korea's missile program has been funded by cyberattacks and cryptocurrency theft." Reports also suggest that the DPRK is using funds it raises through cryptocurrency theft to evade sanctions, launder money, and strengthen its conventional arms and military readiness. South Korea has also habitually raised efforts to combat this theft as a point of potential cooperation that can be strengthened with the U.S.

Given the pressing nature of this threat, how can the U.S. limit the DPRK's theft of cryptocurrency to fund its illegal weapons program?

Answer. This is a difficult task given how quickly technology and tactics can change, how difficult it is to anticipate these trends and how relatively slow policy and policy coordination can be on these issues. That said, there is room for improve-

ment, especially in working with the private sector to help address these issues. Some recommendations include:

- Establish an advisory council of leading nongovernmental and private sector analysts who track and monitor North Koren cyber activities to offer outside assistance and advice to relevant government agencies working to curb North Korea's access to cryptocurrency and to prosecute accordingly;
- Fund opportunities for nongovernmental organizations to provide training on cyber and cryptocurrency schemes to high risk private sector companies (similar to programs that offer training on safeguards to custom and border control) to increase awareness of the sanctions regime and obligations, North Korean methods and likely targets, and best practices for due diligence;
- Make information on known groups and campaigns easy to find and publicly available in a timely fashion to enhance collective understanding of the scale and speed of disruption campaigns; and
- Establish and promote clear, easy, centralized reporting protocols for incidents.

Question. How can the U.S., South Korea, and other allies work together to combat this threat? What work is already being done to strengthen this coordination?

Answer. The mandate for U.S.–ROK bilateral cooperation on cybersecurity has already been established through U.S.–ROK bilateral summit process.[1] Establishing a similar "U.S.–ROK Strategic Cybersecurity Cooperation Framework" with other allies, or as a region mechanism would help to institutionalize and improve threat identification, information sharing, technical cooperation, and response coordination across the U.S. and its allies. The bilateral working group on the DPRK Cyber Threat has met four times since its inauguration in August 2022 to discuss the evolving nature of the North Korea's cyber actions, how to raise awareness among relevant parties and increase information sharing between governments and the private sector.[2]

Expanding this kind of cooperation across various actors bilaterally, including law enforcement financial agencies will be important. Cyber exercises can be a useful mechanism for this kind of public-private interagency coordination. Finding ways to expand this kind of cooperation across the network of U.S. allies, especially in creating standards for information sharing and reporting, could be useful.

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What punitive economic measures does the PRC currently have in place against South Korea?

Answer. China has been more judicious in its use of economic sanctions against South Korea since imposing the THAAD sanctions in 2016. China partially lifted those sanctions in 2017, although some lingering restrictions still prohibit South Korean artists from performing in China. This kind of heavy handed tactics did not result in a change in South Korea's deployment of THAAD and negatively impacted South Korean public perception of China—an effect that persists to date.[3]

As countries like South Korea look to redirect supply chains and trade away from China toward the U.S. and other countries with shared values, Beijing appears to be shifting its strategy as well. Instead of rushing toward punitive measures, China seems to be doubling down on diplomacy for now, for instance, trying to revive the

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[1] "Leaders Joint Statement in Commemoration of the 70th Anniversary of the Alliance between the United States of America and the Republic of Korea," White House Briefing Room, April 26, 2023, *https://www.whitehouse.gov/briefing-room/statements-releases/2023/04/26/leaders-joint-statement-in-commemoration-of-the-70th-anniversary-of-the-alliance-between-the-united-states-of-america-and-the-republic-of-korea/*.

[2] "Fourth U.S.–ROK Working Group Meeting on the DPRK Cyber Threat: Media Note," Office of the Spokesperson, U.S. Department of State, July 26, 2023, *https://www.state.gov/fourth-u-s-rok-working-group-meeting-on-the-dprk-cyber-threat/*.

[3] Richard Q. Turcsanyi and Esther E. Song, "South Koreans Have the World's Most Negative Views of China. Why?" The Diplomat, December 24, 2022, *https://thediplomat.com/2022/12/south-koreans-have-the-worlds-most-negative-views-of-china-why/*.

China-ROK-Japan trilateral summit process, likely to avoid making "de-risking" moves more attractive by excessive coercion.

