

**Testimony of Glyn T. Davies
Special Representative for North Korea Policy
U.S. Department of State**

Before the

**Senate Committee On Foreign Relations
March 7, 2013**

U.S. Policy Toward North Korea

Chairman Menendez, Senator Corker, and Members of the Committee, thank you for inviting me to testify today on U.S. policy toward the Democratic People's Republic of Korea (DPRK).

Nearly sixty years have passed since the conclusion of the armistice that ended the hostilities of the Korean War, yet North Korea still persists as one of the thorniest challenges confronting the United States and the international community. Pyongyang's February 12 announcement of a third nuclear test—conducted in brazen defiance of the demands of the United Nations Security Council—and its subsequent threats to conduct even more follow-on “measures” are only the latest in a long line of reminders that the DPRK's nuclear weapons and ballistic missile programs and proliferation activities pose serious threats to U.S. national security, to regional security in the Asia-Pacific, and to the global nonproliferation regime.

Pyongyang continues to violate its international obligations and commitments, including to denuclearize. Its human rights record remains deplorable. Its economy is stagnant. Its people are impoverished. It pours significant sums into nuclear and ballistic missile programs that are forbidden by the United Nations. The leadership's choices are isolating North Korea from the international community. International outrage against North Korea and its provocative and threatening actions, meanwhile, continues to grow.

The DPRK has consistently failed to take advantage of the alternatives available. The United States offered—and has continued to offer—Pyongyang an improved relationship with the United States and integration into the international community, provided North Korea demonstrated a willingness to fulfill its denuclearization commitments and address other concerns. The DPRK rebuffed these offers and instead responded with a series of provocations that drew widespread international condemnation.

Pyongyang appeared prepared to enter a period of serious diplomatic engagement in mid-2011, and the United States responded with a proactive, nearly-year-long diplomatic effort to push forward on denuclearization in a way that would lay the groundwork for improved bilateral relations. Starting in July 2011 and continuing over the next ten months, the United States and the DPRK held three rounds of bilateral denuclearization talks on three continents. In our meetings, we worked to forge the conditions necessary for resuming the Six-Party Talks, which had been stalled since 2008. Shortly after Kim Jong Un's assumption of power, we reached a modest but potentially important bilateral understanding announced on February 29, 2012.

Pyongyang announced its commitment to, among other things, a moratorium on nuclear tests, long-range missile launches, and all nuclear activity, including uranium enrichment activity, at the Yongbyon nuclear complex. North Korea also committed to allow International Atomic Energy Agency inspectors to return to Yongbyon to monitor the cessation of uranium enrichment and confirm the disablement of plutonium-related facilities there.

But just 16 days later, North Korea reneged on these commitments by announcing its intent to launch a satellite into orbit. Such launches use ballistic missile technology proscribed by multiple UN Security Council resolutions (UNSCRs), and we had made it abundantly clear during our negotiations that such a launch, even if characterized as a satellite launch, would be a deal-breaker. Pyongyang nevertheless conducted such a launch on April 13 and was greeted by deep international opprobrium. All five Six-Party partners—China, Russia, the United States, the Republic of Korea (ROK), and Japan—joined a long list of states publicly condemning Pyongyang’s provocation. The UN Security Council unanimously issued a Presidential Statement condemning the act as a “serious violation” of UNSCRs 1718 and 1874, tightened existing sanctions, and made clear its commitment to “take action accordingly” in the event of another launch.

North Korea again brazenly defied the international community on December 12, 2012, with another long-range missile launch, again characterized by the DPRK as a satellite launch, in flagrant violation of UN Security Council resolutions 1718 and 1874 and in the face of united public and private calls by the international community to desist. Over 60 countries and international organizations issued statements criticizing the launch. The UN Security Council unanimously adopted UNSCR 2087, which condemned the launch, further expanded the scope of sanctions on the DPRK, and promised “significant action” in the event of a future DPRK missile launch or nuclear test.

The DPRK’s February 12 announcement of a nuclear test, which Pyongyang proclaimed was targeted against the United States, represents an even bolder threat to U.S. national security, the stability of the region, and the global nonproliferation regime. The international response has been unprecedented. Over 80 countries and international organizations from all corners of the world have decried the test. Many are speaking out against DPRK provocations for the first time. As the list continues to grow, it is increasingly clear that an international consensus is coalescing in opposition to North Korea’s destabilizing activities.

We are working with the international community to make clear that North Korea’s nuclear test has costly consequences. In adopting Resolution 2087 in January after the December launch, the UN Security Council pledged to take “significant action” in the event of a nuclear test; we are working hard at the UN Security Council to make good on that pledge. We are intensively engaged with our Six-Party partners, members of the UN Security Council, and other UN member states on a strong and credible response by the international community.

