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NORTH KOREA: AN UPDATE ON SIX-PARTY TALKS AND MATTERS RELATED TO THE RESOLUTION OF THE NORTH KOREAN NUCLEAR CRISIS

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NORTH KOREA: AN UPDATE ON SIX-PARTY TALKS AND MATTERS RELATED TO THE RESOLUTION OF THE NORTH KOREAN NUCLEAR CRISIS

TUESDAY, JUNE 14, 2005

U.S. SENATE,
FOREIGN RELATIONS COMMITTEE,
Washington, DC.

The committee met, pursuant to notice, at 9:30 a.m., in room SD–419, Dirksen Senate Office Building, Hon. Richard G. Lugar, chairman of the committee, presiding.

Present: Senators Lugar, Hagel, Chafee, Murkowski, Biden, Feingold, and Obama.

OPENING STATEMENT OF HON. RICHARD G. LUGAR, U.S. SENATOR FROM INDIANA

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee is called to order.

The committee meets today to again review the status of the Six-Party Talks in Beijing, intended to bring about a peaceful conclusion to North Korea's nuclear program. One year has passed since the last round of Six-Party Talks occurred in Beijing. This delay is troubling because the North Korean regime's drive to build nuclear weapons and other weapons of mass destruction poses a grave threat to the Pacific region and American national security. We also are concerned about the transfer of North Korean weapons, materials, and technology to other countries or terrorist groups. In addition, we must remain vigilant to avoid a miscalculation that could unintentionally lead to war.

Joining us are Ambassador Christopher Hill, the Assistant Secretary of State for East Asia and President Bush's chief negotiator at the Six-Party Talks. He is accompanied by Ambassador Joseph DeTrani, who serves as Special Envoy to the Six-Party Talks. Both of our witnesses have approached these negotiations with innovation and energy. We are grateful to them for their commitment to pursuing a peaceful solution and for their willingness to share their thoughts with the committee on multiple occasions.

This hearing takes place at a critical moment in the efforts of the United States to prevent the expansion of North Korea's nuclear program. Pyongyang has said recently that it will return to the Six-Party Talks, which they left a year ago. But the North Korean regime has not provided a date or sufficient assurances that this will actually happen.

The committee is eager to hear the witnesses' estimates of whether this offer is genuine. We also look forward to a clear explanation of the administration's plan for dealing with the North Korean nuclear program.

Although I understand that there may be a need for some ambiguity in the United States policy toward North Korea, it is not evident that this ambiguity has been constructive or even intentional. Frequent news reports, and our own conversations with U.S. officials, suggest that there are many opinions within the Bush administration over how to proceed with North Korea. Each of these divergent opinions may have some validity and may deserve to be debated as part of the policymaking process. But if our policy is to be effective, our ultimate course must be internally consistent and explainable to our allies.

I am particularly concerned that as Secretary Hill and Ambassador DeTrani have pressed Russian, Chinese, Japanese, and South Korean officials for cooperation in moving North Korea back to the table, their initiatives have been complicated by others who have leaked sensitive information related to administration strategy.

For example, on May 7 of this year, a Washington Post article revealed sensitive and confidential details of discussions held between Secretary Hill and Chinese officials in connection with the Six-Party Talks. Chinese officials later protested to United States officials regarding the betrayal of confidence.

A great deal of planning and expertise has been applied to United States policy toward North Korea. But the implementation of this planning must be consistent. With this in mind, I am hopeful that our witnesses can address a series of questions that I believe get to the heart of the North Korea dilemma.

First, do we have any evidence that the North Koreans are serious about ending their intransigence and returning to the Six-Party Talks? Or are recent statements by Pyongyang merely an effort to buy time or placate other Asian nations?

Second, if the North Koreans do return to the talks, do we have a reasonable expectation that some combination of factors could lead them to agree to a solution that would satisfy our core objective that their nuclear program be verifiably dismantled? If so, what are those factors?

Third, will the other countries involved in the Six-Party Talks be willing to exert the degree of pressure on North Korea that most observers believe is necessary to achieve a satisfactory resolution?

Fourth, how will we judge when the Six-Party Talks no longer represent a viable course?

Fifth, in the event substantive progress is not made in the Six-Party Talks, what are our options?

Sixth, in dealing with North Korea, how viable is a strategy of expanded sanctions and isolation, which is favored by some within the Bush administration? How would such a policy achieve our objectives?

We want the Six-Party Talks to succeed, and we thank officials of China, Japan, South Korea, and Russia for their countries' partnership with the United States in the six-party process. As I have stated previously, success at the table in Beijing could lead to an

ongoing and perhaps expanded six-party format, as a venue for discussion on other Northeast Asia issues.

We welcome our witnesses and look forward to their insights on this extremely important subject.

At this point, I would like to recognize the distinguished ranking member of the committee, Senator Biden, for his opening statement, to be followed by Mr. Hill's statement. Then we'll probably have a recess, as a rollcall vote is anticipated sometime around 10 p.m., and return for questioning of the witnesses.

Senator Biden.

STATEMENT OF HON. JOSEPH R. BIDEN, JR., U.S. SENATOR FROM DELEWARE

Senator BIDEN. Thank you, Mr. Chairman, I welcome both our witnesses, and thank you for holding this important hearing.

I think it's time to state the obvious—the administration's policy thus far has been a failure. Not only have we been unable to constrain North Korea's nuclear program, but we've also distanced ourselves from our South Korean allies. Although there seems to be some bit of rapprochement this past weekend.

Let's be clear—North Korea's leaders are solely responsible for the choices they've made, and they've made a series of very bad choices by pursuing nuclear weapons that threaten the United States and our friends and allies in Northeast Asia.

But this administration has also made a series of poor choices, in my view. It has not fulfilled the responsibility to pursue the policies that stand a realistic chance of mitigating and ultimately reversing North Korea's threat.

On the President's watch, North Korea has declared itself a nuclear power, produced enough plutonium to build at least six or eight nuclear weapons, and made vague threats about testing, and on the verge of testing a weapon. The North has entered a Safe Guard Agreement with the International Atomic Energy Agency, withdrawn from the Nuclear Non-Proliferation Treaty, and reactivated its nuclear reactor. In March, the North, again, unloaded spend fuel from its nuclear reactor, and is now preparing to harvest more plutonium.

The consequences of all of this are significant. Global nonproliferation efforts have been wounded, and confidence in our ability to ensure peace and stability in Northeast Asia have been shaken. Moreover, a financially strapped North Korea could try to export some material, or even a nuclear weapon that puts a nuke on the auction block. The bidders will not be our friends. I'm not predicting that, but that is a possibility. The route to a nuclear 9/11 would be clear from that perspective.

And how did all this happen? What can be done to repair the damage? Over the past 3 years, the administration has been paralyzed by internal policy divisions, from my perspective. Most recently, Secretary Rice had to chastise "a senior Defense Department official" for suggesting the administration was preparing to take the North Korean issue to the United Nations Security Council. President Bush has failed to resolve the dispute between those who advocate a policy regime change, and those who argue for talks to eliminate North Korea's nuclear weapons in return for

sanctions relief, economic assistance, and diplomatic normalization. This combination of ambivalence and confusion has produced no recognizable policy on, perhaps, the most critical security issue we're facing this day.

North Korea probably produced enough plutonium to build one or two nuclear weapons in the early nineties, but the North's nuclear facilities were frozen, and placed under international monitoring from 1994 to 2002, pursuant to the agreed framework negotiated by President Clinton. As a result, the North Koreans did not produce one gram of fissile material between 1994 and the end of 2002.

Around the time of the 2000 Presidential election, North Korea began in earnest, a secret, illicit program to produce highly enriched uranium, suitable for use in nuclear weapons. The Bush administration rightly confronted Pyongyang regarding the HEU program on October 2002, but it was not until April 2003 when the United States finally sat down to talk with the North about the crisis and how it might be resolved. Three subsequent rounds of talks have failed to yield any measurable progress, and more than a year has passed since the last round of talks, at which the United States finally put a draft deal on the table.

The President says he "certainly hopes"—that's his quote—that his policy will work. But hope is not a plan. Our current path leads to one of two bad outcomes—either the United States essentially will acquiesce to the North's serial production of nuclear weapons, or we'll find ourselves in a military confrontation with a desperate nuclear arms regime.

A third way remains possible. It's time for some hard-headed preemptive diplomacy. First, I would respectfully suggest the President should appoint a Special Envoy to coordinate this policy and represent us at the Six-Party Talks. No offense to those present today, but it seems to me that we need someone who can not only make sure that our Government speaks with one voice, but also engage North Koreans at a level higher than the Vice Foreign Minister. George A.W. Bush or James Baker could fit that bill, as many others could.

Second, the President must set priorities. Job one is ending North Korea's production of plutonium, removing all fissile material, and dismantling its nuclear-weapons-related facilities. We should propose a phased, reciprocal, verifiable deal to eliminate North Korea's nuclear weapons program, terminate its export of ballistic missiles, and more closely integrate the North economically and politically into the international community. The proposal put on the table last June is not comprehensive enough and does not have enough flesh on the bones, in my view, to get any reaction. We should differentiate immediate threats—such as the North's plutonium stockpiles—from long-term threats such as the pursuit of uranium enrichment. But at the end of the day, all of the North's nuclear-weapons-related efforts must cease.

If the President takes these steps, success is not guaranteed by any stretch of the imagination. But I can guarantee the current approach will not succeed. Following this approach is the best chance of getting China fully engaged. China should do more to lean on North Korea to change course, but they will only do so if we're

making a sincere effort to engage the North. China and South Korea will not support, in my view, United States policy of coercive regime change, and the option should be abandoned.

Mr. Chairman, it seems to me we have to convince North Korea that it will pay a very high price for nuclear adventurism. Nobody wants to appease North Korea, but we must also demonstrate that a nuclear-weapons-free North Korea will be accepted by us, despite our dislike for our regime. So far, I don't believe we've done either. Until we do both, I think we're running an unacceptable risk of nuclear disaster.

I look forward to the testimony of our witnesses, and I will be listening to see whether we should expect more of the same from the administration, or whether some new policy is in the offering, and if so, whether the new policy has ingredients that promise success. I thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Biden, and I will recognize Secretary Hill. Your full statement will be made a part of the record, and you can proceed any way that you wish.

STATEMENT OF HON. CHRISTOPHER R. HILL, ASSISTANT SECRETARY, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

Mr. HILL. Thank you very much, Mr. Chairman. Thank you for this opportunity to discuss with the committee the efforts of the United States and like-minded countries to deal with the threat of North Korea's nuclear programs. Special Envoy for Six-Party Talks, Ambassador Joseph DeTrani is here with me for support in this discussion. Ambassador DeTrani does not have a separate statement, but would welcome the opportunity to respond to your questions.

I want to emphasize two points today: First, the President's policy is to achieve the full denuclearization of the Korean Peninsula by peaceful, multilateral diplomacy through the Six-Party Talks.