Question. How can the U.S. work with ROK to respond to this economic coercion?

Answer. Finding ways to help redirect trade and or create new economic opportunities with South Korea and other affected allies, in the specific areas being restricted can both bolster allied relations and help mitigate the impact of such measures. For South Korea, some of this is already taking place, even if inadvertently. Hosting BTS at the White House, for instance, while Korean artists are banned from performing in China, sends a strong message of solidarity—not just at the military level—but also helps boost the visibility of K-pop in the U.S. as more and more groups gain popularity across the country.

Moreover, longer term strategies that encourage "de-risking and diversifying" trade away from China, toward U.S. and other countries that share values, lessens the leverage that China has over time. Encouraging this not only at the bilateral level but also at trilateral and multilateral levels, especially cooperation on supply chains, can help bolster resilience against economic coercion and create the foundations for facilitating more collective responses.[4]

Furthermore, in the case that China does threaten economic sanctions against U.S. allies for military or even de-risking efforts, the U.S. should consider threatening reciprocal sanctions on China, to demonstrate to both our allies and China, a sense of solidarity.

Question. What preemptive measures as well reactive policies would you recommend that the U.S. and our partners pursue to negate the impact of PRC's economic coercion?

Answer. There are a number of reports that provide recommendations for both trying to preempt Chinese economic coercion as well as how to respond to it. In many of these reports, de-risking and diversifying trade and supply chains away from China is highlighted as a way to increase overall resilience to coercion.

One report suggests establishing and international task force on countering coercion "to promote information sharing and develop a playbook of response options and communications strategies.[5] Another report suggests the establishment of an interagency commission, "CoerCom," to pool knowledge and resources, and coordinate response strategies and well as encouraging our allies and partners to set up similar commissions to facilitate greater cooperation.[6] Along those lines, the U.S. could establish an anti-coercion instrument akin to recent EU efforts. The EU's instrument enables the EU to respond, in line with international law, to economic coercion aimed at the EU as a whole or any member state. The goal is to dissuade this kind of action, but also respond with collective actions and provide resources and compensation for mitigating the impact to its member states as well.[7]

One report suggested establishing an "Indo-Pacific hybrid threat centre" that would facilitate research and analysis of hybrid threats across the region, and promote information sharing and engagement on these issues to raise the overall situational awareness of the hybrid threat environment and identify potential areas of concern.[8]

Several of these recommendations underscore the importance of collective action, not only as a way to try and dissuade the use of economic coercion, but also to create costs to the country trying to impose it, in its broader trade relations, while also mitigating the effects on the targets of coercion. While the U.S. does not have mem-

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[4] See examples in report such as: Stokes, Jacob, and Joshua Fitt. "Peninsula Plus: Enhancing U.S.-South Korea Alliance Cooperation on China, Multilateralism, and Military and Security Technologies," Center for a New American Security, March 15, 2023, *https://www.cnas.org/publications/reports/peninsula-plus-enhancing-u-s-south-korea-alliance-cooperation-on-china-multilateralism-and-military-and-security-technologies*; Reynolds, Matthew, and Matthew P. Goodman. "Deny, Deflect, Deter: Countering China's Economic Coercion." CSIS, March 21, 2023. *https://www.csis.org/analysis/deny-deflect-deter-countering-chinas-economic-coercion*.

[5] Fergus Hunter, Daria Impiombato, Yvonne Lau, Adam Triggs, Albert Zhang, Urmika Deb, "Countering China's coercive diplomacy," Australian Strategic Policy Institute, 2023, *https://www.aspi.org.au/report/countering-chinas-coercive-diplomacy*.

[6] Matthew Reynolds and Matthew P. Goodman, "Deny, Deflect, Deter: Countering China's Economic Coercion," Center for Strategic and International Studies, March 21, 2023, *https://www.csis.org/analysis/deny-deflect-deter-countering-chinas-economic-coercion*.

[7] "Anti-coercion: deal on new trade tool to protect EU from economic blackmail," Press Release, European Parliament, June 6, 2023, *https://www.europarl.europa.eu/news/en/press-room/20230605IPR94605/anti-coercion-deal-on-new-trade-tool-to-protect-eu-from-economic-blackmail*.

