

La Trobe Asia – North Korea

Nick Bisley

Welcome to a La Trobe Asia podcast. I'm Nick Bisley, the Executive Director of La Trobe Asia, here at La Trobe University and with me to talk about all things North Korea is Dr Ben Habib from the Politics and International Relations Program here at La Trobe.

This morning we're going to do a bit of a North Korea update. North Korea is always an interesting place to examine and to think about and there's always curious things going on in North Korea. There's been three issues that I think we want to have a bit of a look at that have occurred in the recent past. The first is the UN Human Rights Commission report. The chief author and lead Commissioner was Australia's former High Court judge Michael Kirby with some pretty eye-opening stories about what's going on inside the gulag system inside North Korea.

Another UN report, this one from the Security Council, on the sanction-busting regime and then finally the ever-present challenge of North Korea's military development and its missile tests. So why don't we start with the Kirby report, which has come out. You've had a chance to read it now. I'm just wondering what your first thoughts, firstly of what the report is and what it says? How much new is there for those of you who watch North Korea closely? And what do you think its likely impact is going to be?

Ben Habib

That's a good question. As far as anything new about it, it's not really new at all. All of these things are well known and well documented in various other sources. I think its value is that it provides a catalogue. It brings together all of the known information about the abuses in North Korea's coercive apparatus, into one document. If you're a researcher after this, it's very easy to find this stuff now, and I know many happy PhD students out there.

Nick Bisley

So Michael Kirby will be listed as your research assistant to your next publication?

Ben Habib

Yes. The other reason that it's useful to have a catalogue and I think the main purpose of the report is that it provides a catalogue of evidence that can be used in any proceedings in the International Court of Justice in the future, should the North Korean regime collapse.

At the moment, there's not really anything the international community can do to bring the North Korean government to account for any of these crimes, but in the event that the government falls, and that these ... the regime elites responsible come into custody, then they can be tried in the ICJ. In that instance, that is where the catalogue of evidence will come into play.

Nick Bisley

Do you think there's also something around shining a bit of a light on North Korea? As you well know, this has been going on for a long time but it's almost as if the rest of the world has been unaware or unwilling to look at it.

Ben Habib

Well, one of the questions that struck me – as soon as the panel was announced in 2013, it was why now? Given that these crimes have been known for some time, what could explain the timing of the launching of the panel and then, the presentation of the report, earlier this year. Clearly, there's been a lot of lobbying to get a report like this up, from various human rights-related organisations, in

South Korea, in the United States, and elsewhere. And another contributing factor is the fact that Kim Jong-Un is still fairly new to the role, so it may have been felt that there was a window of opportunity to exert some pressure on the North Korean government while the new government was finding its feet.

Nick Bisley

How is it playing inside North Korea? I mean, obviously this is going to be not something where they go, oh gosh, terrible, isn't it awful we've done these sorts of things? But if you look at similar kinds of reports in democracies, say for example, Australia's regularly criticised by the Human Rights Commission on variously, treatment of asylum seekers or indigenous population. It plays out on the media and feeds into the debates occurring within Australia. How do reports like this function in a one-party authoritarian dictatorship, particularly given the kind of propaganda story that North Korea tells its own people about what's going on in the world out there.

Ben Habib

Well, one of two things can happen. Either it doesn't play out at all. I think the logic about why the government would not want to publicise this internally is pretty obvious. And the other thing is, it could be used as an example of imperialist propaganda – an attack from the outside that's baseless and they can try and flip the story around to say it's a plot by their enemies to try and de-stabilise the government.

Nick Bisley

Because it seems to me to be something that could very well feed into that broader story they tell about being surrounded by a hostile world that is out to get them and that the hero family has been the only thing keeping the Korean people safe from this nasty barbarous world, and look, here's yet another example of this world out to get us. Where to from here, do you think, with the report? Is it just going to be another one for the researchers, one for the history books, and that's it, or do you think there's any possible life as a book of evidence?

Ben Habib

Yeah, I don't think it's got any legs beyond that. It's served its purpose by being this catalogue of evidence that's now on the shelf, and it provides a bit of ammunition for human rights campaigners to go back and look. The international community doesn't have the capacity to improve the human rights situation even from a military standpoint, so if you followed the arguments made prior to the Iraq war, now rightly or wrongly, the crimes of Saddam Hussein's regime in Iraq against his own people were held up as a reason for regime change. Now that's clearly off the table in the Korean case, because Korea is such a unique strategic environment. If a war occurs, then it's a disastrous scenario for everyone involved.