Second, to change its place in the world and to get the benefits of trade, aid, and investment, North Korea must address the concerns of its neighbors, and in the international community. To date, it has not demonstrated a readiness to do so.

While North Korea's nuclear ambition is decades old, our efforts to deal with it in a comprehensive manner through multilateral means began only a few years ago. We participated in three rounds of Six-Party Talks in August 2003, February 2004, and June 2004. Last June we tabled a substantive and comprehensive proposal. During each session, the United States met separately and directly with all of the parties, including the North Korean delegation. While all parties agreed to rejoin the talks by the end of September, and despite statements that it remains committed to the six-party process, the North Koreans have not yet agreed to return to the table on a date certain, or to respond formally to our proposal.

We've had meetings with all of the parties since June 2004, including with the North Koreans. Ambassador DeTrani met with the North Korean U.N. Permanent Representative five times in the New York channel in August, November, and December, last year, and May and June of this year.

We engaged in those meetings because we wanted the North Koreans to hear the United States position directly from us. These meetings are important to ensure communication, but they cannot take the place of the negotiations in the Six-Party Talks.

I'll quote what the President said, last month, on the North Korean nuclear issue to make the United States position very clear. "We want diplomacy to be given the chance to work." As Secretary Rice said recently, we have no intention to attack or invade North Korea. We deal with North Korea as a sovereign nation in the Six-Party Talks, and in the United Nations.

And while, of course, there is a range of options to deal with the North's nuclear threat, simply ignoring them is not one of them. Our policy is to pursue a diplomatic solution, but we need to see results from the diplomacy.

North Korea's unwillingness to return to the table casts increasing doubts on how serious it really is about ending its decades old nuclear ambitions. That said, the other parties are unwavering in their opposition to North Korea's possession of nuclear weapons. Pyongyang must make a fundamental decision, a strategic decision that its nuclear programs make it less—not more—secure, and it needs to eliminate them permanently, thoroughly, and transparently, subject to effective verification. We're working together with the other parties to bring the North Koreans to understand that it's in their own self-interest to make that decision, and will continue to work closely with the Congress and with this committee as we proceed.

So that concludes my statement, Mr. Chairman, and Ambassador DeTrani and I look forward to responding to your questions.

[The statement of the Mr. Hill follows:]

PREPARED STATEMENT OF HON. CHRISTOPHER R. HILL, ASSISTANT SECRETARY, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

Thank you, Mr. Chairman, for this opportunity to discuss with the committee the efforts of the United States and like-minded countries to deal with the threat of North Korea's nuclear programs. The Special Envoy for Six-Party Talks, Ambassador Joseph DeTrani, is with me for this important discussion. Ambassador DeTrani does not have a separate statement, but would welcome the opportunity to respond to your questions.

I want to emphasize two points today.

First, the President's policy is to achieve the full denuclearization of the Korean Peninsula by peaceful multilateral diplomacy, through the Six-Party Talks. The substantive and comprehensive proposal we made at the last round of Six-Party Talks, almost 1 year ago, remains on the table, and we are prepared to discuss it when the DPRK returns to the talks.

Second, the DPRK has a historic opportunity now to improve its relations with the international community and to reap the full rewards of trade, aid, and investment. But to change its place in the world, it must address the concerns of its neighbors and the international community. To date, the DPRK has not demonstrated any readiness to do so.

SIX-PARTY TALKS

The United States has adhered to three basic principles to resolve the North's nuclear threat. First, we seek the dismantlement, verifiably and irreversibly, of all DPRK nuclear programs—nothing less. We cannot accept a partial solution that does not deal with the entirety of the problem, allowing North Korea to threaten others continually with a revival of its nuclear program. Second, because the North's nuclear programs threaten its neighbors and the integrity of the global nuclear nonproliferation regime, the threat can best be dealt with through multilateral diplo-

macy. Third, we will not reward North Korea for coming into compliance with its past obligations.

While the DPRK's nuclear ambition is a decades-old problem, our effort to deal with it, in a comprehensive manner through multilateral means, began only a few years ago.

We worked closely with all of North Korea's neighbors to lay the groundwork for the Six-Party Talks, and the first round was held in Beijing August 27–29, 2003. All six parties at that first meeting agreed on the objective of a denuclearized Korean Peninsula.

The second round of Six-Party Talks was in February 2004. The parties agreed to regularize the talks, and to establish a working group to set issues up for resolution at the plenary meetings. At the second round of talks, the ROK offered fuel aid to the DPRK, if there was a comprehensive and verifiable halt of its nuclear programs as a first step toward complete nuclear dismantlement. Other non-U.S. parties subsequently expressed a willingness to do so as well.

The third working group and plenary sessions at the third round of talks, held nearly a year ago in Beijing, were useful and constructive. The United States tabled a comprehensive and substantive proposal, which the DPRK at the time called "serious," which it certainly was. All parties agreed to meet again by end-September 2004.

During each of the working group and plenary meetings, the United States met separately and directly with all of the parties, including the DPRK delegation.

Despite its commitment to rejoin the talks by end-September, and its vague statements that it remains committed to the six-party process, the DPRK has not yet agreed to return to the table. While the DPRK has made public statements about our June proposal, it has not responded formally to us.

We have had meetings with all the parties since June 2004, including the North Koreans. These meetings are important to ensure communication, but they are not negotiations. They cannot take the place of the negotiations in the Six-Party Talks to achieve the dismantlement of the North's nuclear programs or end the North's international isolation.

Ambassador DeTrani has met with the DPRK Permanent Representative to the United Nations, Ambassador Pak Gil-yon, five times in the so-called New York Channel, in August, November, and December of last year, and in May and June 2005. We engaged in those meetings because we wanted the North Koreans to hear the United States position directly from us. The North Koreans indicated they are committed to the six-party process, but did not agree to return to the table by a date-certain.

I'll quote what the President said last month, on the North Korea nuclear issue, to make that position crystal clear: "We want diplomacy to be given the chance to work." As Secretary Rice said recently, we have no intention to invade or attack. We deal with North Korea as a sovereign nation, in the Six-Party Talks and at the United Nations.

While, of course, there is a range of options to deal with the North's nuclear threat, simply ignoring it is not one of them. Our policy is to pursue a peaceful diplomatic solution, but we need to see results from the diplomacy.

Since becoming Assistant Secretary in March, I have traveled to East Asia three times, meeting with my counterparts in Japan, the Republic of Korea, and China, to consult on how to move the six-party process forward. I also met with the Russian senior official in Brussels in May. My colleagues from those governments have made frequent visits to Washington. All five parties have called on the North to return to the talks and negotiate seriously to end its nuclear programs and its international isolation. The North has cited a variety of pretexts for refusing to rejoin the talks, even as it restates its commitment to the six-party process and the goal of a denuclearized Korean Peninsula. That casts increasing doubt on how serious the DPRK really is about ending its nuclear ambitions. Frankly, we don't at this point know the answers.

Certainly, the developments we have seen on the part of the North Koreans have not been encouraging. Since the last round of Six-Party Talks just a year ago, the DPRK has failed to abide by its commitment to another round of talks by September 2004; announced that it had manufactured nuclear weapons and was indefinitely suspending participation in the Six-Party Talks; declared itself to be a nuclear weapons state; announced that its self-declared missile test moratorium was no longer binding; conducted a short-range ballistic missile test; reportedly threatened to transfer nuclear material; and announced that it was reprocessing another load of plutonium from spent fuel rods from the Yongbyon reactor.

The other parties are unwavering in their opposition to North Korea's possession of nuclear weapons.

China has the closest relationship with North Korea of any of the six parties and it is for this reason that we continue to engage the Chinese leadership on the North's lack of willingness to make a nonnuclear Korean Peninsula a reality. The Chinese leadership at the most senior levels has—in recognition of the destabilizing effect a nuclear Korea could have on its own security interests—delivered pointed messages to the North on denuclearization and returning to the talks. We believe China can and should do more. China should do whatever is necessary to get its neighbor back to the table.

We have excellent coordination with Japan and the Republic of Korea. President Bush and President Roh, at their June 10 summit in Washington, agreed to continue to work closely together for the denuclearization of the Korean Peninsula. We are also in regular touch, at the highest levels, with the Government of Japan, a valued partner in the six-party process. Russia, too, has expressed opposition to the possession of nuclear weapons by the DPRK.

NORTH KOREA'S OPPORTUNITY

To succeed in achieving the peaceful resolution of the North Korea nuclear issue, the North has got to return to the Six-Party Talks and stay there for serious negotiations.

Against the backdrop of the Six-Party Talks, the DPRK appears to be trying to undertake some measures in response to its disastrous economic situation. The door is open for the DPRK, by addressing the concerns of the international community, to vastly improve the lives of its people, enhance its own security, move toward normalizing its relations with the United States and others, and raise its stature in the world.

The United States, working with our allies and others, remains committed to resolving the nuclear issue through peaceful diplomatic means. While we are not prepared to reward the DPRK for coming back into compliance with its international obligations, we have laid out the path to a peaceful resolution of the nuclear issue.

Of course, to achieve a wholly transformed relationship with the United States, North Korea must address other issues of concern to us and the international community as well. It must change its behavior on human rights, address the issues underlying its appearance on the U.S. list of state-sponsored terrorism, eliminate all its weapons of mass destruction programs and missile technology proliferation, and adopt a less provocative conventional force disposition. It must put an end to such illegal activities as counterfeiting, narcotics smuggling, and money laundering.

The starting point is the strategic decision now by Pyongyang to recognize that its nuclear programs make it less, not more, secure, and to decide to eliminate them permanently, thoroughly, and transparently, subject to effective verification. We are working together with the other parties to bring the DPRK to understand that it is in its own self-interest to make that decision.

We will continue to work closely with the Congress and this committee as we proceed.

That concludes my statement, Mr. Chairman, and Mr. DeTrani and I look forward to responding to your questions.

The CHAIRMAN. We'll commence a 10-minute series, although I suspect the first round will end fairly abruptly, as we have our roll-call vote, and we need to return to that.

Let me just get back to the point that I am trying to make, and that is apparently, there may be a deliberate ambiguity. The United States position has been one of promoting regime change, that is, the end of the government. Comments have been made about the human rights conditions of the people of North Korea as unacceptable for any human beings anywhere. And at the same time, there is a feeling on the part of others that if diplomacy is to work, that regime change cannot be the objective. But the regime that we're dealing with needs to have a feeling that, in fact, we are not going to invade, overthrow them, but we are going to try to negotiate with them to achieve the end of their nuclear program. They would remain then as a regime, a sovereign state, and they would make a decision to get rid of the program.

What do you have to say about this? It filters back and forth through not only press commentary, but also some official comment. It leads not only the North Koreans, but also our other partners in the Six-Party Talks. Maybe even some Americans wonder what is, really, our objective in North Korea.

