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North Korea's Criminal Activities: Financing the Regime

From 2003 to 2006 I was the Special Envoy for Six Party Talks (6PT) with North Korea and the U.S. Representative to the Korea Energy Development Organization (KEDO). For the following four years I was the North Korea Mission Manager with the ODNI; and from 2010 to 2012, I was the Director of the National Counterproliferation Center. Thus for the past ten years, I have been intimately involved with developments in North Korea.

In 2004, during one of the first bilateral meetings we had with North Korea, during a plenary session of the 6PT in Beijing, the North Korean representative stated that if the 6PT process was unable to produce an acceptable agreement, North Korea would build more nuclear weapons, test these nuclear weapons and consider selling nuclear technology. We stated clearly that there would be severe consequences if North Korea pursued such an agenda. In this and subsequent bilateral meetings, during scheduled plenary sessions, the North Korean representative often stated that the U.S. should accept North Korea as a nuclear weapons state, noting that North Korea would be a responsible nuclear weapons state. The North Korean representative was told that U.S. policy was clear: complete, verifiable, irreversible dismantlement (CVID) of North Korea's nuclear programs was and will always be U.S. policy. During these bilateral sessions, we told the North Korean representative that comprehensive denuclearization would permit North Korea to receive economic assistance and security assurances, and once North Korea ceased its illicit activities — counterfeiting the U.S. \$100 bill, counterfeiting cigarettes and pharmaceuticals, trafficking in methamphetamines — and started to address its human rights violations in a transparent manner, diplomatic relations would be possible.

With this as background, it's clear that there has been no progress in resolving North Korea's nuclear issue. In September 2005, there was hope that these issues with North Korea could be resolved, when the six countries agreed to a Joint Statement committing North Korea to comprehensive denuclearization in exchange for security assurances; economic assistance; and when North Korea returned to the NPT as a non-nuclear weapons state, the discussion of the provision of a light water reactor. Kim Chong-il had personally endorsed this agreement and on numerous occasions, to include during a visit to Beijing, stated his willingness to dismantle North Korea's nuclear programs. This optimism was dashed, however, when North Korea refused to commit to a written verification protocol to monitor North Korea's nuclear dismantlement efforts, after the U.S. removed North Korea from the list of state sponsors of terrorism.

Since the beginning of the 6PT process in 2003, North Korea has conducted three nuclear tests and four long range ballistic missile launches, all in violation of UN Security Council resolutions. Prior to the 6PT process, starting in the mid 1990s, North Korea embarked on a clandestine uranium enrichment program, in violation of NPT obligations and counter to the intent and spirit of the 1994 Agreed Framework. North Korea had denied having a uranium enrichment program but in 2010 they permitted a visiting U.S. scientist to visit a sophisticated uranium enrichment facility in Yongbyon. Although North Korea maintained that their uranium enrichment program was for civilian purposes and fuel for the light water reactor they were building, the U.S. assessment was that this facility and other non-disclosed uranium enrichment facilities in North Korea were for the manufacture of Highly Enriched Uranium (HEU), for nuclear weapons. This permitted North Korea to have two paths to fabricating nuclear weapons -- Plutonium and HEU.

In addition to enhancing their long range missile capabilities and their nuclear weapons programs, North Korea proliferated nuclear technology when they helped Syria build a nuclear weapons plutonium facility, similar to their 5 megawatt reactor in Yongbyon. This clandestine program started (*ca.* 1997) in Al Kabar, Syria. In 2007, just prior to going operational, Israel bombed and destroyed the facility. Additionally, North Korea has sold missiles and missile technology to Iran, Syria, Libya and any other country willing to buy their missiles.

Given North Korea's successful long range missile launch in December 2012 that put a small satellite in orbit, and the February 2013 nuclear test that was larger than two previous tests, it appears that North Korea's objective is to fabricate smaller nuclear weapons that eventually can be mated to ballistic missiles that could reach the continental U.S.

