


Stop Hyperventilating, Start Talking

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By Peter Hayes

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I. Introduction

Peter Hayes, Nautilus Institute Executive Director, writes, "North Korea's missile test was a strategic non-issue. Making a big deal out of it simply enabled the United States to delay dealing with the real issue and made it more likely that North Korea will now test its nuclear weapons. Thus,

the outcome of North Korea's nuclear challenge once again hangs in the balance."

The views expressed in this article are those of the author and do not necessarily reflect the official policy or position of the Nautilus Institute. Readers should note that Nautilus seeks a diversity of views and opinions on contentious topics in order to identify common ground.

II. Essay by Peter Hayes

-**"Stop Hyperventilating, Start Talking"**

By Peter Hayes

The United States should stop huffing and puffing and threatening to blow down the North Koreans house. This will not work and simply makes America look like a big, bad wolf, albeit one who blew and blew but nothing happened.

Sure, Japan, Australia and the UK will line up with the United States, show grimly concerned, stern faces and dutifully denounce North Korea for firing a missile. But the rest of the world knows that the United States is hyperventilating and that it has no strategy to bring North Korea's nuclear threat to heel.

Let's begin with a few basic facts about the North's missile test. So far, North Korea has tested its long-range missile twice, once in 1998, and once in 2006. Two tests in eight years, both dismal failures. At this rate, it will take them 160 years to test 40 missiles, which is the number for the United States to bring a missile from development into operational levels of reliability.

This assumes that any North Korean long range missiles ever work. Missiles are very complex machines involving thousands of parts working in extreme conditions. North Koreans are notoriously bad at systems engineering. In fact, it's a good thing that they tested because now we are assured that the North Koreans do not and will not have in the near future a missile that can deliver a nuclear warhead on the continental United States. The only target that they know they can hit with one of their long range missiles is themselves, and then only by detonating it before they try to launch the missile.

Second, the North Koreans have the same legal right as any other state to conduct missiles tests. They are not signatory to the Missile Technology Control Regime which has no treaty status in any case. They are not obliged but reportedly did issue notices to airman and mariners to stay clear of the missile's launch path. They had the legal right to unilaterally terminate their unilaterally declared missile moratorium.

Indeed, it is worth noting the United States tested a Minuteman III missile from Vandenberg California to the west Pacific on June 14th. Like the DPRK attempted launch, it was fired at nighttime. Unlike the DPRK rocket, it worked. According to the US Air Force, the missile's three unarmed re-entry vehicles traveled approximately 4,800 miles in about 30 minutes, hitting pre-determined targets at the Kwajelein Missile Range in the western chain of the Marshall Islands.

Moreover, there is nothing illegal about North Korea firing a rocket so that its payload passes above the land of another country (Japan) provided that it is in space when it passes overhead, roughly above around 100,000 feet in altitude. The United States and other space powers zealously preserve this right for themselves.

So much for some basic facts. Let's turn to why North Korea fired it now.

First, the North Koreans believe that they have nothing to lose from the Bush White House because it will never negotiate with them in good faith. They believe that the Chinese have failed to deliver a United States at the Six Party Talks in Beijing that is willing to negotiate a reasonable and plausible deal with North Korea, and that China knows that the DPRK knows this fact. They do not believe that China will punish them for bristling against the United States. They know that South Korea's elections in late May shifted the political center of gravity away from supporting the DPRK, so there's little to be lost from this quarter. They know that Russia will do anything for money and that no-one is going to pay Russia to do anything for or against North Korea. Finally, they believe that they can get American attention by poking Japan in the eye. In short, there were no major external constraints on the North conducting a missile test.

Thus, the decision to fire a missile was dictated primarily by domestic factors in the DPRK. The way that Kim Jong Il sustains his rule at the top of the party-military-line agency pyramid of power that constitutes North Korea is by tilting. After the failure of the September 2005 six party talks to produce any substantive gains, he tilted to the conservative hard-line to show his toughness in the face of external pressure to his own military and population. In North Korea, this is popular.

In this instance, the American-led campaign to stop the test offered the perfect tactical opportunity to stand up to the United States yet again, thereby both reinforcing his image inside North Korea as a strong leader, and ambushing the United States by demonstrating to regional powers that it cannot coerce the DPRK into capitulation over the nuclear issue. Thus, after a long delay while Kim Jong Il undoubtedly calculated and recalculated the odds of various outcomes, the missile test went ahead, timed to contrast with the US Shuttle launch on July 4th.

Externally, he achieved his goal. For all its tough rhetoric at the UN Security Council, the United States is doing nothing, either militarily or diplomatically, that will affect North Korea's ability to sit tight, make more plutonium and nuclear weapons, and outwait the Bush Administration's tenure.

Ironically, some pundits in the United States see this as a big setback for North Korea. John Bolton, the likely source of the leak about the pending missile test to that ever-ready conduit back to Washington, the New York Times, evidently thinks that North Korea fell into his trap and is now so isolated that he can push for Security Council authorization for sanctions or even military action under Chapter 7 of the UN Charter.

Nothing could be farther from the truth. What is important with North Korea is not its missiles but its plutonium production. If the North Koreans have no nuclear warheads, then whether they have long-range missiles doesn't matter much.

This is not to say that the failure of the missile test won't have an impact. Indeed, heads will now roll in Pyongyang. No totalitarian leader likes to be made to look weak in front of his own people. Kim Jong Il will now tilt back to diplomacy having tested the military-first line with the missile test and finding that it blew egg all over his face.