Mr. HILL. Well, our objective, quite simply, is to achieve denuclearization of the Korean Peninsula, that's an objective we share with all of the parties in the six-party process. Now, sure, we have gone almost a year without a negotiation, so I think it's understandable why people express some concerns about this. I think it's understandable why people worry whether the Government of North Korea is truly interested in pursuing a negotiation.

But I think, fundamentally, what we're really looking for is a government in North Korea that will agree to denuclearize, that is, a government that will change its attitude toward that subject, and change its behavior on that subject. So we have made very clear that if the regime in North Korea feels it's going to be safer, or will do better with nuclear weapons, it's very much operating under a false assumption. It has to get rid of these weapons. And I think what's important—even though it is difficult to wait for a year—but I think it's important to keep a consistent message, to be very clear of what we need out of this negotiation.

Understandably, when one waits so long, one looks at whether the format is right, and certainly one is tempted to look at the proposals we've made and start changing some of the proposals, although I would argue that runs the risk of our negotiating with ourselves, and while the North Koreans sit without any sense of impatience, or without enough of a sense of impatience, and wait for us to sweeten the offer, so I think this is a time when we have to be a little stubborn on this.

The CHAIRMAN. Well, we've taken the position that we cannot deal successfully, bilaterally, with the North Koreans. You've pointed out that these conversations have occurred sort of on the fringes of the Six-Party Talks. But all the evidence appears to be that the Chinese position is one in which they are not prepared to use the economic pressures that are clearly there in terms of provision of energy and food for the people of the country. Also, the South Koreans are certainly ambivalent to stronger measures in terms of the regime, and as a matter of fact, they are very, very much fearful of the prospects of any military action that would have great ramifications for their country.

Now, given these situations, we plow ahead, indicating that all of the countries really have to exert pressure. It can't be unilateral or bilateral negotiations here. What are the prospects, leaving aside the transigence of the North Koreans, for dealing with a "Six-Power Talk" in which the Chinese and the South Koreans, to take two, have viewpoints that are hardly persuasive, in terms of pressures through normal diplomacy?

Mr. HILL. Well, Mr. Chairman, I agree with you that China has been reluctant to use the full range of leverage that we believe China has. China has had North Korea as a close friend and ally for some 50 years now, and China has very close political connections, very close personal connections with the leadership, and very close economic connections, and our request to China is to do what

it has to do in order to bring them to the table. We're not going to tell them how to do that, we're not going to tell them whether they need to use economic leverage on their neighbor, but we're going to expect that as the host to the process that they figure out a way to get everyone to the table.

While there are differences on tactics, where the Chinese are reluctant to use pressure, and Mr. Chairman, as you've said, the South Koreans are also reluctant to use that type of direct pressure, I want to emphasize there's absolutely no daylight between us on the issue of disarming North Korea. No one wants to see North Korea maintained as a nuclear state, no one is prepared to accept, say, a few nuclear weapons in North Korea's hands—everyone agrees that North Korea must be denuclearized, and I would argue that, although the six-party process has not succeeded in its primary mission, that is, of the nuclear disarming of North Korea, it has succeeded in bringing us closer together with these other partners.

I wonder if I could ask Ambassador DeTrani to say a few words also.

The CHAIRMAN. Of course.

Ambassador DETRANI. Mr. Chairman, I would only add that the proposal we presented in June of last year, the going-in proposal, the plan was, and the agreement at that time was, that we would reconvene almost immediately thereafter to discuss the particulars of the U.S. proposal, and the DPRK proposal, and the ROK proposal, and the United States was looking forward to elaborating on what we meant by security assurances of a multilateral nature, and the whole question of economic cooperation, and ultimately a roadmap toward a normalized relationship.

I just want to add, Mr. Chairman, I know it's obvious to all of us, that we were hoping that we would have that working group session in August, and then we'd have the plenary in September. It was the DPRK, at the end of August and then in September, that made it very clear they were not ready for a working group session to discuss the respective proposals, and they weren't prepared to come back to a plenary session to discuss, not only the proposals, but the whole initiative that speaks to denuclearization, and the economic cooperation, and the security assurances they have demanded. So I think the United States has shown a great deal of flexibility and, I will say, creativity, in proposing something in June that we were ready to discuss fully. But it was the DPRK that walked away from the process, claiming a hostile policy on the part of the United States. We have pursued this DPRK claim of a U.S. hostile policy at great length with the DPRK, and we still have not discovered truly what they meant by a hostile policy. Our point is, "Come back to the table and we'll discuss the particulars," and that's where it should be done, and heretofore, for this past year, they've not been back.

The CHAIRMAN. Well, it could be that the North Koreans take the position that all of the other parties find their situation to be unacceptable. Regarding the creation of new weapons, perhaps the parties are not really prepared to do very much about it. In essence, each has reasons for living with the predicament, which may be more desirable than more precipitous actions that change the situa-

tion. That even pertains to us. I would agree that apparently you would formulate a policy in which you add some economic incentives, some other aspects to this, but even this has never seemed to be totally agreeable on our side. To say the least, our administration has not talked about a comprehensive revamping of the North Korean economy or incentives to bring them into the world. This has been contradicted by, it seems to me, arguments that we ought to get rid of the regime altogether, if that's really our purpose. This would lead the North Koreans to feel that we haven't made up our own minds, quite apart from others that are surrounding them there. It may be one reason that they don't find it necessary to hasten to the table. But these are just simply curbstone opinions. The purpose of having an oversight hearing is to find out from you what is really going on.

Ambassador DETRANI. If I may, Mr. Chairman, just one point on that we made it very clear to the North Koreans, and our partners in the six-party process, the other four countries, have made it very clear, that denuclearization is the objective here. And we are all prepared to look at the security assurances, the economic package we've spoken about, energy—looking at the energy needs, upgrading the grid, looking at training of their scientists, engineers, and roadmap that leads to normalized relations down the road—these are the issues that the DPRK insists they need to address and we're prepared to address them.

What we have not seen, however, on the DPRK side is a very comprehensive discussion of their nuclear program, and of our demands that the denuclearization be a comprehensive one. DPRK avoidance of this discussion may explain why they were not willing to come back to the table at the end of September.

The CHAIRMAN. Thank you.

Mr. HILL. If I could add, Mr. Chairman, I think your question speaks to the fundamental issue of why haven't they come back, and I think it's important to bear in mind, this nuclear program of theirs is a decades-old program, it didn't start with Mr. Kim Jong-il, it started with his father. It is a very fundamental question for them, and I think it's fair to say that they are not convinced yet that they have to do away with this program, and I think they are sort of testing our mettle. They're testing to see whether we're going to get into endless arguments with our partners, and waiting to see whether we're going to start negotiating with each other and with ourselves to sweeten the pot for them, and so they feel there's some advantage in waiting. And I think what's important for us to do is to make it clear to the North Koreans that, while we don't think time is on our side, it's not on their side either.

And indeed, Mr. Chairman, you mentioned the issue of South Korea's policy. The South Koreans at the recent North-South meetings made very clear to the North Koreans that what they can do through that channel is going to be very limited, very limited indeed, as long as North Korea does not negotiate the end of its nuclear weapons programs.

The CHAIRMAN. Thank you.

Senator Biden.

Senator BIDEN. Thank you. Mr. Secretary, Mr. Ambassador, thank you for being here, we appreciate it very much. You know,

Chris, you indicated that the question asked by the chairman would make it seem like we're negotiating with ourselves; well, we are. In case you haven't noticed, we are. You all are negotiating internally, you don't have it straight. You don't have it straight. And the idea that there's—I think the single biggest miscalculation here, two seasoned diplomats and a seasoned administration now—is that one thing isolation has produced, a diplomatically immature North.

I have no idea whether they want to give up their nuclear weapons, whether there's any circumstance under which they'll give them up. I have two objectives, simply from my standpoint sitting on this side of the aisle, on this side of the bench, I should say, and that is, that one of two things—either we get them to give them up, or if they don't give them up, we make sure that we are not the bad guy. That we're on the same side as the rest of the folks in the region, they're there with us. Right now, no matter what you say, they're not with us. They're with us generically, but they don't think we've gone far enough, individually we've been importuned by leaders from those countries saying, "What's the deal? What are you guys doing?"

And look, Chris, you said, Mr. Secretary, you said 1 year has passed. One year has passed disastrously. We're a lot worse off in terms of our security today than we were a year ago today. It will be even worse off a year from now. And so, the idea that, you know, it's like, "Well, you know, this is a negotiation to buy a piece of real estate, you know, it's not going to go anywhere unless a hurricane blows it away, it's going to be there, so a year, we can hold out. We can take our time here."

I respectfully suggest that time is not on our side either here, and so it gets down to a very basic thing. It seems to me, that if you're sitting there, notwithstanding, Mr. Ambassador, you're correct, you tabled a proposal that—in case you haven't noticed—a lot of people here in Washington openly wondered what you meant by it. All kinds of editorials written—what do you mean by it? If we're wondering what you meant by it, what do you think they think in the North you meant by it? See, that's the point I don't get—I don't think we should be giving anything that you don't think is appropriate to the North, but the one thing I don't get is that you can't have a proposal tabled that says normalization is down the road if these weapons are given up, and then have a series—which I don't have the time to read—a series of statements from the Vice President, from the Ambassadorial Nominee to the United Nations, from the Secretary, from the Secretary of Defense, and so on, about this regime, and how bad it—and they are bad guys. They are bad guys.

But the more we talk about them being bad guys, it throws into question whether or not—are we willing to live with bad guys who don't have a nuclear capacity, or not? That's the question the bad guy's asking, at a minimum. And that's what the Senator keeps asking, and we all keep asking—none of us think these guys are good guys. They're bad guys. The question is, are we prepared to live with them? And, even going beyond that, are we prepared to enhance their nation's economic circumstances in the process? That's the stuff that sends shivers up the spines of half of your administration.

It's bad enough we're going to talk about living with the bad guys, but my Lord, if part of that means an economic reorganization of the North, a countrywide proposal, a way in which to move forward, that's like me taking out my rosaries and holding them up and saying, by the way, there's no trinity and I'm still a Catholic. It's not possible.

So, I respectfully suggest you are debating with yourself. Or else too many people are talking for this administration—not you guys, personally. So, I don't know why you act surprised when you wonder why it wasn't clear. We're not negotiating with the Germans, or the Brits or the French, or even Putin. We're negotiating with a guy who, up to now, has been a hermit, who's been totally isolated, has had no diplomatic relations other than with his brother-in-law. So, I'm really confused by why it's not just simple enough to not negotiate, but to sit down and say, "Here's the deal. This is it. These are the outlines of it, for real, and we're willing to live with you bad guys." Unless you're not. And if you're not, you're living with other bad guys in other places of the world, in China there's not all good guys. In other places you're living with guys not as bad, but sure don't treat their people real nicely.

