This hearing of the Senate Foreign Relations

Committee is called to order.

Today the committee once again turns its attention to North

Korea. I am especially pleased to welcome Assistant Secretary of

State James Kelly, who will provide an update on the latest round

of six-party talks, as he did earlier this year during our March 2

hearing on North Korea. Secretary Kelly is accompanied today by

Mr. Joseph DeTrani, Special Envoy for Negotiations with North

Korea and U.S. Representative to the Korean Peninsula Energy

Development Organization, KEDO.

The world acknowledges the importance of the six-party talks in

providing regional stability and preventing another war on the Korean

Peninsula. The North Korean regime’s drive to build nuclear

weapons and other weapons of mass destruction poses a grave

threat to American national security. We are concerned about the

transfer of North Korean weapons, materials, and technology to

other countries or to terrorist groups. In addition, we must remain

vigilant to avoid a miscalculation that could lead unintentionally to

war.

The purpose of today’s hearing is to provide Secretary Kelly and

Special Envoy DeTrani an opportunity to provide a clear account

of events in Beijing. They were the leaders of the United States

delegation in the Plenary and Working Group sessions. I am very

pleased by their willingness to visit with the committee in an open

session.

As we meet, events are developing rapidly in northeast Asia.

President Bush originally envisioned a strategy incorporating a

multilateral approach to addressing North Korea’s nuclear programs,

with a goal of forging a united front with South Korea,

Japan, Russia, and China. However, in an effort to scuttle the six-party

process, North Korea has accelerated bilateral dialog with its

neighbors on a myriad of issues.

South Korea recently engaged in high level military-to-military

discussions with North Korea and reached agreement on a number

of issues. Kim Jong-il has displayed a new flexibility with the Japanese

on the abduction issue, and it appears that Japan and North

Korea may normalize relations within a year. The Chinese continue

providing massive assistance to North Korea, and the Russian Foreign

Minister recently returned to Moscow from a high-level visit

to Pyongyang.

While I appreciate the inclination of countries within the region

to respond to initiatives from Pyongyang, these initiatives have not

diminished the necessity of eliminating North Korea’s nuclear programs.

And I am hopeful that the leadership of Japan, South

Korea, Russia, and China will continue to work with the Bush administration

in a multilateral context for a peaceful resolution of

this matter.

Both North Korea and the United States presented detailed proposals

in Beijing. Secretary Kelly and Special Envoy DeTrani exhibited

appropriate flexibility by engaging in occasional bilateral

interaction with North Korean officials.

I also extend appreciation to administration officials for continuing

to raise human rights issues with the North Koreans. This

committee is committed to the resolution of ongoing human suffering

in North Korea’s gulags and prison system.

In addition to Secretary Kelly and Special Envoy DeTrani, the

committee will hear from Dr. Ashton Carter of the JFK School of

Government at Harvard. As one who was deeply involved in

launching the Pentagon’s Counter-Proliferation Initiative some 10

years ago when he was Assistant Secretary of Defense in the Clinton

administration, he knows that negotiations are only the first

step in a successful counter-proliferation process. We have asked

Dr. Carter to consider the administration’s proposal to the North

Koreans and to reflect on the kinds of strategies and programs necessary

for freezing, disabling, and dismantling North Korea’s nuclear

programs. I am particularly interested in his analysis as to

whether and how we might apply programs like the Nunn-Lugar

Cooperative Threat Reduction program to North Korea. Is such a

program feasible and what would be involved in its implementation?

Under what circumstances, if any, might North Korea agree

to open itself to unfettered inspections of its nuclear program?

Ambassador Jack Pritchard is with us today as well. He has extensive

background on several fronts related to North Korea, and

will specifically address the energy portion of the United States’

proposal. He served as Ambassador and Special Envoy for Negotiations

with North Korea and U.S. Representative to KEDO. During

his 5 years on the National Security Council staff, Ambassador

Pritchard was involved in negotiations with North Korea. He accompanied

the Secretary of State, Ms. Albright, on her visit to

Pyongyang in 2000.

We look forward to engaging our distinguished witnesses on the

situation in North Korea and U.S. policy options toward the peninsula.

It is a special privilege to have these four remarkable Americans before us in open session so that all Americans may be the

beneficiaries of this hearing and their wisdom and consideration.

When the ranking member, Senator Biden, arrives, I will recognize

him, of course, for an opening comment. I ask my colleague,

Senator Hagel, if he has an opening comment that he would like

to make.

Well, I thank you, Senator Biden, for your leadership

on this issue, and likewise for the bipartisan way in which

we have approached a very serious issue for our country. It is in

that spirit that the hearing is held this morning. We are grateful

for these witnesses in open session.