Nick Bisley

That's probably a useful segue to get to sanctions, because at the moment North Korea is a society that's isolated on its own terms. You know, it has its own kind of isolationist approach to domestic economic development, but it's also very heavily isolated by a pretty extensive United Nations sanction regime, that's been in place for quite a long period of time. And for many who watch North Korea only periodically, often the question raised is, how is North Korea still here? You know, here is this basket case economy, you know, large scale starvation, how does it survive, and one answer to that also that people often say is, that somehow they're getting around these sanctions that exist. And we've just seen recently this report from the United Nations Security Council, from the branch of the Security Council that oversees the sanction regime, you've managed to get hold of this report, which I haven't been able to, because it's quite difficult to find on the various websites. So I thought you might say a few quick words about what's in it, and what does the report tell us, again, that we didn't already know, and what can we learn about how North Korea is operating and its sort of

complex network of relations and the way it's plugged into the global economy.

Ben Habib

There's a relevant point here to our previous discussion about the Kirby Report. North Korea is a society that's starting to change, and there are grass roots changes to the economy, through street entrepreneurialism that's bubbling up from below, and from above, the government is starting to experiment with various types of piecemeal economic reforms, centred around special economic zones, particularly in Rason in the north-east. The **06:56.9** experiment with South Korea that's been going on for a while, and they're starting to upgrade the Sinuiju, the special economic zone just across the Yalu river from Dandong, on the Chinese frontier. So in terms of the Kirby Report, the blanket monolithic totalitarianism that was presented in that report, it's not entirely accurate, because the society is starting to evolve.

In terms of sanctions, it also indicates that North Korea's not as isolated as we'd been led to believe. Regular trade through China with other non-Western countries has been increasing for about the last five or six years.

Nick Bisley

And what are they trading in? What's the exchange of goods?

Ben Habib

The big ticket items at the moment are natural resources, so coal, rare earth minerals, it was recently announced that North Korea's got the biggest reserves of rare earth minerals in the world. And you can see the increasing trade of natural resources, resulting in the influx of foreign funds into the country, and that's fuelling development which is particularly evident in Pyongyang, and increasingly so elsewhere.

Nick Bisley

Are we beginning to see any political ripples coming from this economic transformation because they're Marxists and they should know if you transform the economic basis of your society, the political structure is going to come under some questions, so have we seen any of that? If this change is sort of beginning to occur?

Ben Habib

If you were in the North Korean government, that's your big fear, isn't it? Every time historically in the last twenty years, the economy has started to change from the grass roots, the government has pulled back and tried to rein in economic activity that's outside the government's sphere. Now it looks like they're trying, from above, to promote entrepreneurialism and promote foreign investment. It's like riding a tiger. Whether they can do this successfully is the great question for North Korean watchers.

Nick Bisley

And particularly given it's still a pretty new regime. Kim 3.0 has been in for what, it's slightly over two years isn't it, but the consolidation of that new structure, the new people, is still not quite set. And in some respects we saw some of the speculation around the very public purging of the regent, you know his uncle, Jang Song Thaek, late last year and there seemed to be some speculation that that, in part, was driven by these economic forces, where Jang was close to China and seen to be potentially getting in the way of that initiative. Are these parts of the puzzle related, do you think?

Ben Habib

Yeah, absolutely. This is exactly the context we need to interpret, the Jang Song Thaek execution. Part of the criticisms made of him by Kim Jong-Un and the government was that he'd become too

close to China, that he'd made preferential deals with the Chinese that were too generous to his Chinese interlocutors, and that he was empire building at the expense of the broader national interest. The degree to which those things are true is up for speculation, but that's the argument that's been made.

Nick Bisley

That economic reform story is one to watch, not just in terms of, is North Korea going to go down the China path of changing its economic structure, and what effect this might have on the politics of the place.

To go back to the sanction-busting report itself, did we learn anything new about things like, sort of illicit trade in guns and drugs and counterfeit money, and how that feeds in beyond the commodity trade that you've just mentioned, or was that sort of stuff left to one side?