And that's what confuses me, and confuses, I think, a lot of other people. So, in the few minutes I have left, let me ask just two questions: Are you willing to live with the bad guys if you have a verifiable agreement that they've given up, not their prison camps, not their maltreatment of their folks, not their legal system, not those—if they're willing to give up nuclear weapons, nuclear capacity to build the weapons, and the capacity to throw those weapons on missiles. Are you willing to live with the bad guy? That's my question. Either one of you. At the risk of being fired, probably, but go ahead, give it a shot. [Laughter.]

Mr. HILL. Look, we have a negotiation aimed at denuclearizing North Korea. That's the purpose of the negotiation. Now, when you ask——

Senator BIDEN. You're not doing real well at it, Chris.

Mr. HILL. Well, it takes two to negotiate, in this case six to negotiate, and we only have five.

Senator BIDEN. Why do you only have five?

Mr. HILL. But, we are prepared to reach a negotiation which, at the end of the day, would denuclearize North Korea, and in return, we're prepared to do, and to support several issues, or several items that I think could help North Korea to have a much better future.

We are not prepared, however, to be silent on some of these other issues which you mentioned. We have a duty to ourselves——

Senator BIDEN. Look, I don't mean to interrupt you——

Mr. HILL. We need to be clear about human rights and other issues, and we'll continue to do that.

Senator BIDEN. Your statement speaks clearly for itself. It's a little bit like, when I'm negotiating with somebody about whether or not they're going to sell me a piece of property, it's not useful for me to point out how fat they are, and how they really have, really need some serious dental work, and you know that ugly car they drive that pollutes the neighborhood, I'm not going to buy this property until you stop polluting the neighborhood.

Look, we seem to be able to live with other countries whose human rights violations are serious, or who support terror or have been quiet about terror, and who have been involved with weapons of mass destruction programs, like Pakistan, and who are engaged in missile proliferation, and who have a conventional force posture we don't like, and we've operated—this administration has adopted a policy, I think that's correct for some of those countries—that says if we go in there and begin to change the economic circumstance, expose them, put them into the cold light of day, to use a phrase in a different context used by Justice Oliver Wendell Holmes, "sunlight is the best disinfectant," that those other bad things will stop. That they'll stop. Or that they will be atrophied. But you in your statement say, of course, to achieve a wholly transformed relationship with the United States, Korea must address other issues of concern to us, and must change their behavior in human rights, address the issues underlying its appearance on the U.S. list of State Department terrorists, eliminate all weapons, et cetera. So you guys have chock-fulled this thing, and I understand, if that's your position, I respect it. But that's the problem we're all having—figuring out what your position is. And your position is, unless human rights, terrorist support, WMD, missile proliferation, and conventional forces are all part of the negotiation, there's not a deal. That being the case, we've got a problem, because guess what? The rest of the deal, they ain't ready to get in on a deal about terror and about these other issues, they don't relate to it. You know it, and I know it. Because guess what? If they get in a deal, then you can turn to them and say, "Hey, what about you? Hey, China, what about you?" Kind of a problem, Chris. Kind of a problem, Mr. Secretary. And so, I just, I don't for a moment countenance their human rights violations or support of terror, or the rest, but let me tell you, my dad before he died used to say, "Son, if everything's equally important to you, nothing's important to you." There's one thing real important to me right now. How to get rid of all that plutonium that they've got stockpiled and are building weapons, the new plutonium they're making, and the HEU they're seeking how to produce. That is obligation, overwhelming, number one. And we're not doing that very well, in my view, because we're still negotiating with ourselves. I thank you very much, as you can see, I don't feel strongly about this—thank you. I'm happy for a response, but I——

Ambassador DETRANI. Just one second, Senator. The proposal that we put on the table speaks to what you're mentioning. The multilateral security assurances are giving the DPRK those security assurances, if they denuclearize comprehensively. They will get the multilateral security assurances that give them the guarantees.

Senator BIDEN [continuing]. Human rights abuses at home?

Ambassador DETRANI. We want to get into a discussion of human rights, we want to get into the discussion of their ballistic missiles, their illicit activities——

Senator BIDEN. No, I got ballistic—don't confuse the—I'm asking specifically. You said you've made that offer. Will that offer be forthcoming if they say, "Great, we ain't changing our human rights behavior at all, and we're still with guys that we think are liberation fighters." Is there still a deal there?

Ambassador DETRANI. We would not move toward normalization. That would be a show-stopper on the normalization, but it would not be a show-stopper, necessarily, on denuclearization and the security assurances, which was the proposal we put on the table. The denuclearization and the security assurances and the economic cooperation speak to the——

Senator BIDEN. As I understand your proposal—security assurances are only "provisional" until other issues are addressed, right?

Ambassador DETRANI. That's denuclearization, sir, comprehensive denuclearization, period.

Senator BIDEN. So, are provisional——

Ambassador DETRANI. Until there is comprehensive denuclearization, once their nuclear program is eliminated, they will get provisional security——

Senator BIDEN. Oh, I'm sorry, I was under the impression it said until other issues were addressed, including human rights, and including, so—so, they denuclearize completely, and we believe that's the case, we are prepared to give absolute security assurances.

Mr. HILL. Yes, we are. We are not prepared to have a fully normalized relationship in the absence of movement on these other issues.

Senator BIDEN. I appreciate—I'm over my time, and the acting chairman's been generous, and there's a vote on, and I'm going to go vote. I thank you both very, very much.

Senator HAGEL [presiding]. Senator Biden, thank you. Gentlemen, welcome.

You, I'm sure, noted a op-ed in the Wall Street Journal a couple of weeks ago by former National Security Advisor Brent Scowcroft. Let me mention a couple of points he made in that op-ed and then ask for your response.

General Scowcroft argued, in the May 26 piece, that the United States has allowed North Korea to control the diplomatic negotiations, while accelerating its nuclear weapons program. He proposes that United States gain support from China, Japan, and South Korea to pursue a comprehensive approach that would demand that North Korea end its nuclear weapons program, in return the United States would offer the types of security assurances that Pyongyang has sought from the United States and work to bring North Korea back into the international community. Now, listening to the interplay here, and the exchange, Mr. Ambassador, between you and Senator Biden, then you agree with what General Scowcroft is saying, and you've already done that.

Ambassador DETRANI. Our proposal, Senator, speaks to those issues, exactly. Security assurances, economic cooperation, and a roadmap toward normalization of relations when other issues are brought into the picture.

Senator HAGEL. So, what General Scowcroft wrote about on May 26 is not new, you've already put that on the table.

Ambassador DETRANI. We put a general proposal on the table, Senator, that we would pursue in working groups and then future plenary sessions, but we never had the opportunity of pursuing it and getting into the particulars of the proposal.

Senator HAGEL. And the other four members of the party of six are party to that and agree with it.

Ambassador DETRANI. They were all briefed on it and they were all supportive of the proposal.

Senator HAGEL. Do you think the United States should look at the possibility of being more flexible in negotiations as we pursue, not only what you have talked about here laying this proposal down, but looking ahead, flexibility like more bilateral negotiations, are we prepared, are we thinking in ways that are enlarging the negotiations?

Mr. HILL. Let me say, first of all, we are prepared to have bilateral contacts and to meet bilaterally with the North Koreans within the six-party process. What we do not want to do is have bilateral contacts reach such a stage that the six-party process becomes irrelevant, we leave out our partners who, at the end of the day, are going to have to participate in a settlement, and we are looking in terms of the economic package, at substantial amounts of assistance, which would probably be coming from Japan and South Korea. So, we can't have a situation where we have shifted to a bilateral mode, and leave them out of it until the end of it when we give them a check. So, we need to be close to our partners in this process, but that does not mean that we can't have these contacts. If we do have these contacts—and frankly speaking, we would have a lot more bilateral contacts—if the North Koreans came back to the six-party process.

Senator HAGEL. You agree with Scowcroft's point that the North Koreans have controlled the diplomatic negotiations while accelerating their own nuclear program over the last year? So, the question is: Where have we won here, where have we gained? Where are we making progress, based on the current policy that we have?

Mr. HILL. Well, first of all, I think it's increasingly clear to everybody that the problem in the talks is not the United States. We have been flexible——

Senator HAGEL. Well, I don't think that's the issue, Mr. Secretary, and I'm not implying that it's our fault. But obviously, we have not seen progress. Obviously we've got difficulties here. So, I think most of us, just with an element of common sense would come to some conclusion that maybe something's not working. Now, I'm not trying to put the onus on the United States here, at all. Obviously we've got a difficult, complicated problem. That moves me to another issue that I have heard the administration talk about. There seems to be some confusion, at least coming from different parts of the administration, on moving this to the Security Council of the United Nations. What would we gain by that, and what would be the options? Would we be interested in doing that? There's been confusion in the press the last 2 weeks of senior administration officials saying we were close to that decision, and then others saying, no, we're not close to that. Could you clarify that, and then give this committee what we would gain, what we could expect the options to be, if we move to the United Nations?

Mr. HILL. I think Secretary Rice and Secretary Rumsfeld clarified this issue, and I will do so as well, which is that we do not have a plan to bring this to the Security Council, that's a right we reserve, and we could do so in the future, but it is not something we're planning to do now. Now, when we do bring it, or if we do bring it to the Security Council, it would be for the purpose of

achieving something. It's not simply a question of going to the Security Council for the sake of going to the Security Council. There has to be a reason, and there has to be a proposal that we feel we could have the support in the Security Council to move ahead with. And we are not prepared, at this point, to go to the Security Council. So, I think it's important that as we speculate, or as people speculate, about what could follow the six-party process, the concern I have is the more speculation there is on what follows, the more we undermine what, I think everyone agrees, is the best way to solve this.

Senator HAGEL. What would we, for example, what would we be expecting to achieve, to your point, we would only do this in order to achieve something—what could we achieve, what would we be likely to achieve, or what's possible to achieve?

Mr. HILL. Presumably, one would seek a resolution, and one would seek to have the resolution passed, that is, without vetoes. And with the requisite nine votes.

Senator HAGEL. But what would that resolution achieve? What would it do? What would tangibly move the effort, denuclearize the peninsula, as you have noted, is the objective of our efforts.

Mr. HILL. I'm speaking in very hypothetical terms, which is very foreign territory for a diplomat, but you could have a resolution where you put more political pressure on North Korea, you could have a resolution where you put economic pressure on North Korea, you could have a resolution that further isolates North Korea. I think there are a number of ways one could go, but I think what's important is that you do it when you have to do it, and when you engage in it, you are successful. I think what we don't want to do is go to the Security Council and not be successful.

Senator HAGEL. Are we talking about sanctions? Is that a possibility?

Mr. HILL. Again, our policy is the six-party process, and our policy is to get this process going, and to get it going by the common efforts of the five parties to bring the sixth party to the table, and so I don't want to speculate on what, precisely, we might do at a latter stage.

