"North Korea: What do They Want?"

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Senator Kerry, Senator Lugar, and distinguished members of the committee, it is my distinct honor to appear before you again to discuss the topic of North Korea. I offer my personal thoughts to you today based on my experience working this issue for the White House as deputy head of delegation to the Six Party talks, and based on my research on the country as an author and academic.

The latest statements out of North Korea appear to be telegraphing their next set of provocative moves. They have threatened everything from further ballistic missile tests, another nuclear test, withdrawal from the armistice, and cyber warfare. They demand that the UN "apologize" for its punitive statement against the April missile launch. They have threatened to retaliate against any actions taken by the UN Security Council in response to their May 2009 nuclear test. They refuse to return to Six Party talks. And in an unprecedented act, the North Koreans have sentenced two American journalists, Euna Lee and Lisa Ling, to 12 years of hard labor and reform. Should these two women be

sent to labor camps in North Korea, they would be the first civilian American nationals ever to suffer such a fate.

In the past, this litany of DPRK threatening actions was always understood as a tactic to get the attention of the United States and to draw Washington into bilateral talks. Indeed, this was often the argument that the Bush administration had to contend with whenever the North undertook provocative actions. And quite frankly, a very unhelpful dynamic developed in which the causes for North Korean bad behavior were pinned on U.S. diplomatic inaction rather than on North Korean intentions.

The Obama administration managed to correct this vicious cycle. It came into office signaling its willingness to have high-level negotiations with Pyongyang through Special Envoy Stephen Bosworth's trips to the region. It has made clear to Six Party members its commitment to the talks and to moving forward with the September 2005 Joint Statement. Yet the North continues to threaten and refuses to come to the table.

So what do they really want?

I think the North wants three things. First, the North wants agreements with the U.S. that are "election-proof." In other words, they want agreements that will outlast a change of presidencies. From their perspective, they have been victimized once before, when in 2000 Pyongyang's leadership viewed themselves at the threshold of a new relationship with the United States that dissipated quite rapidly when the Bush administration took

office. Arguably (and ironically), the Bush administration ended its eight years in office trying to make agreements that were permanent, including the removal of the DPRK from the state sponsor of terrorism list. I believe the administration is correct to consider list reimposition for North Korea after the second nuclear test, but it is more complex to put a country back on the terrorism list than to take them off it.

Second, the North wants arms control negotiations with the United States, not "denuclearization" negotiations. Their model is to turn the Six Party talks into a bilateral U.S.-DPRK nuclear arms reduction negotiation, in which the North is accorded a status as a nuclear weapons state. The outcome of such negotiations, in Pyongyang's view, should be "mutual" nuclear arms reductions (i.e., not elimination of DPRK nuclear weapons) and confidence building measures. During Six Party talks, the North Korean negotiators periodically referred to the U.S.-Soviet strategic arms control negotiations as their empirical referent. The ideal outcome of this negotiation, in the North's view moreover, is a situation like that of India. That is, an agreement in which the North is willing to come back under International Atomic Energy Agency safeguards and monitoring, but it is also assured of a civilian nuclear energy element. Most important, they would want to control of a portion of their nuclear programs outside of international inspection, which in their eyes could then serve as their nuclear deterrent. They would certainly want a great deal in return for these "concessions" including energy assistance, economic development assistance, normalized relations with the United States, and a peace treaty ending the Korean war. But on the nuclear side of the equation, they want

the rules of the Non-proliferation treaty regime essentially re-written for them as they were done for India.

Third, the North wants a special type of "regime security assurance" from the United States. This stems from the fundamental reform dilemma that the DPRK faces, which I wrote about in Foreign Affairs in 2002: It needs to open up to survive, but the process of opening up leads to the regime's demise. Thus, what Pyongyang wants is an assurance from the United States that it will not allow the regime to collapse during a reform process.

This is different from a negative security assurance. The negative security assurance was given to North Korea in the 2005 Joint Statement when the U.S. agreed "not to attack North Korea with nuclear or conventional weapons." This statement – astounding on its own merits – led the Russian delegation to pull aside the North Koreans to tell them they believed that the United States was serious, based on their own cold war experience when Moscow could not get such an assurance from Washington. But this is not what the North wants. They want an assurance that the United States will support and bolster the regime in Pyongyang as the Kim Jong-il (or post-Kim Jong-il) regime goes through the dangerous and potentially destabilizing effects of a reform process.

This type of regime assurance must be an even more prescient concern for the North Korean leadership given Kim Jong-il's deteriorating health condition. The likely leadership transition to Kim Jong-un, the youngest of his three sons who lacks any

experience or revolutionary credentials, would be an inherently unstable process in the best of times. The fluidity created by this process in combination with the imperative for reform probably makes regime assurance an top-line preoccupation.

The first of these North Korean desires is certainly plausible for the Obama administration to do. If negotiations resume in the future, then North Korea's desires for "irreversible" steps by the United States would be met by our own desires for irreversible steps on their nuclear and missile programs. The second and third, however, are more problematic. An India-type deal for North Korea would create a crisis of confidence in the alliance with Japan as well as with the Republic of Korea. Any outcome that even hinted at U.S. tacit acceptance of a de facto residual nuclear capability in the DPRK could potentially undercut the credibility of American extended deterrence to its allies. The secondary and tertiary consequences of self-help action by Tokyo or Seoul would then have unhelpful ripple effects in the region. A guarantee of U.S. support for a crumbling Kim Jong-il regime would run anathema to every American value and human rights principles. Without any significant improvement in human rights in the country, it is difficult to imagine any president agreeing to proactively support the Kim family's continued rule.

The recent presence of Deputy Secretary Steinberg and Special Envoy Bosworth in the region is commendable. The period afforded by Pyongyang's boycotting of the talks is a good opportunity to demonstrate continued American political commitment to the

negotiations and to demonstrate squarely that a failure of the process rests at the feet of Pyongyang and not at those of Washington.

Finally, the human rights abuses of North Korea have become even more clear given North Korean treatment of the two American journalists. Pyongyang may be trying to send a message with their harsh sentencing that they do not want world media drawing attention to or encouraging the outflow of refugees from the country. But Pyongyang has made their point with the sentencing and now needs to release the women as a humanitarian gesture. The longer they hold them, the harder it will be for Pyongyang to release them given the insulated leadership's concerns about not being seen as pressured by the outside world.

The administration and Congress must exhaust every avenue of diplomacy to see to the release of these two women. If necessary, a high-level envoy should be sent to negotiate their return. Given North Korean negotiating habits, this envoy may have little transparency in advance whether his/her mission would be successful. An envoy of sufficiently high level must try, nevertheless. No American should be subject to imprisonment in North Korea.