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**IMPLEMENTING A DENUCLARIZATION AGREEMENT
WITH NORTH KOREA**

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Mr. Chairman and Members of the Committee, thank you for inviting me to appear before you to discuss the implementation of a possible agreement with North Korea for the complete, verifiable, and irreversible dismantlement (CVID) of its nuclear weapons program. I was deeply involved in the Nunn-Lugar program from 1991 to 1996, a very successful effort established by the Chairman of this Committee and Senator Nunn. The Nunn-Lugar program accomplished CVID in Ukraine, Kazakstan, and Belarus, as well as the dismantlement and securing of a large portion of Russia's nuclear weapons legacy from the Soviet Union. Currently the methods it pioneered are also at work in Iraq and Libya, and in securing highly enriched uranium around the world.

We all hope something similar can be accomplished in North Korea. I must begin, however, by warning that in my estimation we are a long way from an agreement with North Korea on CVID. I do not know whether at this point North Korea is susceptible to a diplomatic solution to the nuclear crisis at all. But President Bush is correct to give diplomacy a try before moving to other, more coercive paths. The alternatives to diplomacy are dangerous because they could spark a violent war on the Korean peninsula. Additionally, they cannot be fully effective unless others join us in implementing them. For example, economic penalties cannot be imposed on North Korea unless China, South Korea, and Russia agree not to undercut them. This needed international support is not a matter of a "permission slip," it is critical to making U.S.-led policy effective. We will not get this support unless the diplomatic path has been tried and been shown to have failed.

The last time I appeared before this Committee I called for an overhaul of U.S. counterproliferation capabilities. I argued that President Bush was dead on when he said that keeping the worst weapons out of the hands of the worst people was an American president's highest national security priority. The worst weapons are nuclear and biological; the worst people are rogue states and increasingly terrorists. But I also pointed out that U.S. policy in recent years has been focused mostly on the worst people and far too little on the worst weapons. We have waged a war on terrorism but have not yet begun a parallel war on weapons of mass destruction (WMD). The only major action

taken against WMD was the invasion of Iraq, an action which I supported in the firm conviction that Saddam Hussein's WMD would be found after the war. But it turns out that pre-war intelligence falsely overstated Iraq's WMD capabilities. Meanwhile, as all eyes were on Iraq, North Korea and Iran plunged forward with their nuclear programs; efforts to secure nuclear materials in Russia and worldwide proceeded at their pre-9/11 bureaucratic pace; and the Department of Homeland Security, Department of Defense, and Intelligence Community continued to give inadequate attention to overhauling their counterproliferation programs to deal with the age of terrorism.

The most adverse of all these recent developments in counterproliferation has taken place in North Korea. The North quadrupled its stock of plutonium, in the most significant proliferation disaster since Pakistan went nuclear in the 1980s under the leadership of scientist A.Q. Khan. Letting North Korea go nuclear represents a security catastrophe in no fewer than five ways. First, it would weaken deterrence on the Korean peninsula and make war there both more likely and more destructive. Second, it could lead to a domino effect of proliferation in East Asia as South Korea, Japan, Taiwan, and others reconsider their decisions to forego nuclear weapons. Third, it would undercut the global Nuclear Nonproliferation Treaty (NPT) regime. Fourth, North Korea might sell plutonium, as it sells ballistic missiles. And fifth, if North Korea collapses we will need to worry about where its plutonium goes during the upheaval. These last two points alone illustrate why a North Korean nuclear program is unacceptable to U.S. and international security, because they show that proliferation to states is also a potential route to sub-state nuclear terrorism.

For these five reasons, the United States must put stopping the nuclear program first in its priorities when dealing with North Korea – above reducing North Korea's conventional forces, and above transforming its repressive political system and backward economic system. Strategy is about priorities. These other objectives remain important U.S. goals, but the Bush administration is correct to put nuclear CVID at the center of its negotiating strategy.

Unfortunately, the U.S. negotiating position has deteriorated significantly since the crisis began in late 2002, when North Korea's plutonium program was unfrozen and its uranium enrichment program revealed. For the eight preceding years, the 8,000 fuel rods containing several bombs' worth of weapons grade plutonium were at Yongbyon, where they could be inspected (or, for that matter, destroyed) and were months away from being converted into bomb form. Now they are out of Yongbyon, location unknown, and presumably at least some of them have been reprocessed to extract bomb-ready plutonium.

The U.S. position among other parties in the region has also taken a turn for the worse. South Korea and China have the power to reward and coerce North Korea – they possess carrots and sticks – that are at least as potent as ours – if they can be persuaded to wield them in the nuclear diplomacy. But in the absence of a clear U.S. negotiating strategy, each of these partners has begun to go its own way.

In South Korea, a younger generation seems to have lost its strategic bearings entirely, wishing away the North Korean threat and even going so far as to make the astonishing suggestion that the United States is the greater threat. The older generation of South Korean leaders has done too little to educate the younger generation about the South's actual interests and responsibilities. The United States has exacerbated this situation through three and a half years of delay in formulating a negotiating strategy, and by its clumsy handling of its plans to rebase U.S. forces on the peninsula.

China should apply its full weight to pressuring North Korea to agree to a reasonable U.S. negotiating position. But in the absence of a clear U.S. position, China also has been looking the other way as North Korea advances its nuclear program. In fact, China and South Korea appear to be collaborating closely. This is a symptom of a larger trend in East Asia, where China's power and influence grow and regional states find themselves tempted to align with China and move away from the United States. Our government's near-total focus on the Middle East has kept us from countering this trend towards the erosion of the U.S. strategic position in East Asia.

Mr. Chairman and Members of the Committee, I therefore approach my assigned task in this hearing with grave doubts. But in a spirit of hope, allow me to make some observations on how the "Nunn-Lugar method" might be applied to implementing a denuclearization agreement with North Korea.