Senator HAGEL. What are we doing to reengage the talks? As you have noted, that being your objective to get these talks moving again so we could——

Mr. HILL. Well, first of all, I want to emphasize we work very closely with the other parties, and we had a very, very good set of meetings with the South Korean President, last week, who came in for a 24-hour visit, about doing all we can to get the six-party process going. We talked to the South Koreans about their own inter-Korean dialog, their own contacts with the North Koreans. I have been engaged with my Chinese counterparts, discussing various ways they can encourage the North Koreans back to the table. I've also talked at length with the Japanese—we're in constant diplomatic contact with these other parties. In addition to that, Ambassador DeTrani and the Director of Korean Affairs, Jim Foster, went up to New York on May 13, and made clear to the North Koreans directly what we have said, publicly, about our policy toward North Korea. And last Monday, the North Koreans invited Mr. Foster and Ambassador DeTrani back for further discussion. The discussion

was very positive. They made clear they are committed to the six-party process, however, they did not give the date that we need to have in order for this process to go forward. So, in short, we are using the contacts directly with the North Koreans, we are also working with other parties in the six-party process.

Senator HAGEL. So, you feel some element of confidence that the Six-Party Talks will resume soon?

Mr. HILL. This is a very, very tough issue. We are talking about a program that's been around for several decades, we're talking about a country that does not like to play by the rules, so we're—this is a tough problem, but I am confident that we are on the right track with the six-party process, and will eventually get there.

Senator HAGEL. And even though we have not seen a lot of progress and movement here in the last year, you don't think that there's any reason to expand our thinking as to other options in dealing with the North Koreans?

Mr. HILL. I think it's important to expand our thinking. I think it's important to be considering what other options are out there, what we can possibly do. But I think it's important, also, not to be talking too publicly about other options, because I think that undermines the six-party process, that makes people convinced that we're moving away from the six-party process, and that is the wrong impression to give.

Senator HAGEL. So, I understand if you would not want to, nor should you, talk about that possibility in an open hearing, but let me ask you this—is that something that you are thinking about? Is that something we can talk about privately, quietly?

Mr. HILL. I think it's important—we need to solve this problem. We need to solve the problem of North Korean nuclear weapons. We have a lot of options, but we don't have the option of walking away from this one. So, we do have to be thinking, and I read that op-ed piece, I've looked through that op-ed piece. I read a lot of op-ed pieces because I want to absorb as much thinking as possible. And of course we have discussions, and I would be honored to have them with you about how we can solve this problem, because this problem has to be solved.

Senator HAGEL. Ambassador DeTrani, would you care to comment on anything here that you've just heard?

Ambassador DETRANI. No, Senator, I agree fully with the Secretary. One point I would make is a lot relies on the DPRK to make a strategic decision. We could come up with new proposals, and we've had the bilaterals that complements what we're doing with the other four countries to get them to convince the DPRK to come back to the table. And I think what we've seen is progress working with our, if you'll allow, our partners. Because as we have approached the DPRK in New York, saying we recognize them as a sovereign state, no intention to attack or invade—as the Secretary has made very clear in his statements, the other countries are saying, "Why is the DPRK not coming back to this process, if they're truly interested in security assurances and economic reforms, movement toward normalized relations with their neighbors?" And that's going to be the pressure, or the element that has to affect, I believe, in the longer term, the DPRK. Because the

United States has been forthcoming, and I think our partners realize we have been forthcoming in this process.

Senator HAGEL. Well, that leads me back to where I started, and I'm going to turn back to the chairman, it seems to me whatever the motivations are—and as Senator Biden noted, and I think we all appreciate what you're dealing with—no one is quite sure. So, therefore, I ask again, are we prepared to be thinking beyond where we have been, about how to accomplish this? Noble, right effort, we agree with it, but obviously, as General Scowcroft pointed out in the op-ed, progress has been very limited, and again, it's not your fault, but it seems to me we're going to have to think a little bit beyond where we have been, in order to get where we need to be, or we think we need to be. Thank you.

Mr. HILL. If I could just add, Senator, that the issue is to resolve the North Korean nuclear issue and nuclear problem, and we believe the six-party process is the best way to achieve that, but it's not the only way to achieve that. So, we do need to look at all options, and all options will remain on the table. But, we believe the six-party process is still the best way to go.

Senator HAGEL. Well, I would take you up on your invitation to we sit down and visit a little bit about this, and I'm sure you'll be talking to the chairman as well in private, as you have just said, it's not the only way to go, the six-party process, I just go back to a very simple dynamic here. We're just not seeing very much progress, and I think that General Scowcroft's point is—whether you agree or disagree with his point about negotiations being controlled by the North Koreans—the fact is, seems to me, in what I have seen, is that they have positioned themselves even in a stronger position here over the last year, and that may be true, or may not be true. But it's my perspective, and I think some others on this committee, as well as others in this Congress, and if that is the case, or even let's say it's neutral, it seems to me we're going to have to be thinking beyond where we've been, in order to deal with it—as you have very clearly indicated, and we all agree—a very serious problem.

Mr. HILL. I would look forward to having that discussion with you and the chairman. I would respectfully disagree with the notion, though, that the North Koreans are in better shape as a result of this. I think their economy is in worse shape than ever. And I think North Korea needs to come to the table, get rid of these weapons and get on with joining the world, because as long as they remain isolated like this—and they isolate themselves by this—they are not going to succeed. Frankly, if they're worried about their survival, they should take another course.

The CHAIRMAN. Thank you very much, Senator Hagel. I will yield to other Senators as they return, but I'll take the occasion to ask additional questions.

Is there good intelligence sharing among the partners that we have around the table? Is our limited intelligence supplemented by what others are able to inform us, not only about the nuclear issues, but also economic issues in North Korea and political issues? How would you characterize the expansion of our knowledge as we take a look at that country?

Ambassador DETRANI. If I may, Mr. Chairman, I believe there is excellent intelligence sharing with our partners on all issues that affect the DPRK, not only on the nuclear issue, per se, but on the socioeconomic situation, et cetera. So I do believe that's a very strong element of our relationship with our partners.

The CHAIRMAN. Is there equally good sharing with regard to interdiction of materials that might be attempted to be exported, say, by the North Koreans? Has there been a concern that fissile material, or plans, or other aspects of weapons of mass destruction might be exported for cash, given the desperate needs of the regime? What sort of cooperation do we have there?

Ambassador DETRANI. Mr. Chairman, we have excellent cooperation. Not only PSI, the Proliferation Security Initiative, has been extremely effective, but the bilateral relationships with the respective countries on issues that affect proliferation, have been, I believe, extremely effective.

The CHAIRMAN. This is not an argument with the panel or with colleagues about the virtue of the Six-Party Talks. I think that Secretary Hill brought up the interesting and important point that I think we discovered in another hearing, that our own relations with the Chinese, with the Japanese, perhaps with the Koreans, what have you, have been enhanced by the fact that we are meeting, frequently. Our diplomats are intersecting with other diplomats in a much more robust fashion than was the case before the Six-Party Talks. Now, this is not a rationale to have Six-Party Talks, namely that we all get to know each other, notwithstanding whether we're making headway with the North Koreans. But there are plus factors, clearly, in terms of the strategic situation, Asia, the general security of people, the confidence of parties, our relations with the Chinese, the Japanese, and the Koreans. This, in the ultimate scheme of things, may be tremendously more important, whatever happens to the North Koreans. So, we've noted that as we have held the hearings, and we appreciate that.

Let me now recognize Senator Murkowski for a round of questions. We're on a 10-minute round of questions. Senator Murkowski, would you like to address the witnesses?

Senator MURKOWSKI. Thank you. Good morning, Mr. Chairman, and good morning, gentlemen. I do apologize, bouncing back and forth here I haven't had an opportunity to hear most of your comments this morning, so if my questions go into an area that you've already been asked, and answered, I do apologize.

I do want to start by repeating comments that I have made to the two of you in private conversations, or in other hearings about my support for the overall approach to the Six-Party Talks and your continued efforts as you try to work toward greater bilateral cooperation with North Korea in the context of those talks. I think we all recognize that we would like to see a uniform policy approach to North Korea, and don't want to be cutting our negotiating partners out of the talks.

Mr. Hill, when I came in earlier, you had made some comments that North Korea, I think you used the terminology "testing our mettle" and talked about the advantage that may be gained in waiting. And I think you said that there's no—it's not to our advantage to wait—but it is also not to North Korea's advantage to wait.

And yet, I guess what I see is that with the economic assistance that they continue to get from China, from South Korea—is it truly, is that statement still so accurate? That it's not necessarily to their advantage to wait this out? Who wins if they can hold on longer? It seems like the pressure is more on us because we haven't been able to push this thing over the edge. We've been waiting now for a year to try to get something moving, nothing's happening, so who gains by the waiting?

Mr. HILL. Well, I don't think it's a win-lose situation. It's certainly not a win-win, I would call it a lose-lose situation. We obviously want to deal with this problem, we don't feel time is on our side. The longer this problem goes on, the longer the problem of a country holding plutonium, and we know they have it, the greater the risk of proliferation. So we do feel we're working against the clock on this. But at the same time, I don't think the North Koreans can sit back with any sense of accomplishment or satisfaction. First of all, their economy is truly in abysmal shape, and that's the polite version of it. Their industrial capacities continue to shrink, and they continue to have serious problems in agriculture and just meeting their food needs. In addition, I think they are always isolated, but even more so now, and I like to think that is because we've put together this six-party process, and we've basically held together pretty well, and there's very little sense of recrimination between the partners. We have worked—as the chairman mentioned—we've been working very closely with our other partners, especially China as the host, and I think we have a very good relationship with China with respect to the six-party process. We have shown the kind of flexibility they've been asking for—I might add. We've also worked with the Chinese, because of the six-party process, on some of the problems of proliferation as well. And we've been concerned about North Korean proliferation. So I think it's really helped our relationship and that cannot come as good news to the North Koreans.

Senator, you mentioned that North Korea continues to get assistance from China and South Korea. But I think—I mentioned this earlier—the South Koreans made very clear to the North Koreans in their inter-Korean dialog that what they are getting now, which is pretty modest—we're talking some tons of fertilizer—is a fraction, a small fraction of what they could get if they reached an agreement to denuclearize. So, every day that North Korea does not reach that agreement, North Korea, I think, is losing; losing considerable assistance that they would otherwise be getting, especially from South Korea, but also from the other parties. So, while North Korea has not made the fundamental decision that it needs to make, to do away with weapons programs that were started by Kim Jong-il's father, at the same time it's a tough decision, and I think they're waiting, waiting whether to make that decision, waiting to see whether their negotiating position can improve. And I believe there's no sign that things are improving for them. So, I was asked earlier about whether I feel that this could eventually yield results, and I do believe that the logic of the six-party process is so powerful that I think it can even be heard in Pyongyang. So, I think we need to be a little stubborn, we need to understand that we've got a good process, and we need to avoid negotiating with

ourselves, and otherwise avoid having any sense of recrimination. We're going to stay the course, and I think this is the right way to get us there.

