. Thank you, Mr. Chairman. And thank you

for holding this hearing. I missed the previous hearing on North

Korea. I was attending the *Columbia* funeral, and I apologize for

my absence. Hopefully, we can hold some subcommittee hearings

on North Korea as well because there are a number of facets to the

problem that I think bear looking at in totality. Time is short, and

I think we need to have some intense focus.

First, let me say clearly that from my perspective, the United

States must not allow North Korea to develop nuclear weapons, period.

And I have also contacted the NSC of the administration, and

they do not support nuclear weapons being developed in North

Korea as I think Mr. Einhorn had said in his testimony.

They are not saying, OK, you can go ahead and develop them.

We are going to try to contain them once you develop them, North

Korea. They do not support that position either of North Korea developing

nuclear weapons. It should not even be a question.

Kim Jong-il is one of the largest proliferators of missiles now,

selling them to the very worst parts of the world where the intent

to destroy America is clear. He has nuclear weapons. The selling

of these weapons would surely follow. He would have a nuclear

storehouse open for business.

In retrospect, it is clear to me that the Agreed Framework did

not work. It was nothing more than a tactic of deceit used by the

North Koreans to lull the United States into thinking that postponing

a problem is as good as dealing with it. We now have evidence

that the North Koreans began pursuing nuclear weapons almost

before the ink was dry on the agreement that they made with

the United States to abandon this destructive path.

This week’s events, where North Korean MiGs shadowed an

American observation plane in international airspace make it clear

upon playing the one and only card they have: Escalating tensions

to the point of forcing America to pay up once again.

These are dangerous tactics by Kim Jong-il and his Stalinist regime.

We cannot afford to give the North Koreans the impression

that their tactics are working, that they will pressure the President—

pressure this administration into caving and negotiating

with the blackmail artist. And that is exactly what Kim Jong-il

wants to do and is doing.

He has launched a surface-to-ship missile as a test. He has sent

MiGs into South Korean airspace. He sent even people, gardeners

I guess, across the DMZ line, all as a way of trying to rattle the

international cage and to do two things: Have us leave him alone,

the international community to leave him alone; and send money.

Engaging in a sequel of the failed Agreed Framework, not only

risks our immediate security in the region, but it allows Kim Jongil

to proliferate any and all missile and nuclear technology he can

develop. Now, perhaps if we had started off with the Agreed

Framework being a multilateral approach, they would have had

more leverage to get the necessary concessions from the North that

could have prevented this current mess. Specifically, it should have

been an absolute requirement that the nuclear fuel rods and other

materials in the Yongbyon facility be removed.

As we have seen, the agreement cannot guarantee a freeze in the

North’s nuclear pursuit. It did not freeze it, but the agreement

could have at least removed the material we knew they had.

Now, I have been following this issue for some time from another

perspective and here I want to speak for myself and a partner of

mine that is no longer here, Paul Wellstone, and that is on the

human rights issue. And I am—frankly, I am very disappointed

that you just waved past that one.

We have held hearings in the Judiciary Committee on the atrocities.

And let me just give you a few eyewitness testimonies that

we have had of people testifying, of watching North Korean guards

suffocate newborn babies, of people that have had to live on tree

bark as they escaped from the regime, of mothers who have given

their children rat poison rather than watching them die slowly

from starvation. These are people who have been tortured, starved

and executed for no reason other than the bad fortune of being

born in North Korea under the Kim Jong-il regime.

And we do not know exactly how many it is. Some people think

it is one to two million who have died of starvation over the last

5 years. There are somewhere between 30,000 and 300,000 now living

off the land in China fleeing this regime. They operate a Gulag.

The North Koreans operate a Gulag system of a large, fenced-in

area that is a mining camp, and you go in as a political prisoner

and the likelihood of you coming out is small.

I am presently reading, ‘‘The Aquariums of Pyongyang,’’ it is

about a young boy that went in and made it out some way; ten

years in one of these Gulags. Or the book, ‘‘Eyes of the Tailless

Animals,’’ about serving in one of these Gulags.

These are horrific conditions. This is probably the worst systematic

human rights’ abuses by a government on its people anywhere

in the world today. Maybe you argue that Sudan is there with it,

but it is in the top two or three. This is horrific. And we are going

to just walk past that one and say, ‘‘We cannot deal with it in this

setting’’?

China is the country most directly able to put pressure on this

regime by letting the people of North Korea simply stay in China

instead of sending them back in a procedure called refoulment. I

mean they could at least be forced to live up to their own international

obligations to allow these people to stay in China. The

people will vote with their feet, and many already have. They will

leave North Korea if given the chance. And then this failed State

of North Korea will have that pressure put on them.

To merely make another deal that will not be abided by is not

in the security interests of the United States, and it is a malicious

neglect of the horrific behavior of this regime.

Now, we should not cower to the demands of this dictator who

is starving and torturing millions of his own people, as well as kidnaping

citizens from Japan. I met this week with three family

members from Japan and four members of the Japanese Diet.

These three people had family members who had been abducted,

kidnaped by the North Koreans 20 years ago. And last year the

North Koreans admitted, ‘‘Yes, we did it. We are not going to send

them back or let the family members come back. Or if we do, we

are going to keep their children in North Korea.’’

It is a multilateral issue. We need to work with the Japanese,

the South Koreans, the Chinese, the Russians at least, and probably

in the future, we are going to have to work with the Taiwanese

as well, if North Korea continues operating in such a

threatening manner.

The world has urged the United States to take a multilateral approach

on Iraq and we have, and I do not see why we should be

doing any less with North Korea. This is a very troubling issue

with all these prongs within it, and I think that we have got to

deal with the various facets of the prongs.

And one of the key routes that we have not even been addressing,

that none of you have addressed here, is the real key of what

these refugees do represent, of people willing to walk. And the Chinese

Government that has signed agreements with the UNHCR,

High Commission on Refugees, that they will treat refugees without

sending them back into harm’s way, and now the Chinese are

saying they are economic migrants, but in the very agreements

that they signed, if there is a dispute between the two bodies, this

is to be submitted to arbitration. The Chinese say they are economic

migrants; the world says they are refugees. This is to be submitted

to binding arbitration, and the Chinese should be forced to

live up to their own obligations to these refugees.

And if you allow these refugees out, they will come and the international

community and the United States can work with them.

And this is a key area that we should be working on and pressure

that we should apply.

Mr. Chairman, I have taken past my time.

If one of you would like to respond, I would particularly appreciate

a response on the refugee issue, why that has just been so

much put aside and not even spoken hardly about.

. But you know these refugees have walked

already. A number of them have walked——

[continuing]. Into China already.

. I am not talking about undermining here,

but talking about even the Indochina situation in the 1970s that

did not undermine the regimes, but it put pressure on them, but

at least the people got out.

. Well, I want to dispute the answer, but my

point being that the refugees can be a clear key to a near-term

pressure on the North Korean regime. And the key, or the door

there is China. It is an unguarded border. I have been there. I have

met with many of the North Korean refugees, and they will walk

if China will simply live up to its international obligations against

refoulment. That is the simple direct point, and it is a near-term

answer.

Thank you, Mr. Chairman.