I would like to call now, first of all, upon Secretary Kelly, to be

followed by any comments that Mr. DeTrani might have. Would

you please proceed.

Well, thank you very much, Secretary Kelly.

We have two distinguished panels today and we have a number

of interested Senators. So I am going to suggest our first round of

questions be limited to 7 minutes to each of us, and we will see

how that proceeds. There may be opportunities for further questions

if Senators wish to pursue that.

Secretary Kelly, I would begin by following through your reasoning

today that the North Koreans might be willing to engage in

a freeze of activities. As you say, many questions are still to be

raised.

Is there an overall feeling on your part or among the group of

six that there is a possible formula for the dismantlement and destruction

of the weapons, in return for assurances of non-aggression,

some degree of fuel oil, which you have mentioned, heavy oil,

perhaps other energy resources? There is some now being provided,

as you have testified before, by the Chinese, in substantial

amounts. There has been some measure of nutrition, even going beyond

that provided by the World Food Program of the U.N. and

other humanitarian efforts, with a more substantial regularization

of both aid and potential trade. Is this conceivably on the horizon

as a strategy for the regime in North Korea, that they would be

prepared ultimately, perhaps not this month or the next month,

but down the trail, to move to that kind of framework?

What sort of possibilities could the British, the

EU, and others outside the six offer? Do you know that they have

been involved in talks or public proposals of any sort?

Have the United States’ relations with the Chinese

continued to strengthen because of mutual interests in this

area?

I believe that at a previous hearing you testified

that one of the byproducts of the six-party talks was considerable

visitation among the other five, or among those that are in Asia,

even beyond the six-party talks. They have been thinking about

Asian security, about the fact that Asia has never had a NATO or

some organization of formal character. Such might be useful and,

in fact, necessary in the future. This is not the purpose of the six-party

talks. It is to deal with the nuclear dilemma in North Korea.

Can you comment any further upon what you perceive to be the development

of our overall strategy for organization of security in

Asia arising from these contacts?

Are there current indications of humanitarian

crisis in North Korea beyond those that unfortunately are normal,

namely a lot of very hungry people?

Thank you, Senator Brownback.

I have one question. I know the distinguished ranking member

has another question.

Let me just state it this way. Has the United States clearly expressed

to North Korea what actions on their part related to the

export or trade of nuclear-related materials would have the equivalence

of crossing a red line with the United States and our allies?

Do our partners around the table share that view

of the seriousness of that export?

Well, thank you very much, Senator Brownback.

Mr. DeTrani, I understand that you discuss regularly the human

rights issues. Will you describe what you are doing?

Thank you very much. I thank both of you for

your testimony today. We are looking forward to inviting you again

because these negotiations will continue. We really appreciate your

availability. Obviously the committee is very supportive of your

work as you proceed on behalf of our country. Thank you for coming.

Well, thank you very much, Ambassador Pritchard.

In this round of questions, Senators will have 10 minutes. I will

commence my part of that questioning by commenting that, Secretary

Carter, you mentioned at the outset, before you got into the

constructive phase of your program, a certain degree of pessimism

about how the negotiations are proceeding. You put that on the

record, but you said that even notwithstanding this, down the trail

things still may get better.

On the other hand, without underscoring it, you mentioned the

fact that we might not be successful. There could be military action,

economic sanctions, in other words, some activity on the part

of our government or others because of the seriousness of the proliferation

problem. You have listed five crises that occur if things

remained in the status quo. That is an ominous overtone, but nevertheless

one based on your own experience.

In view of that, I am struck by the fact that you suggested that

if a so-called Nunn-Lugar approach was to be adopted here, one

thing that we might think about would be the careful design of

that program now, as a part of the negotiations, if there is a North

Korean Nunn-Lugar program. We have a pretty good idea of who

does what in this situation. We acknowledge the importance of the

continuity of such a program. It ought not to go through all the

hazards of the programs with regard to Russia or the Newly Independent

States which you point out, from your own experience, and

which I know from my own, led to many congressional restrictions.

There were pauses during which there was no activity at all for a

while, followed by waivers by the President to get it all going

again. The problem of dealing with the North Koreans in this matter

is that they might very well take advantage of these intervals,

or of the lack of decision, the lack of continuity on our part. Having

gone down that trail before, understanding hazards of something

that starts from scratch, we need not go through all of that this

time.

It is important that we have the organization all set up. The

North Koreans can look at it. In the negotiating situation, as it

stands, we are discussing the fact that at the end of the trail there

may be some of these discussions. This would pertain likewise to

the energy component. But the specifics of this are not very clear

for us or for them. So as a result, this is almost bound to cause

more delay in the negotiations as the parties try to flesh it out.