Senator MURKOWSKI. So, do you give yourself any deadline?

Mr. HILL. You know, I have deadlines in my mind. Obviously I worry. We're coming up on the 1-year anniversary and we are, as I've said before, Americans are known as impatient people. But for Heaven's sake, 1 year is a long time, but I would avoid artificial deadlines, and focus on how we can solve this problem, and the six-party process is the best way to solve it.

Senator MURKOWSKI. Let me ask you about the level of assistance that the United States has been directing toward North Korea, clearly a lot lower levels than we have had in previous years—do you think that this is diminishing, or influencing our leverage with North Korea?

Mr. HILL. We have been—and many people don't realize this—we've been the largest food-aid provider to North Korea, largest since their serious agricultural problems began in the mid-1990s. We continue to monitor the situation very closely, and as we contemplate a response to the World Food Program's appeal, we'll do so with three criteria in mind—one, how we see the situation in North Korea with respect to the production of grains; two, how we see competing situations elsewhere in the world, because there's a limited amount of this food that can be provided, and; three, we need to look at the monitoring conditions—North Korea has traditionally fallen below the international standards of monitoring—so that we make sure the food aid gets to the right recipients. So, I think in looking at the situation, we do so with those criteria in mind. The President has made very clear on many occasions, we do not politicize food aid. We are not tying our food aid to the six-party process, we are tying it to the needs of the North Korean people, competing needs, and our ability to make sure it gets to the right recipients. So, I am not in a position today to tell you how we will respond to the World Food Program's appeal this year, 2005, except to say that we will do so on the merits.

Senator MURKOWSKI. I would certainly agree with the President's position that we don't want to tie the food aid and the humanitarian relief to successful implementation, if you will, of the Six-Party Talks. We also have to recognize that as we move forward with our food programs, working with the NGOs that are on the ground for the food distribution, it's through these entities, through these agencies, that we get a good deal of our information coming out of North Korea, so that's something that we want to continue, we don't want to poison that relationship.

I see that the yellow light is on, but I want to ask you about Russia's role in the Six-Party Talks, given that Kim Jong-il has taken a couple of train tours of Russia lately, is he—what's that relationship there, and is Russia being as helpful in the Six-Party Talks? You keep referencing China as well as South Korea, but what about Russia's role?

Mr. HILL. First of all, if I could just make one more comment on the food aid, there are some very, very courageous people who live and work in North Korea who are engaged in the distribution and the monitoring of that food aid. I'm referring to international NGOs

and also people working in the framework of the World Food Program who have had restrictions on their activities, especially in the fall of 2004. Now, we understand the restrictions have been somewhat alleviated this year, although again, it doesn't reach world standards. But I think we really owe it to these people who are just courageously out doing their jobs, to make sure that they can do their jobs.

With respect to Russia's role, Russia is a full participant in the six-party process. I have spoken with my counterpart, Ambassador Alexeyev on many occasions and some 3 weeks ago, he and I met together and had a very, very full discussion of this. Russia absolutely supports the goals of this. They have been very clear with the North Koreans where they stand. There have been no mixed messages coming from Moscow with respect to the need to North Korea to get back to the talks and do so in a move to give up their nuclear weapons. Russia has absolutely no interest in seeing North Korea emerge as a nuclear state of any kind.

The question, of course, we have is to some extent the same question we have of the Chinese, which is—given Russia's historical ties to North Korea, given the fact that they have very, rather close political connections, in many cases, close personal connections, and certainly they have some economic connections—the question is: Are they using all of their leverage? I think you know, we have made very clear that we think everybody should be using whatever leverage they have on this country, and we continue to work with the Russians to get them to do their part to bring North Korea to the talks, but I want to assure you that we are in close contact with our Russian colleagues on this.

The CHAIRMAN. Thank you, Senator Murkowski.

Senator Chafee.

Senator CHAFEE. Back in the summer of 2003, we got off on the wrong track for whatever reason, and the Chinese in particular, PRC, were very critical of us, and some of the quotes at the time, the Chinese top diplomats were saying the United States does not have a negotiating strategy beyond using multilateral talks to pressure North Korea. Wang Li, Chinese Foreign Minister, was saying the United States was the main obstacle, and he said how the United States is threatening the DPRK—this needs to be further discussed in the next round of talks—and criticized Washington's "negative policy," his quotes, and then Shu Shu Long, a foreign affairs participant said, "there's widespread sense that the United States is the problem," this is way back in the summer of 2003 as we're trying to get the Six-Party Talks going. Do you think we've recovered from that debacle of everything that went wrong back then?

Mr. HILL. Well, let me say from my perspective, I've been on this account for a couple of months, actually since February, and we are working very closely with the Chinese. We're not there yet. It's very frustrating because the North Koreans haven't come back to the talks, but we're working very closely, and I think the type of quotes you just read to me from 2003, I don't think you could find such quotes from the current time. I think we're working very well, and I think the onus for why these talks are not going on is now squarely with the DPRK.

Senator CHAFEE. And how important is the PRC to these talks?

Mr. HILL. The PRC is the host to the talks, of course. They're also the country with, probably, the most leverage, the most influence, the most strongest relationship with North Korea, so I would say they're very, very important. That doesn't mean they're the only element in this, and that's one of the reasons we occasionally do have direct contacts with the North Koreans. We cannot tell everything to the North Koreans through the Chinese, we need to have an ability to go to them directly, and that's why Ambassador DeTrani has been up to New York some five times since last fall. But China is clearly very important.

But, I will say something else, which is, we have a very fundamentally important relationship with China. We deal with China on a broad menu of issues. I would put this one at the high end. This is a very important issue, and what we want to make sure is that, as we go through this very difficult process dealing with this country which seems to delight in its isolation, North Korea, we want to make sure at the end of the day this process brings us all closer together. And I think that is what's happening between the United States and China, the United States and South Korea, in particular. I would add the South Korean and Chinese relations have been better as a result of the six-party process. They're in constant communication. And also Japan which, as you know, has had some difficulties with its Asian neighbors, especially with Korea and China. Japan has continued to have very close relationships with Korea, with South Korea, and China with respect to the six-party process. So it is working. As the chairman said, it is perhaps an unintended consequence, some of them can be favorable. But we are working so well together that one can sort of think ahead to perhaps a time when the six-party process will be able to resolve this terrible issue of nuclear weapons in North Korea, and then perhaps can deal with other issues as well, because we have a neighborhood in Northeast Asia that does not have the kind of multilateral ties that it should have. I mean this is one of the most important regions in the world where a good percentage of the world's exports, where the world's industrial production is. And yet there are not enough multilateral structures. So, perhaps we can look forward to the day where this six-party process can become part of that eventual architecture in Northeast Asia. But first things first, we have to get through this North Korean nuclear issue.

Senator CHAFEE. It probably is a keen dilemma to have the leverage that the PRC has on North Korea, as you said, that the most leverage, the necessity of having them a key part of these talks at the same time we're dealing with all the other issues, particularly the arms buildup, and the Secretary was in Shanghai addressing that, maybe in some ways counterproductive to our efforts to get them on the North Korean arms sales to Taiwan. These are all difficult issues that the United States needs to balance, and where would you put the priorities of balancing these issues—you said the top priority is having no nuclear weapons in the peninsula at the same time we're, if any arms sales are Taiwan are adversely going to affect PRC's help in having no nuclear arms in the peninsula.

Mr. HILL. My comment on the relative priority of the North Korean nuclear issue was to say I would put it in the top tier of our issues with China. But to be sure, there is no relationship in the world today that we have that is more complex than the relationship we have with China. It is across the board—we deal with them on security issues, we deal with the Chinese very fundamentally in economic issues as everyone on this committee well knows. So we have many issues we deal with the Chinese, and I would put the North Korean nuclear issue as in the top tier. But I would also put some of the other issues in the top tier, that is, Taiwan, certainly our economic relationship.

Senator CHAFEE. Thank you, Mr. Chairman, that's all I have. Good luck.

The CHAIRMAN. Thank you very much, Senator Chafee.

Let me just ask about the recent decision by our Government to discontinue the recovery of United States remains from North Korea. What was the rationale for that decision, and is it a part of these negotiations? Or totally outside of them?

Mr. HILL. Well, first of all, I feel at a bit of a disadvantage to speak about this because I'm from the State Department, and this is a Defense Department program. But the issue from the Defense Department was the question of the terms and the conditions under which these teams would go into North Korea. And specifically there were communications issues which the people in the Defense Department were concerned about, that is, our ability to reach these teams, or the ability of these teams to reach us at any given hour of the day. This has to do with if one of them was ill or injured. These are terms and conditions that are followed pretty much the world over. We have these recovery operations in many other countries, including countries that also have very remote areas and are themselves very challenged for medical services, et cetera. So I think there was a concern that we could not have, sort of, a North Korean exceptionalism. That is, they should have more or less the communications that we have with teams in, for example, Laos. So it was on that basis that they decided to suspend these until they could work out better arrangements.

The CHAIRMAN. At an earlier hearing that the committee conducted on North Korea, the whole issue of acceptance of North Koreans leaving North Korea came to the fore. Last August, Vietnam transported—as I understand—over 400 North Korean refugees to Seoul, South Korea. These are persons who had made their way to Vietnam through China. We understand that officials in South Korea are still discouraging people coming from North Korea to the South, quite apart from the 400, just in individual cases. I raised the question, at the last hearing, of how receptive the United States should be. In other words, should our policy be one of allowing North Koreans to immigrate to the United States to seek freedom in this way?

Now, this policy seems to be, not necessarily ambiguous, but not very well formulated. What is your judgment about this? It appears, at least to us, in raising the questions, that there is real value in North Koreans having an opportunity to escape to freedom from the regime, as we describe it. Furthermore, all the parties involved ought to be receptive of this, although we know the Chinese

have gone to extraordinary means to prevent a single North Korean from getting across the border. In the past we dealt, for example, with Eastern Europe in the cold war. The idea of people coming from the East to the West, we thought, offered considerable progress and leverage in negotiations. Do either of you have comments about the immigration policy?

Mr. HILL. Mr. Chairman, we've had, I think, really very good discussions with the PRC and the Republic of Korea exactly on this issue, and speaking to the need for the United Nations Hyde Commission for Refugees to become more of an active player on the issue of North Korean refugees coming out of North Korea into China. So, we believe we have made some progress, because we have defined the issues, and we're speaking of a process that addresses the concerns, the need. So there is movement. We continue our discussions with the PRC and with the Republic of Korea. We have not seen a diminution of interest in receiving refugees on the part of the ROK. There are security concerns and there's vetting necessary to determine if people coming into the country are legitimate refugees seeking refuge in the ROK, and that applies for the United States also, Mr. Chairman. We have a process that we do the screening, working with the ROK to determine who these individuals are, and indeed if they express an interest in coming to the United States. So they are vetted accordingly. This is an ongoing process and your points are very valid, and we are working this very aggressively.

