

North Korea: Here We Go Again!

by Ralph A. Cossa

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North Korean “Dear Leader” Kim Jong-il is a hard person to like; he is even a harder person to ignore. At a time when the rest of the world would prefer to focus its attention elsewhere, the North Korean leader is trying his best to shine the spotlight on the one area of the world where the global financial crisis matters little, his own already failed state.

I’m talking here about Kim’s announced intention, in the face of several 2006 (but still valid) United Nations Security Council (UNSC) resolutions demanding otherwise, to soon conduct a “satellite launch” using Pyongyang’s newest long-range ballistic missile – an action that all others are calling a barely disguised missile test.

Some would add the seizure of two newswomen to this list of attention-getting devices; I do not. I’m inclined to believe that the hugely paranoid Kim probably believes his own press statements accusing the journalists of being spies. If anything, he likely sees this incident as a test of his resolve, even as his announced satellite launch appears aimed at testing the resolve of others.

(It would perhaps be too harsh to opine that the two ladies deserved what happened to them by being so careless so close – or, according to some report, over – the North Korean border, but they have clearly made a bad situation worse and merit little of the international sympathy they appear to be gaining.)

The missile launch drama has played out over several months, since intelligence sources originally reported seeing launch preparations underway at the North’s ballistic missile test facility shortly after President Obama was inaugurated. This impending missile activity (now scheduled to take place between April 4-8) has prompted calls from pundits (not to mention legislators and even some government officials) in Washington, Tokyo, and elsewhere, to shoot down the missile, or better yet (their caveat, not mine), to destroy it on the launch pad before it can be fired, given its potential threat to Japan and to locations as far away as the Hawaiian Islands or Alaska.

Let me hasten to add that, as a Hawaii resident, I lose little sleep over the prospect of a North Korean missile attack. Given that the assessed accuracy of North Korea’s long-range missiles is estimated at plus or minus 100 kilometers (62 miles), even if the North was foolish and suicidal enough to try to shoot a missile at Hawaii, it would pose a much greater

danger to our migrating whales than to my downtown condominium – Greenpeace, are you listening?

The Japanese have more reason to be concerned; not just because they are closer (and thus have almost no time to assess the true nature and direction of any launch) and have been more directly targeted by vehement North Korean tirades, but because many fear that even a legitimate satellite launch could very well result in missile components falling on Japanese territory – Pyongyang has announced that the first stage booster rockets will splash down in a “danger area” within 75 miles of Japan (second phase boosters are expected to land in the middle of the Pacific halfway between Japan and Hawaii).

As a result, the Japanese Maritime Self-Defense Force plans to deploy an Aegis missile-equipped destroyer armed with interceptor missiles to the Sea of Japan in anticipation of a North Korean missile launch. While Japan has no capability (and thus no intention) to preemptively strike the missile on its launch pad, a senior Japanese defense official has stated “We would have no other choice but to intercept” if the missile appeared to present a direct threat to Japan. Whether they would be successful is, of course, another story, but it could provide target practice for Japan’s Aegis-equipped ships. (Please note here that I am NOT advocating an attempt to shoot down a rocket in the process of launching a satellite, only responding to falling debris or an errant missile if it threatens Japan)

The U.S., which has the capability to preempt, apparently (and wisely) also has no intent to do so at this stage of the game. Instead, Washington keeps reminding Pyongyang that such actions are “unhelpful” and could have serious consequences.

Pyongyang’s reaction to such threats (real, imagined, or merely hypothesized) has been considerably less nuanced: “If the enemies recklessly opt for intercepting our satellite, our revolutionary armed forces will launch without hesitation a just retaliatory strike operation not only against all the interceptor means involved but against [U.S., Japan, and ROK] strongholds,” the North Korean general staff said in a statement, further asserting that “shooting our satellite for peaceful purposes will precisely mean a war.” For good measure, they have also threatened to walk away from the Six-Party Talks if the UNSC responds negatively to their satellite launch. (These negotiations, involving the two Koreas, China, Japan, Russia, and the U.S. and aimed at Korean Peninsula denuclearization, appear hopelessly stalled at present but still represent the best – albeit incredibly slim – chance of achieving this noble objective.)

That Pyongyang seems intent on launching its missile seems clear; what’s less clear are Kim Jong-il’s motives. The probability that this could very well force a hardening of the current more flexible U.S. position toward direct negotiations

with Pyongyang seems to have escaped him completely. Or, perhaps he believes that such confrontational behavior will (as all too often in the past) increase rather than decrease the prospects for dialogue on his terms. At a minimum, he is once again successfully diverting attention away from the real problem at hand, which is dealing with Pyongyang's nuclear weapons capability.

The North's bellicose behavior is disappointing and potentially counterproductive – why would any country think it in their interest to be the first to test the resolve of a new administration, especially one in the process of reviewing its policy toward your nation. But it is hardly surprising, given the tepid response to past provocative actions. In truth, the mere announcement of a planned missile launch, even with a satellite attached, represents a bigger challenge and test of resolve to the UNSC and its permanent members than to the U.S. alone.

It should be noted here that, absent the two UNSC resolutions, North Korea would have as much right to launch satellites (or even test missiles) as South Korea, India, the U.S., or anyone else. But this is not the case today.

Pyongyang's 2006 missile launches and nuclear test prompted two stern UNSC resolutions (UNSCR 1695 and 1718, respectively). These "demanded" a halt in all ballistic missile activity; the second even authorized Chapter VII enforcement mechanisms in the case of noncompliance, but with the caveat that only "measures not involving the use of armed force are to be employed to give effect to its decisions," and even then only after additional UNSC consultation.

This is hardly a deterrent. Nor have the "mandatory" actions – which prohibited the export to North Korea of military hardware and "luxury goods" – been aggressively implemented by neighboring countries (like China, Russia, and even South Korea, despite the more conservative nature of its current government); they continue to provide Pyongyang a lifeline with few if any strings attached. While the nature and extent of Kim's reported stroke may never be known, it is a pretty safe bet it was not caused by cognac withdrawal.

Incredibly, there is not even consensus among the major actors as to whether this announced satellite launch violates the UN sanctions: Washington, Tokyo, and Seoul say it does; Beijing and Moscow seem less sure – what part of the phrase "shall suspend all activities related to its ballistic missile programme" don't they understand? Even a cursory reading of the two resolutions reveals that "all" means "all," including "launch[ing] an object propelled by a missile."

If the UNSC really wants to influence Kim Jong-il's behavior (and restore some of its own shaky credibility), it should remove this ambiguity by stating in advance that even a satellite launch violates the UNSC resolutions and thus will subject Pyongyang to "additional measures." It would be even more helpful if they could unanimously decide (and then privately but convincingly relay to Pyongyang) what punitive measures will be put in place should the North proceed with its illegal launch.

It may be too late at this point to deter Pyongyang from proceeding with its missile launch, but agreement by the

UNSC in advance as to the illegal nature of this action and some initial consultation regarding consequences when this latest slap in the face of the United Nations takes place, will help to change the North's going in assumption that its confrontational policies serve its best interests and divide rather than unite those who need to speak with one voice in countering such behavior. If we can't persuade Pyongyang that we are serious when it comes to enforcing UNSC resolutions, how will we ever compel the North to honor its own, and our collectively agreed upon, denuclearization commitments?