To pick up a subject that you have talked about, Ambassador

Pritchard, with KEDO, we have an entity that people have heard

about and has worked. However, if we eliminate KEDO, what happens

if fuel comes again, heavy fuel or otherwise?

Let us take the worst case scenario, as I think through your testimony,

regarding the six-party talks, assume negotiations do not

work. Time goes on and there comes from one source or another

more evidence that nuclear weapons are being formed in whatever

form and, furthermore, that there may be proliferation.

Is there not some value in having these designs set up in light

of the point you make, Ambassador Pritchard, of how this might

ultimately be integrated into the energy components or programs

of South Korea?

For example, let us say that at the end of the day the North Korean

regime is in fact overthrown. Now, many have said, this

would be a catastrophe, because if Iraq was a problem, in terms of

lack of planning about what happens the day after, then North

Korea, in its current status of starving people, with a total lack of

energy needs for development and so forth, would be in even worse

shape. Physically, who does what? In either case, war or peace—

preferably peace, because you have the credibility of planning—

there is real value in having these designs physically available.

They show that we have done our homework. They demonstrate

the concentration of American and international expertise as we

bring the process along. It brings a new dimension, to these negotiations,

as opposed to us simply hoping at the end of September

that people will be in a better mood than they were in when we

last met.

Does this thinking strike any chords with either of you?

Do you have thoughts?

I appreciate those answers. Let me just say that

it has certainly been the thrust of our committee efforts to think

about structures for nation-building for procedures that we need to

follow. We will continue to pursue this in our modest way, in the

hope that we can spur activity by the administration.

Likewise, we are appreciative of the fact that for the first time,

a year ago, the Nunn-Lugar funds were available, at least $50 million,

for application outside the former Soviet Union. So even

though theoretically thoughts have arisen about having these programs

somewhere else, inexplicably until this time, it was very,

very difficult for all of our colleagues in the Senate and the House

to agree that this program might be useful somewhere else. That

has finally come about, mercifully.

Even if the endeavor would be more modest than it was in Russia,

it could still be expensive. You are suggesting, Secretary

Carter, a 10-year period of time, or at least some period that requires

some continuity of thought and some bipartisan cooperation

through several administrations, Congresses, and so forth, if our

foreign policy in this very critical area is to be effective.

Senator Biden.

Thank you again, Senator Biden.

We had good questions raised by our colleague, Senator

Brownback, about human rights, as well as an assertion by Assistant

Secretary Kelly that this is an extremely important point. However,

there are priorities with regard to all of this, in the context

of the nuclear problem. Nuclear proliferation is the prime focus of

our negotiators. I mention this because reference has been made to

our experiences with the former Soviet Union, and then the successor

states. Many times during the Nunn-Lugar debates, people

would bring up, how can you possibly think about sending assistance

of any sort, technical or money, to a regime that has caused

the loss of its own people? How can you deal with this?

That is going to be a recurring problem. Regarding the Soviet

Union, we decided that we should deal with this in terms of our

security, so that warheads and missiles that are aimed at us,

13,000 of them would not be aimed at us. It is a tough call. As you

can see in our own dialog today, we have different points of emphasis,

although you always hope it all comes out in the same way.

Being on the same page with South Korea and Japan is an optimum

situation. Dr. Carter mentioned that the young people in

South Korea are not really on the same page with us, and might

not be for a while. In other words, in the timeframe of how we all

get to the same page, some very bad things could occur. Now, that

does not call for unilateral action on our part. But I appreciate the

problem of our negotiators, who are trying to move along in the sixparty

talks with a high degree of unity, which I think they are attempting

to achieve.

Having said that, our committee has, as it was indicated earlier

today by my friend, Joe Biden, been spurring our negotiators for

some time to move toward the position that apparently they now

have. So there is some satisfaction in seeing that kind of movement.

We are grateful to our negotiators for coming to the committee

in public session. But the fact is we have had today a hearing

about very serious American diplomacy in a public session with

very well informed people from the past administrations as well as

the current one.

So I call upon that as an achievement of sorts in itself. We have

heard some very good ideas that we might pursue, including these

designs that you have suggested about the explicit nature of what

might be more credible in terms of our own negotiating procedure.

Perhaps we can assist our own negotiators in trying to formulate

some of those ideas even further in concrete terms that will be

helpful to us.

I thank both of you very much for your testimony, for your excellent

papers, and for your forthcoming responses. We look forward

to visiting with you both again.