The CHAIRMAN. I'm pleased to hear that. It seems to me there's real value in that process of allowing people to come, having some persons from North Korea outside the system that may communicate back into the system, by some stage.

Another question, quickly. We have talked about potential arguments or discussion within our own administration, but there are recurring reports that within the North Korean administration there are the so-called "hardliners"—persons who see no value whatever in these negotiations—and that the best course for North Korea, sad as the case may be for the people, the economy, and the politics, is to hang on and to keep the bomb, if they have one. Whereas others, who may be more familiar with the rest of the world, realize that the whole society is falling farther and farther behind, in terms of world competition. This is a world in which these people have to live almost totally out of the picture. Therefore we may see opportunity, potentially, in talking about economic issues, about trade, about people coming back and forth across boundaries, as perhaps the salvation of a very difficult predicament.

What is your sense as you meet with the North Koreans about their own conflicted negotiating positions?

Mr. HILL. Mr. Chairman, we do hear in the bilaterals we have in Beijing when we had the plenary sessions and working group sessions, that there is a sense that there is an element in the DPRK that speaks to retaining a nuclear weapons capability. From where we sit, we see the ultimate decisionmaker as Kim Jong-il, and indeed, if Kim Jong-il is serious about the economic reforms that we see, that have kicked in since a few years ago, and is very concerned about international legitimacy, and ultimately normal-

izing a relationship with the United States and other countries, we would think Kim Jong-il could, and would, make that decision to have a comprehensive denuclearization. While elements in the military may be clamoring for retention of a nuclear capability, we do believe the overriding imperative to look at the economic reforms, the well being of the people who—because of the economic strains in the system—speak to denuclearization and international legitimacy, and moving on that path.

The CHAIRMAN. Thank you.

Ambassador DETRANI. Mr. Chairman, this is one of the real tough questions we face, which is to try to get into the minds of the North Korean decisionmakers, because for them to be pursuing nuclear weapons programs they bring not only great hardship, but also I would add, great peril to their country because one way or the other they're not going to have these systems. And so the real issue for them is what are the terms under which they'll give them up.

But one must look at the enormous problems that that economy faces. It's a country of 23 million people. I mean, I've served in countries far smaller than that. Twenty three million souls there, and it is hard to find, when you look at all of the problems they're currently having in agriculture and industrial production, health care, et cetera, it's hard to see how nuclear weapons could play any role, whatsoever, in addressing these. So, people who advocate these nuclear programs—and we have to acknowledge that this has gone on for several decades—do so apparently as an article of faith that somehow has nothing to do with their objective circumstances, and everything to do with some notion of prestige. These are programs that are a dead loser for North Korea, and so one hopes that eventually the people who really make the decisions will understand that and come forward, and we can cut a deal with them.

The CHAIRMAN. Senator Feingold.

Senator FEINGOLD. Thank you, Mr. Chairman, and thank you for holding this important hearing.

Ambassador Hill, how was the recent meeting between President Bush and the South Korean President received in South Korea? Did South Koreans find the meeting constructive, or did it just really confirm the differences between our respective approaches to the North Korean issue?

Mr. HILL. I track the internal situation in South Korea very closely, in fact, my family is still living there until my daughter graduates from high school. The overwhelming response to last Friday's summit was very, very positive. I think President Roh and President Bush went into the meeting with a sense that they had a real common endeavor, and certainly emerging from the meeting there was a real sense that we were together on this. President Roh Moo-hyun has been, I think, very much a proponent of continuing the inter-Korean dialog, and so are we, because we think that South Korea needs to have this kind of direct dialog with North Korea and what we look for from the South Koreans is to be able to coordinate and keep each other informed as we go forward. And this meeting, I think, was a very good opportunity to discuss how things are proceeding in our Korean dialog, and also to coordinate our approaches on the six-party process, so I would

say with great assurance right now, that we are really in synch with the South Koreans.

The issues—there are issues that, from time to time, come up—but right now, we are very much in synch on the issue of doing all we can to get the six-party process going.

Senator FEINGOLD. Let me ask you about who North Korea's largest trading partners are, and has their trade increased or decreased in the last 3 years? What about the level of direct foreign investment in North Korea?

Mr. HILL. Analyzing North Korean statistics is a full-time job, but I would say the trade with China has increased in recent years. I think it's increased primarily because trade with other countries—notably with Japan—has decreased. In addition, I think the continued weaknesses of the factories, of the industrial plant in North Korea, the fact that factory utilization is at a very, very low percentage is causing people, individuals, private people, to bring things over the Chinese border to sell them. So it's a process of reform, although I think that's too polite a term for it. I think it's more a process of the general weakness of the state economy that there is more and more privatization. And this privatization, I think, is bringing in imports from China. Let me ask Mr. DeTrani, though, to follow up on this.

Ambassador DETRANI. I totally agree with the Secretary. Trade has increased with the PRC, investment accordingly has gone up a bit since we have the statistics. But North Korea is in dire shape, economically, as we all know.

Senator FEINGOLD. The reason I ask is to get a sense of their overall—how much pressure they're feeling. So, what I want to know, is the decrease in Japanese trade and other trade being made up by sufficient Chinese trade—I know it's probably hard to quantify—but I'm trying to get a sense if they're feeling pressure from a loss of trade or not.

Ambassador DETRANI. They feel immediate pressure right now, Senator, on the food situation, as we recently saw with the 200,000 metric tons of food from the ROK, and they're looking for an additional 300,000. The agricultural sector is not in good shape, they may have some problems there, and infrastructure problems, and so forth. And a number of investors from Western Europe are looking at their investments there to determine how viable they are in the short and longer term. So there are very, very definite systemic economic problems in the DPRK that speak to these issues.

Senator FEINGOLD. So, if I were to say guess, take a guess overall, if they are perhaps feeling some pressure because of overall loss of trade and investment, would that be a fair statement, despite the increase in trade with the PRC?

Ambassador DETRANI. I would agree with that. South Koreans—I made this comment earlier before you were able to attend, Senator—the South Koreans have made very clear to the North Koreans that what they are able to do in terms of economic assistance is going to be minimal until the North Koreans come to the six-party process, and agree to give up their nuclear program. So South Korea is providing fertilizer and has some industrial arrangements in a border town called Kaesong, but overall these programs are going to be very much attenuated, and the South Kore-

ans made that clear to their North Korean counterparts a couple of weeks ago at their first round of this inter-Korean dialog, that these programs are going to be very, very small until North Korea comes to the table.

Senator FEINGOLD. Finally, I know this question's been asked in different forms already, but I'd like to try one other approach—the Six-Party Talks have been stalled for over a year, and it seems unclear whether or not recent North Korean statements about a willingness to return to the negotiating table will actually result in a resumption of the talks. It seems that at this point we're simply waiting for the North Koreans to rejoin the talks while they may well be continuing to produce nuclear weapons. Why does the administration persist in pursuing a policy that to date has been—at least in my view—utterly ineffective, and keeps North Korea in the driver's seat? Ambassador.

Ambassador DETRANI. Well, we believe that the six-party process is the best way to proceed. We believe that it brings all the relevant players to the table, that when there is a solution, each of these players will have a role to play, and, therefore, they need to be at the table. The time is long passed when the United States would negotiate over the head of South Korea, for example. South Korea is a serious player in the world, and they deserve a seat at the table. So, we believe this is the right way to go. We believe it is a flexible and broad platform on which we can build a number of other structures, including bilateral talks within that six-party platform. So we believe that we have the right format for these, to deal with the problem. Now, the North Koreans have failed to come to the table. So, of course, it's understandable that people look at the format, but I don't think we have a problem of format. I think we have a fundamental problem on the part of the North Koreans that they are not prepared yet to give up their weapons. To address that, we need to put pressure on them, not only our own, but also through other participants in the process. I think we need to show the North Koreans that we are unified, and I think we're doing that, and I would say the pressure is mounting on North Korea to come back to the table.

To be sure, we are looking at a range of options, but to speculate about options at this point, especially to speculate about them in public would, I think, undermine the six-party process.

Senator FEINGOLD. I understand that and I'm concerned about that, and I hear what you're saying about having a good format, but can you give me any evidence that suggests that we have the right format since we have no sign of success?

Ambassador DETRANI. Well, first of all, the North Koreans came to the first three sessions of the six-party process, and the problem has been that at the third session, we tabled a pretty comprehensive approach. It was a no-kidding approach, aimed at addressing all of the issues that they have raised themselves as issues that they felt needed to be solved—that is, economic assistance, energy assistance, security guarantees, roadmaps to diplomatic cross-recognition, these are all the issues that emerged in the earlier sets of talks, and we, then, tabled a proposal to address all of these. So, it was a moment where we were all saying, "It's time to really get to the table and put your cards down and get on with it." And the

North Koreans have chosen not to return. I don't think they chose not to return because they were tired of the process. I think they chose not to return because they don't know how to respond to this very comprehensive approach that we laid on the table. So, I think they are continuing to make up their minds about doing away with a multidecades-old program of nuclear weapons, and they haven't come to a final decision yet.

Senator FEINGOLD. So, are you saying at this point that there's really nothing more we can do, and we just have to wait for the North Koreans to change their mind?

Mr. HILL. Well, waiting is not a policy, and what we do is we work very actively with the other participants in the six-party process. We're very active with the South Koreans, that was part of what was going on last week when Roh Moo-hyun was here at the White House. We're working very closely with the Chinese. I recently hosted a meeting of the South Korean and Japanese negotiators and, as you know, South Korea and Japan have had their problems in recent months, but the six-party process is an area which both of them have made very clear they are not going to see that process suffer because of their bilateral problems. So, we are working very closely with these parties to see what we can do to put additional pressure on the North Koreans. I met with our Russian counterpart, and we've had direct contacts with the North Koreans to make crystal clear what our position is. So, I think, our approach has not been to wait, but our approach is to engage our partners and, in fact, even to engage North Korea directly through these direct contacts that Ambassador DeTrani has headed up to make very clear that the offer is on the table and the North Koreans ought to come back to that.

Senator FEINGOLD. Thank you for your answer, and thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Feingold. Senator Murkowski, do you have additional questions? Senator Chafee, do you have? Yes, Senator Chafee.

Senator CHAFEE. Quick followup question to Senator Feingold's asking about the process and the format and going back, once again, to the summer of 2003. Our top negotiator, who resigned, was critical of insisting on the Six-Party Talks and at the time he said the administration is making a mistake by refusing to conduct sustained one-on-one negotiations, what he described as "drive by meetings" will not work, "with a current approach of talks in a room crowded with diplomats from several nations. And he said, "without a change in format, the prospects for success are very grim." And here we are 2 years later, he said that in the summer of 2003, and as an example he said that, "the epitome of the wrong-headed approach came at a dinner in Beijing in April, after the White House instructed James Kelly, they must not hold bilateral talks with the North Korean envoy, Li Ghun. Li cornered Kelly at a dinner anyway, and announced that North Korea would be willing to end its nuclear projects if the United States would change its approach toward North Korea, but Kelly had no authority to explore the issues with Li, and nothing happened." So are we so rigid on insisting on these Six-Party Talks that opportunities come up

that we all want to go forward, we all want to see progress, but we're so rigid on insisting on this that we're missing opportunities?