1. Nunn-Lugar assistance with CVID is a reasonable "carrot" for the United States to offer North Korea. This nation – always loath to "bribe" North Korea, and burned once in the Agreed Framework by North Korean cheating – can hardly be expected to give North Korea large tangible rewards for stepping back from the nuclear threshold. It is likely that South Korea, China, Russia, and Japan will do so, but not the United States. But the U.S. can reasonably offer two carrots. The first is an intangible: namely, a pledge not to attack North Korea if it foregoes nuclear weapons. This simply makes explicit what should be our policy anyway. The second is Nunn-Lugar-like assistance with CVID. Such assistance, like the Nunn-Lugar program in general, should be seen as an investment in our own security, not a reward to North Korea. Secretary of Defense Bill Perry used to call the Nunn-Lugar program in the former Soviet Union "defense by other means."

2. While CVID must be the end-state prescribed in any agreement, as a practical matter this state will be approached in stages. Recall that the Agreed Framework also prescribed CVID of North Korea's plutonium infrastructure (its uranium provisions were not verifiable, and sure enough North Korea cheated on them). The problem with the Agreed Framework's plutonium provision was not that it did not have the right goal, or that it approached that goal in stages. The problem was that implementation never progressed beyond the first stage, the so-called "freeze." We need to make sure any new agreement does not get stuck in an early stage of implementation. The agreement will need to build in penalties to North Korea for stalling. On our side, Congress especially will need to support the implementation of the agreement over time and over successive administrations until CVID is achieved. With the Agreed Framework, first Congress and

then the Clinton administration betrayed signs of “buyer’s regret” soon after the agreement was signed, and this played into the hands of North Korea’s desire to stall at the “freeze” stage.

3. The United States should begin program design for CVID now. The program design should include technical objectives and milestones, supply and construction plans, estimated costs, and a program management structure giving clear authority and accountability to a single U.S. official. This last point is important. Over the history of the Nunn-Lugar program, its projects have been implemented by Defense, State, Energy, and Commerce. These departments have developed expertise in these types of projects, and it would be imprudent not to exploit it for a North Korea program. But we cannot confront North Korea with the same bureaucratic chaos with which the states of the former Soviet Union still contend.

The program design should be shown to the North Koreans and their input solicited. Doing so will smoothe things down the road if an agreement is reached, and it might whet their appetite for such an agreement in the first place.

4. Obviously a program plan can only be notional at this stage and will need to be refined as we learn more about North Korea’s nuclear infrastructure. Without a program plan, it is impossible to estimate costs. A reasonable estimate would be that the North Korea Nunn-Lugar program would be a factor of ten smaller than the former Soviet Union program – that is, tens of millions of dollars per year for a ten year period.

5. By far the preferable role for Congressional oversight is to review the program plan in advance as it considers the overall wisdom of any agreement the executive branch reaches with North Korea. To the extent possible, we should avoid a situation in which every stage of implementation and every needed appropriation for assistance becomes a mini-crisis in U.S. politics. The North will exploit such crises to stall and re-bargain the agreement. The result will be to the U.S. disadvantage in the long run. Well-intentioned but totally counterproductive Congressional restrictions have greatly damaged the denuclearization effort in the former Soviet Union.

6. To yield complete (the C in CVID) and irreversible (the I in CVID) results, the “Nunn-Lugar” concept for North Korea, like those for Ukraine, Kazakhstan, and Belarus, should cover all portions of its nuclear infrastructure: weapons and materials, production and storage facilities, R&D centers, and the scientists and workers who populate it.

7. Verification (the V in CVID) will be aided by a Nunn-Lugar approach. A cooperative effort in which the United States is deeply involved, on the ground and in person with North Korean technologists, will give important insights and confidence to complement formal verification measures and national intelligence collection.

8. While in principle other nations in the Six-Party talks could also provide Nunn-Lugar-type assistance to implement an agreement, it is probably preferable that the program to implement the agreement be U.S.-only. The United States has the experience

of the existing Nunn-Lugar program under its belt, an enormous incentive to see CVID succeed, and a disinclination to provide the other types of assistance to North Korea that China, Russia, South Korea, and Japan might provide.

9. Elimination of chemical and biological weapons and ballistic missiles can be added to the agreement and to the resulting Nunn-Lugar-like program, though with lesser priority than nuclear weapons. Chemical weapons are not much more destructive, pound for pound or liter for liter, than conventional weapons and hardly deserve the “mass destruction” designation. Biological weapons are a true WMD, but the United States must formulate strong counters against biowarfare and bioterrorism irrespective of North Korea, and those countermeasures – if taken – will likely provide protection against North Korean bioweapons. Ballistic missiles are a poor way for an attacker to spend money unless they carry nuclear or biological warheads, so our concerns about missiles end up being derivative of these weapons.

Mr. Chairman and Members of the Committee, let me close by stressing that policymaking and implementation are different processes requiring different skills. Too often our policy is brilliant but when it comes to spending the taxpayers’ money on complex and novel technical projects, especially in foreign lands, our performance is less than brilliant. (Joint military operations are fortunately an exception to this observation.) But when one considers the fumbling in the early years of the Nunn-Lugar program in the former Soviet Union (to which I can attest personally), the first year of the Coalition Provisional Authority and “stability operations” in Iraq, and the first three years of the U.S. Homeland Security program, one can easily see that successful implementation is not always assured even when the policy objectives are crystal clear. The complexity of a North Korea CVID program based on the Nunn-Lugar precedent, together with the inimitable qualities of the North Korean government, mean that implementation will require stamina and finesse on the part of both the executive and legislative branches.