[8] Lesley Seebeck, Emily Williams and Jacob Wallis, "Countering the Hydra: A proposal for an Indo-Pacific hybrid threat center," Policy Brief Report No. 60/2022, Australian Strategic Policy Institute, June 7. 2022, *https://www.aspi.org.au/report/countering-hydra*.

ber states like the EU, building cooperation and collection resources within our network of alliances can help safeguard U.S. interests in the long run and create greater resiliency among our allies against hybrid threats.

Question. U.S. DIPLOMATIC ENGAGEMENT WITH DPRK: The Biden administration in 2021 stated that it will pursue a "calibrated, practical approach that is open to and will explore diplomacy with North Korea" to eventually achieve the "complete denuclearization of the Korean Peninsula," even as U.S. and international sanctions remain in place. The approach appears to envision offering partial sanctions relief in exchange for partial steps toward denuclearization. Biden administration officials say they have reached out to North Korea, offering to meet "without preconditions," and that "the ball is in [Pyongyang's] court."

What incentives or other creative approaches would you recommend that the United States employ to increase diplomatic engagement with the North Korean regime?

Answer. Rebuilding diplomacy with North Korea at this stage in both bilateral and larger geopolitical relations requires us to rethink our approach to diplomacy in general. First, we need to recognize that diplomatic efforts focused on denuclearization at the moment will not be effective. North Korea has made clear that it is not willing to negotiate on their WMD programs for the foreseeable future. More importantly, the kinds of incentives that would politically palatable in the U.S. will pale in comparison to what Russia seems to be willing to offer Pyongyang currently.

However, we also do not have a good understanding of what issues North Korea might be willing to engage on. Probing North Korean responses and reactions on a range of security oriented concerns through either partner governments, like Sweden, or Track 2 channels, could help identify areas of mutual interest. These insights would help us then shape a new agenda and proposals for engaging Pyongyang directly.

As U.S.-China relations start to thaw, this could also create a window of opportunity to propose a similar agenda to Pyongyang. Proposing talks focused on preventing nuclear war in the region could be a useful framing, especially if coinciding with progress in U.S.-China strategic stability talks. This broad framing can create space to address a number of security concerns in the region, such as codes of conduct for signaling/communication of military exercises and other measures to reduce risks of misperceptions that could lead to conflict. Moreover, given the nature of atrocities seen in the current conflicts, especially that in the Middle East, there could be value in a multilateral dialogue on the code of conduct of war aimed at recommitting all states the region to adhere to international norms in this regard.

Essentially, as we lead with issues other than denuclearization, the approach should shift away from a transactional exchange to identifying issues of mutual interest in addressing both traditional and nontraditional security challenges, seeking to negotiate practical and implementable measures to improve relations and the overall security environment in and around the Korean Peninsula.

At the same time, efforts should be taken to clear obstacles for U.S. humanitarian work to move forward if and when the opportunity arises. Several concrete actions to clear out some of the bureaucratic hurdles to pursuing this work are outlined in H.R. 1540/S. 690 on *Enhancing North Korea Humanitarian Assistance Act*. Implementing these measures could help American humanitarian organizations to be ready to act quickly if and when the opportunity arises.

Question. If diplomacy with DPRK were to restart, what short- and long-term objectives should the U.S. seek in such talks?

Much of this will depend on the subject and format (bilateral or multilateral) of said talks. For instance, proposing talks on the prevention of nuclear war could have a number of short term objectives, such as moratorium on nuclear and missile testing on the Korean Peninsula or in the region (not just North Korea); reestablishing consistent and reliable communication channels as well as protocols for crisis communications; codes of conduct for notifying military exercises in advance of conduct to help lower the risks of misperceptions; and codes of conduct in case of conflict to recommit to international humanitarian law and minimize civilian harm. These kinds of issues may start as bilateral talks to probe interest, but may be better served in a multilateral or minilateral format in the longer term, to create commitments among all the relevant regional stakeholders.

Longer term security objectives could include eliminating preemptive doctrines in the region; assessing the political appetite for an arms control agreement in the region; building cooperation on nuclear safety and security concerns; discussing realistic conditions for a permanent peace agreement to replace the Armistice Agreement; and understanding realistic conditions for resuming efforts to denuclearize the Korean Peninsula.