China’s support for firm action remains key, and we are deeply engaged with the Chinese in shaping an appropriate response. We are strengthening our close coordination with our Six-Party partners and regional allies. And—through a whole-of-government approach, working closely with our partners in the Department of Defense and other agencies—we will take the steps necessary to defend ourselves and our allies, particularly the ROK and Japan. We have

reassured both Seoul and Tokyo, at the highest levels, of our commitment to extended deterrence through the U.S. nuclear umbrella, conventional capabilities, and missile defense.

North Korea's WMD, ballistic missile, conventional arms, and proliferation activities constitute a serious and unacceptable threat to U.S. national security, to say nothing of the integrity of the global nonproliferation regime, which many around the world have labored—over generations—to devise, nurture, and enforce. Effective, targeted multilateral and national sanctions will consequently remain a vital component of our efforts to impede the DPRK's efforts to advance its nuclear weapons and ballistic missile programs and proliferation activities. UNSCR 2087 was an important step forward in this regard. Combined with the measures in resolutions 1718 and 1874, UNSCR 2087 further constricts North Korea's efforts to procure weapons components, send agents abroad, smuggle dual-use items, and make headway on its nuclear weapons and ballistic missile programs.

Full and transparent implementation of these resolutions by all UN member states, including China, is critical. We are actively engaged with the international community to underscore the importance of full enforcement of these measures.

We also continue to exercise national authorities to sanction North Korean entities, individuals, and those that support them in facilitating programs that threaten the American people. Most recently, on January 24, the Departments of State and the Treasury designated a number of North Korean individuals and entities under Executive Order 13382, which targets actors involved in the proliferation of weapons of mass destruction and their supporters. The Department of State designated the Korean Committee for Space Technology—North Korea's space agency—and several officials directly involved in North Korea's April 2012 and December 2012 launches, which contributed to the DPRK's long-range ballistic missile development efforts. The Department of the Treasury designated several Beijing-based North Korean officials linked to the DPRK's Tanchon Commercial Bank, which has been designated by the UN and the United States for its role in facilitating the sales of conventional arms, ballistic missiles, and related items. The Treasury Department also targeted Leader (Hong Kong) International Trading Limited, a Hong Kong-based firm, for its links to the Korea Mining Development Trading Corporation, the DPRK's premier arms dealer and exporter of missile- and weapon-related goods.

We will continue to take national measures as appropriate. We are also working closely with the UN Security Council's DPRK sanctions committee and its Panel of Experts, the EU and like-minded partners, and others around the globe to harmonize our sanctions programs and to ensure the full and transparent implementation of UNSCRs 1718, 1874, and 2087, which remain the heart of the multilateral sanctions regime.

Sanctions are not a punitive measure, but rather a tool to impede the development of North Korea's nuclear and missile programs and proliferation-related exports, as well as to make clear the costs of North Korea's defiance of its international obligations. Working toward our endgame—the verifiable denuclearization of the Korean Peninsula in a peaceful manner—will require an openness to meaningful dialogue with the DPRK. But the real choice is up to Pyongyang.

We remain committed to authentic and credible negotiations to implement the September 2005 Joint Statement of the Six-Party Talks and to bring North Korea into compliance with its international obligations through irreversible steps leading to denuclearization. The President made this clear last November when he said, "...let go of your nuclear weapons and choose the path of peace and progress. If you do, you will find an extended hand from the United States of America." But let me state the obvious: North Korea's reckless provocations have certainly raised the bar for a return to dialogue.

The United States will not engage in talks for the sake of talks. Rather, what we want are negotiations that address the real issue of North Korea's nuclear program. Authentic and credible negotiations therefore require a serious, meaningful change in North Korea's priorities demonstrating that Pyongyang is prepared to meet its commitments and obligations to achieve the core goal of the September 2005 Joint Statement: the verifiable denuclearization of the Korean Peninsula in a peaceful manner.

This leads to some other important principles. First and foremost, the United States will not accept North Korea as a nuclear-armed state. We will not reward the DPRK for the absence of bad behavior. We will not compensate the DPRK merely for returning to dialogue. We have also made clear that U.S.-DPRK relations cannot fundamentally improve without sustained improvement in inter-Korean relations and human rights. Nor will we tolerate North Korea provoking its neighbors. These positions will not change.

In the meantime, active U.S. diplomacy on North Korea—on a wide range of issues—continues. Close coordination with our valued treaty allies, the ROK and Japan, remains central to our approach.

ROK President Park Geun-hye and President Obama agree on the need for continued close U.S.-ROK coordination on a range of security issues, including North Korea. We are confident of President Park's commitment to the U.S.-ROK alliance and anticipate close consultation with her administration on its North Korea strategy. Close consultation will also continue with Japan. During his visit to Washington in late February, Japanese Prime Minister Shinzo Abe and President Obama agreed to continue working together closely in responding to the threat posed by North Korea, including through coordination on sanctions measures.