The three UN Security Council resolutions sanctioning North Korea for their nuclear tests and missile launches are causing considerable pain to the leadership in North Korea. The North Korean economy is barely functioning, with Pyongyang dependent on China for trade, fuel, and food assistance needed to sustain the government. Despite North Korea's significant economic problems, the Pyongyang government continues to spend billions of dollars on their nuclear and missile programs, under the banner of the "military first" policy.

If North Korea refuses to return to the 6PT and refuses to denuclearize, while enhancing their nuclear weapons and missile capabilities, other countries in East Asia most likely will consider having their own nuclear weapons capabilities. Indeed, the biggest threat globally, if North Korea retains its nuclear weapons, is nuclear proliferation. The possibility that nuclear weapons and/ or nuclear materials is obtained by a rogue state or non-state actors is of great concern. This message has been passed to the leadership in Pyongyang on numerous occasions.

Hopefully, China can help to convince the leadership in Pyongyang that the current escalatory path North Korea is pursuing will be disastrous for North Korea, the region and the international community. A potential nuclear arms race with the possibility of nuclear materials being acquired by terrorists and others will make the region and the world less secure. China is an ally of a North Korea that needs China's economic assistance. With the new leadership in Beijing, it's possible China will be able to convince Kim Chong-un to return to the 6PT and commit to eventual denuclearization, in line with the September 2005 Joint Statement. Kim Chong-il made this commitment. Hopefully, Kim Chong-un will. Indeed, when Kim Chong-un succeeded his father last year, there was hope that this young leader would move North Korea in a positive direction and pursue denuclearization in return for international legitimacy and economic and security assurances. His first few months in power gave a number of us some optimism that the young Kim would move cautiously towards economic and political reform. He replaced many of the hardliners in the government and appointed a Korean People's Party official as the Army's Chief of the General Political Department, thus installing a Party official to oversee the military. Other appointments, like the elevation of his Uncle to a more prominent position in government, gave some of us a sense of optimism; a sense that realists would replace the hard liners. This appearance of liberalization was short-lived, however, when North Korea launched a TD-2 missile in April 2012, despite the February 29, 2012 Leap Day agreement with the U.S. that committed North Korea to a moratorium

on missile launches and nuclear tests in return for nutritional assistance. UN sanctions then followed, with North Korea defiantly launching another missile in December 2012 that succeeded in putting a satellite in orbit. This also resulted in additional sanctions, with North Korea then conducting its third nuclear test last month. With this considerable escalation were vitriolic statements from Pyongyang stating that North Korea would never give-up its nuclear weapons, claiming the U.S. maintains a hostile policy towards North Korea. It is likely North Korea will launch additional missiles and conduct additional nuclear tests, working towards smaller nuclear weapons with the hope of eventually being able to mate these nuclear weapons to missiles that can reach the U.S. In short, North Korea has escalated tension significantly over the last year.

A negotiated settlement of North Korea's nuclear programs is desirable and necessary. My personal view is that China should do what they did in April 2003 when they convened an emergency meeting of the U.S., North Korea and China to discuss the tension in the region and arrange for the 6PT process to be established, to defuse tension and hopefully resolve the extant issues. It is possible that China could convene another emergency meeting with North Korea and the U.S., that also includes South Korea. Such a meeting possibly could determine if North Korea is serious about eventual denuclearization for economic assistance and security assurances, pursuant to the September 2005 Joint Statement, and if reconvening the 6PT process is viable.

Ambassador Joseph R. DeTrani Biography

Joseph R. DeTrani is President of the Intelligence and National Security Alliance, a nonprofit professional organization. After serving close to thirty years with the CIA, in numerous senior executive positions, Mr. DeTrani joined the Department of State in 2003 as the Special Envoy for Six Party Talks with North Korea, with the rank of ambassador, and the U.S. Representative to the Korea Energy Development Corporation. In 2006, Mr. DeTrani joined the ODNI as the Mission Manager for North Korea and from 2010-2012, he was the Director of the National Counterproliferation Center. Mr. DeTrani is the recipient of numerous intelligence awards, to include the Distinguished Career Intelligence Medal and the Donovan Award.

Ambassador DeTrani received his bachelor's degree from New York University and attended the New York University School of Law and Graduate School of Business Administration.