Americans should stop hyperventilating about North Korean missiles and start talking to North Korea about what will work at the next round of six party talks if the United States comes prepared to strike a deal. The starting point is the September 15 2005 Joint Statement of the Fourth Round of the Six-Party Talks.

If John Bolton pushes too hard at the UN Security Council, he's likely to shoot the United States in the foot because China and Russia will simply block attempts to sanction North Korea.

Should he somehow succeed, however, he risks pushing Kim Jong Il's back into a corner. Kim may then expend some of his precious stock of plutonium, and conduct a nuclear test to recover ground with the military and the confidence of his own population. On July 6th, the DPRK referred to "its tremendous deterrent for self-defence," in a radio broadcast to its own people and argued that but for this deterrent, the United States would have attacked it already (see attachment).

North Korea's missile test was a strategic non-issue. Making a big deal out of it simply enabled the United States to delay dealing with the real issue and made it more likely that North Korea will now test its nuclear weapons. Thus, the outcome of North Korea's nuclear challenge once again hangs in the balance.

III. Attachment: DPRK Foreign Ministry Spokesman on Its Missile Launches

From <http://www.kcna.co.jp/index-e.htm>

Pyongyang, July 6 (KCNA) -- A spokesman for the DPRK Foreign Ministry gave the following answer to a question raised by KCNA Thursday as regards the missile launches in the DPRK: In the wake of the missile launches by the Korean People's Army the U.S. and some other countries following it, including Japan, are making much ado about a serious development. They are terming them "violation" and "provocation" and calling for "sanctions" and "their referral to the UN Security Council."

The latest successful missile launches were part of the routine military exercises staged by the KPA to increase the nation's military capacity for self-defence.

The DPRK's exercise of its legitimate right as a sovereign state is neither bound to any international law nor to bilateral or multilateral agreements such as the DPRK-Japan Pyongyang Declaration and the joint statement of the six-party talks.

The DPRK is not a signatory to the Missile Technology Control Regime and, therefore, is not bound to any commitment under it.

As for the moratorium on long-range missile test-fire which the DPRK agreed with the U.S. in 1999, it was valid only when the DPRK-U.S. dialogue was under way.

The Bush administration, however, scrapped all the agreements its preceding administration concluded with the DPRK and totally scuttled the bilateral dialogue.

The DPRK had already clarified in March 2005 that its moratorium on the missile test-fire lost its validity.

The same can be said of the moratorium on the long-range missile test-fire which the DPRK agreed with Japan in the DPRK-Japan Pyongyang Declaration in 2002.

In the DPRK-Japan Pyongyang Declaration the DPRK expressed its "intention to extend beyond 2003 the moratorium on the missile fire in the spirit of the declaration."

This step was taken on the premise that Japan moved to normalize its relations with the DPRK and redeem its past.

The Japanese authorities, however, have abused the DPRK's good faith. They have not honored their

commitment but internationalized the "abduction issue," pursuant to the U.S. hostile policy toward the DPRK, although the DPRK had fully settled the issue. This behavior has brought the overall DPRK-Japan relations to what was before the publication of the declaration.

It is a manifestation of the DPRK's broad magnanimity that it has put on hold the missile launch so far under this situation.

The joint statement of the six-party talks on September 19, 2005 stipulates the commitments to be fulfilled by the six sides to the talks to denuclearize the Korean Peninsula.

But no sooner had the joint statement been adopted than the U.S. applied financial sanctions against the DPRK and escalated pressure upon it in various fields through them. The U.S., at the same time, has totally hamstrung the efforts for the implementation of the joint statement through such threat and blackmail as large-scale military exercises targeted against the DPRK.

It is clear to everyone that there is no need for the DPRK to unilaterally put on hold the missile launch under such situation.

Such being a stark fact, it is a far-fetched assertion grossly falsifying the reality for them to claim that the routine missile launches conducted by the KPA for self-defence strain the regional situation and block the progress of the dialogue.

It is a lesson taught by history and a stark reality of the international relations proven by the Iraqi crisis that the upsetting of the balance of force is bound to create instability and crisis and spark even a war.

But for the DPRK's tremendous deterrent for self-defence, the U.S. would have attacked the DPRK more than once as it had listed the former as part of an "axis of evil" and a "target of preemptive nuclear attack" and peace on the Korean Peninsula and in the region would have been seriously disturbed.

The DPRK's missile development, test-fire, manufacture and deployment, therefore, serve as a key to keeping the balance of force and preserving peace and stability in Northeast Asia.

It is also preposterous for them to term the latest missile launches a "provocation" and the like for the mere reason that the DPRK did not send prior notice about them.

It would be quite foolish to notify Washington and Tokyo of the missile launches in advance, given that the U.S., which is technically at war with the DPRK, has threatened it since a month ago that it would intercept the latter's missile in collusion with Japan.

We would like to ask the U.S. and Japan if they had ever notified the DPRK of their ceaseless missile launches in the areas close to it.

The DPRK remains unchanged in its will to denuclearize the Korean Peninsula in a negotiated peaceful manner just as it committed itself in the September 19 joint statement of the six-party talks.

The latest missile launch exercises are quite irrelevant to the six-party talks.

The KPA will go on with missile launch exercises as part of its efforts to bolster deterrent for self-defence in the future, too.

The DPRK will have no option but to take stronger physical actions of other forms, should any other

country dares take issue with the exercises and put pressure upon it.

IV. Nautilus Invites Your Responses

The Northeast Asia Peace and Security Network invites your responses to this essay. Please send responses to: bscott@nautilus.org. Responses will be considered for redistribution to the network only if they include the author's name, affiliation, and explicit consent.

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