Mr. HILL. Well, Senator, in the summer of 2003 I was not engaged in this process, in fact, I think part of that summer I was up in Narragansett Bay. But I would emphasize to you that our strong conviction that the six-party process is a broad enough platform that we can build different structures on it. We can certainly have whatever contacts, in whatever format, that we need in order to solve this. So, I think the fact is, the North Koreans stayed with the process, and only left when we tabled a comprehensive approach. And, at that point, I think they realized that we had come to a moment in history where they had to make a fundamental decision, and I think it's an example of a country or a people just at that moment not rising to the occasion. So, I do not believe we have a format problem. I do not believe we have the problems that were outlined in 2003. I certainly would plan to conduct these negotiations with an eye not just to straightjacket it into a format, but with an eye to achieve success, and I would want to take back an agreement and see if my Government will back me up on the agreement that I can reach. I know Ambassador DeTrani, who deals with this every day, is of the same mindset—we want to solve this problem, we want to solve this problem on its own merits. And then we want to move on to other problems, because there's a lot going on in Asia today that we need to be engaged in as a country. We need to be working closely with China on a variety of issues, we need to be dealing with problems in Southeast Asia, and frankly in Northeast Asia, there are enough other issues that we need to get to those, we need to get through this problem, and we will.

Ambassador DETRANI. If I may add to Secretary Hill, Senator, at the two last sessions, the most recent being a year ago last June, and then prior to that, February 2004, we had bilateral sessions. The last bilateral in June was over 2½ hours. We've had working group sessions, two working group sessions, we've had—as Secretary Hill indicated, a number of encounters in New York, going up to New York. So we've had ample opportunity to express our views, but indeed to hear the DPRK's views. And our views are very clear—we're prepared to address the security concerns, the economic cooperation, and a roadmap toward normalization, but we're also very clear on comprehensive denuclearization to include the uranium enrichment program that has brought us to the situation that we're at right now. And that's a decision the DPRK has to make, should make, and indeed, some would argue, maybe that's why they weren't back at the table in September. So we have had ample opportunity—in an open six-party forum—but also in a bilateral forum, to express all views on that. Indeed, I think our partners realize we've been very flexible in our approach to the process of addressing the issue.

Senator CHAFEE. One quick question. In your own experience, have those bilateral talks been more productive than the Six-Party Talks?

Ambassador DETRANI. They have not, Senator. Let me just tell you, we've crystallized, we've made our positions extremely clear, we've shown a willingness to hear anything they have on their side,

but with respect to forward movement, we have not had the forward movement.

The CHAIRMAN. Thank you very much, Mr. Chafee.

What sort of public diplomacy—if you can use that word constructively—are we employing with regard to North Korea? And if we do not have a program of public diplomacy, through electronic means, are we able to broadcast into the country? Are there any computers in the country? Of all of the ways in which messages get to people throughout the world now, in very sophisticated ways that are available to us, of what have we availed ourselves with in this technology?

Ambassador DETRANI. Mr. Chairman, the Voice of America, Radio Free Asia, certainly the foreign broadcast media, they do reach the DPRK. A significant amount of jamming goes on, but these broadcasts are received by a number of the residents of the DPRK. So there is information coming in, and as Secretary Hill indicated a minute ago, there is more opportunity because—if you will—more goods are reaching the DPRK from China—officially, unofficially, through the black market and so forth—so there's more information reaching the people, citizens of the DPRK.

The CHAIRMAN. Is there any evidence that this information leads the citizens to do anything? Or is this absorbed? It's a very oppressive state. One cannot participate in public meetings and what have you, but I'm just curious if we have evidence, knowledge, of whether the outside world, at all, affects dialog within the country?

Ambassador DETRANI. Anecdotally we've heard where people in the DPRK have told others there that they are hearing these broadcasts and comparing them to what they're hearing from the state broadcasts and so forth. That confuses them a bit, and they're not sure what the truth is. We hear some of this from refugees. So the information coming in is certainly a catalyst for people to think about issues.

The CHAIRMAN. Senator Obama.

Senator OBAMA. Thank you very much, Mr. Chairman, and I know I'm the last person between you and getting out of here, so I'll be relatively brief.

When we had some testimony from you in this committee, Ambassador Hill, just a couple of days ago, I asked about China, and unfortunately because of votes and so forth I missed some of your previous testimony—if I'm going over old ground, please let me know.

I'm trying to get a sense at this point as to whether we think that China still retains sufficient leverage over North Korea in getting them back to the talks, or do we feel that it's important for us to work through different channels in order to facilitate the type of constructive dialog that is necessary?

Mr. HILL. Actually, Senator, we have talked about China, but it's entirely appropriate that we continue to do so, because it is a very, very important element in this whole equation—China is the host of the six-party process, they have the closest relationship with North Korea, and they have much more leverage with the North Koreans than any of the other participants, including Russia.

That said, I think it's important for us not to believe that China's the only source of leverage on North Korea, and I think all of the

participants need to do their part to get North Korea to the table. Russia, for example, has some leverage with North Korea. And frankly, I think we have leverage with North Korea, and I think it was with that in mind that we had our contacts with the North Koreans in May and June, and will continue that in this channel, this so-called New York channel. The purpose is, we need a channel to give information, to give messages to the North Koreans, and not to pass messages through a third party. We need the ability to pass messages directly. So while we do believe that China is very much a key country in this six-party process, it's not the only one.

Senator OBAMA. Let me ask the question in a slightly different way. China's strategic interests in this situation—do they rise to the same level as ours in terms of keeping North Korea nuclear free? Or, strategically, do they say to themselves, "This is something that America cares deeply about, we're less concerned about it, we may go along and assist the Americans, or we may not, depending on what our bilateral relationship is, but it's not something that we ourselves are particularly invested in." Is that their position? Or do they share the same bottom line concern that North Korea should not have on operable nuclear weapons capacity?

Mr. HILL. I think they absolutely share the same bottom-line position, they have no interest in seeing North Korea become a nuclear country. They know what that would mean in the region, they know what that could mean in terms of other countries believing that they have to go nuclear. I think they tend to be less concerned than we do about the potential that North Korea could sell nuclear materials on the black market and that they could end up with some terrorist organization. We have a lot of experience tracking how terrorist organizations operate in the world, and we believe it's quite possible for a country, if it has fissile material, to try to sell that through surreptitious channels. We are also keenly aware of the fact that North Korea, as a state, conducts many illicit activities in the area, money laundering, and other illicit trade. So we tend to be more concerned on that score than sometimes—as a matter of analysis—than sometimes the Chinese are. It doesn't mean the Chinese would countenance it or say it's okay. It's just that they don't believe the North Koreans would do that, and we don't see a reason why they would not try to do that. So, we do have a difference in perceptions from time to time. But in terms of the bottom line, the Chinese have absolutely no interest in seeing North Korea go nuclear, and I think the Chinese are aware that the United States in Northeast Asia is going to work with our allies to prevent proliferation. I mean, none of our allies in the region have gone nuclear. I think the Chinese understand what we're talking about; we would expect them to do the same with North Korea.

Senator OBAMA. Can we maintain a credible threat of sanctions without the Chinese going along?

Mr. HILL. I think if one gets into the area of economic sanctions, sanctions would be much enhanced by the participation of China. North Korea's overland trade is through Russia to some small extent, and through China to a great extent; otherwise its trade is by sea. So we realize that we need China certainly, and perhaps Russia as well, to make sanctions be very effective. That said, just

because something can't be airtight doesn't mean it ought not to be done.

Senator OBAMA. Okay, let me go back to a question that Senator Biden raised. As I would summarize Senator Biden's basic point—there seems to be a lack of clarity with respect to what we're asking of the North Koreans. Are we asking, simply, that they get rid of their nukes, or are we asking that they get rid of their nukes and also start running their country in a way that meets the basic needs of the North Korean people? And, it strikes me that the administration, because of its strong rhetoric, may have boxed itself in to a point where it may not be sufficient to focus on the nuclear issue because North Korea is still going to be on the list of evil empires, and causing the North Koreans to be wary of changing their behavior. How do you respond to that question? I know you said that human rights are important, and it's important that we continue to talk about those as we do in countries all across the world. I agree. What is also true, and I think Senator Biden made this point, is that there are a lot of unsavory characters that we deal with—we may not want to, but we do—because there are some larger strategic interests that are involved. Do you feel at this point that our distaste for the regime in North Korea precludes us from being able to send them a strong signal that if you do *x* then these benefits will follow?

Mr. HILL. I'd like to say it's the distaste for the behavior of the regime, that is, for things the regime is doing.

What we are trying to do is negotiate a settlement of the North Korean nuclear problem. To be sure, our own ability to achieve full normalization with North Korea, our own ability to achieve an excellent bilateral relationship with North Korea is absolutely tied to resolution of these other issues. We will continue to speak out on the issue of human rights, for example——

Senator OBAMA. Sorry to interrupt, but nobody is anticipating the United States will suddenly have the same bilateral relations with North Korea as we do with New Zealand any time soon. That's not the question. The question is: Can we say to the North Koreans, if you stand down on your nuclear weapons, these incentives will follow, and hostilities will be lessened, even though we expect that they would still be a regime that violates human rights?

Mr. HILL. We have made very clear to the North Koreans, and I think the North Koreans understand this, that substantial benefits will flow from a decision on their part to do away with their nuclear programs. And that was the purpose of our June proposal, to put on the table what those benefits are. And we told the North Koreans to think about it, come back and respond, and that's what we're waiting for. I think the real issue here, it's not that they don't know the benefits, but they simply haven't made the fundamental decision whether they want to give up on being a nuclear state. And that is the one outcome that from our point of view, we are not negotiating a reduction in their nuclear, their fissile material, we are negotiating an end to the program, an end that they—in a sense—cannot then rekindle the program at a later date when they need more economic assistance. It has to be an end. So, I

think that is a very fundamental decision for them, and they clearly have not been prepared to make that decision.

Senator OBAMA. Okay. Mr. Chairman, I appreciate you waiting for me, and I appreciate both of you taking the time to come in.

The CHAIRMAN. Thank you, Senator Obama, and I echo those sentiments. We appreciate both of you and the work that you're doing. I would simply recognize for the record that you have appeared before our committee in closed sessions. We felt it was very important that we have, today, an open session that could be shared with the American people, as well as the rest of the world.

The hearing is adjourned.

[Whereupon, the hearing was adjourned.]

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