We have also expanded our engagement by developing new dialogues on North Korea with key global actors who have joined the rising chorus of regional and global voices calling on North Korea to fulfill its commitments, comply with its international obligations, and refrain from provocative acts that undermine regional security and the global nonproliferation regime.

China, however, remains central to altering North Korea's cost calculus. Both geography and history have endowed the People's Republic of China with a unique—if increasingly challenging—diplomatic, economic, and military relationship with the DPRK. Close U.S.-China consultations on North Korea will remain a key locus of our diplomatic efforts in the weeks and months ahead as we seek to bring further pressure to bear on North Korea and, over the longer term, seek genuine diplomatic openings to push forward on denuclearization.

While denuclearization remains an essential focus of U.S. policy, so, too, does the welfare of North Korea's nearly 25 million people, the vast majority of whom bear the brunt of their government's decision to perpetuate an unsustainable, self-improverishing military-first policy. While the DPRK devotes limited resources to developing nuclear weapons and ballistic missiles and devising ways to avoid sanctions, one in three North Korean children is chronically malnourished, according to a 2009 UNICEF estimate. An elaborate network of political prison camps in the country is reportedly estimated to contain 100,000-200,000 inmates, who are subjected to forced labor, torture, and starvation. It has been reported that whole families have been condemned—in most cases without trial—when one member commits an alleged crime. The courageous and charismatic Shin Dong-hyuk, whose life story is chronicled in Blaine Harden's excellent book, *Escape from Camp 14*, was born in one of the most infamous political prison camps and spent the first 23 years of his life there. He was not only tortured and subjected to forced labor, but was also cruelly made to witness—at the age of 14—the execution of his mother and his brother.

Even outside this prison-camp system, the North Korean government dictates nearly all aspects of people's lives through a highly structured social classification system called *songbun*, which it uses to divide North Korea's population into categories. This system, in turn, determines access to education and health care, employment opportunities, place of residence, and marriage prospects. Improving human rights conditions is an integral part of our North Korea policy, and how the DPRK addresses human rights will have a significant impact on prospects for improved U.S.-DPRK ties.

The world is increasingly taking note of the grave, widespread, and systematic human rights violations in the DPRK and demanding action. UN High Commissioner for Human Rights Navi Pillay has called for an in-depth international inquiry to document abuses. We support this call, and next week, my colleague Special Envoy for North Korean Human Rights Issues Robert King will travel to Geneva to attend the UN Human Rights Council's 22nd session, where he will call attention to North Korea's human rights record and urge the adoption of an enhanced mechanism of inquiry into the regime's abuses against the North Korean people.

We continue, meanwhile, to engage countries across the globe to raise awareness about North Korea and enlist their help in pushing for action. We are also working with international and non-governmental organizations to improve the situation on the ground for the North Korean people, including by supporting the flow of independent information into the DPRK. Working with the Broadcasting Board of Governors, Voice of America, Radio Free Asia, and independent broadcasters in the ROK, we aim to provide information to the North Korean people and—over the longer term—plant the seeds for the development of civil society.

The Obama Administration's dual-track policy of engagement and pressure toward the DPRK reflects a bipartisan recognition that only a policy of openness to dialogue when possible, combined with sustained, robust pressure through sanctions when necessary, can maximize prospects for progress in denuclearizing North Korea.

Progress on this decades-old problem will not be achieved easily or quickly. We cannot and should not dignify or, worse, feed the North Korean narrative that U.S. actions determine DPRK

behavior. North Korea makes its own choices, selects its own timing, and is alone responsible for its actions. Similarly, we need to bear in mind that this is certainly not now—if it ever truly was—solely or even primarily a bilateral U.S.-DPRK issue. It is, rather, increasingly a *global* issue that requires an entrepreneurial approach, multilateral diplomacy and—yes—continuing, robust American leadership.

But above all else, genuine progress requires a fundamental shift in North Korea's strategic calculus. The DPRK leadership must choose between provocation or peace, isolation or integration. North Korea will not achieve security, economic prosperity, and integration into the international community while it pursues nuclear weapons, threatens its neighbors, tramples on international norms, abuses its own people, and refuses to fulfill its longstanding obligations and commitments.

The international community has been increasingly clear about this, and so have we. The DPRK leadership in Pyongyang faces sharp choices. And we are working to further sharpen those choices. If the North Korean regime is at all wise, it will re-embark on the path to denuclearization for the benefit of the North Korean people, the Northeast Asia region, and the world.

Thank you again for the opportunity to appear before you today. I am happy to answer any questions you may have.