Ben Habib

No, that was pretty front and centre in the report. I mean, a lot of it again is old news. I mean, there's some stuff in there about diplomats using diplomatic immunity to smuggle prohibited items that dates back to the 1980s and 1990s, so this ...

Nick Bisley

North Korean diplomats are not the only ones who do this.

Ben Habib

Yeah, yeah, but then there is some updated material in there as well. So, for example, diplomats setting up dummy bank accounts to funnel funds to beat financial sanctions. So these entities are still operating through a host of different shell organisations.

Nick Bisley

I think a lot of the popular press coverage of the report, we saw almost a depiction of surprise that North Korea could be this sophisticated. From my perspective, it was at the very least, it was kind of saying, hang on, North Korea's not just a cartoon kind of tin pot dictatorship run by a clownish, nasty guy at the top, but is a sophisticated political entity that's very capable of charting a course for itself in spite of what appears to be a pretty onerous sanction regime. It's certainly Iran and North Korea are behind the two biggest and most comprehensive sanction regimes, and North Korea, it's not to say it's flourishing, but it's able to carve out space and I think it's a good reminder that when you're dealing with North Korea, and thinking about North Korea, you've got to think about it as a sophisticated, quite rational actor in the system.

One of the other questions that came out of the sanctions-buster report is, can we do more to force the sanctions that exist and of course, the other question is, is China doing enough? Because most of the foreign trade and investment in North Korea is from China, and much of it seems at the first glance, to fly in the face of a sanction regime.

Ben Habib

Well I think you highlighted exactly the trap of the crazy North Korea means that people underestimate what the North Korean government is capable of, because they look at the Kim dynasty as a bunch of crazy actors and clearly that's not the case, and it's not an analytically useful way of looking at the regime.

And in terms of China, yes, China can do more to enforce the sanctions, but is it in their interests to do so?

Nick Bisley

Probably a better question is, will it do more?

Ben Habib

Yeah, it's a silly assumption to think that Chinese interests converge with the interests of the United States and its regional allies, when it comes to North Korea. Clearly, that's not the case. The Chinese don't like it when North Koreans are too belligerent, so this time last year we had the nuclear tests, which followed on from the successful missile launch and a whole raft of belligerent statements from the North that really ratcheted up tensions. Fortunately we haven't seen that this time this year, but that's a red line for China, so whenever North Korea oversteps its bounds, from the Chinese perspective, then you see the Chinese sign up to sanctions like UNSC24. But barring that, they don't have an interest in completely enforcing the sanctions.

One of the rationales for the sanctions, they're not always stated, is to strangle the North Korean government to collapse. Clearly the Chinese don't want that. The usual justifications for that is the Chinese like having a buffer zone between American forces and the Yalu River frontier.

Another argument that's put forward is they like American forces tied up on the Korean peninsula worrying about North Korea and not in other places like the South China Sea or Taiwan.

Nick Bisley

Then it takes us I think to the pointy military end of North Korea's broader development, and that is, if we've got a society that's becoming a little bit richer, and it looks like North Korea is certainly doing that, but also a country that's now better positioned to make good on its various military ambitions and you know, it wants to be able to survive militarily and it also has been made very clear that it wants to acquire and retain a nuclear weapons capability. We saw most recently, in contrast as you said to last year where things were really building up to test ICBM launchers, and fusion explosion test, what we had most recently were some small scale missile test of short and medium range missiles that seemed at first glance to be in breach of the sanction regime, but we know where that stands. So where is North Korea at in that side of its development, that is to say, its military ambitions and its strategic autonomy and do you think it's likely that we're going to see another nuclear test in the coming year?

Ben Habib

Well, no, North Korea's got very sophisticated short and medium range missile systems. They don't have anything to prove, technologically, with these tests, so it's pure diplomatic signalling. And the signalling comes because of the timing. In that period we had the joint military exercises between the US and ROK forces, which they have every year at about this time of the year. This time around, the North Korean government has made its statement, but in a much more measured way. I think there might have been a realisation that they overstepped last year.

In terms of another nuclear test, they've still got a couple of technological hurdles to master. They've demonstrated that they've got a nuclear weapon, but it's not clear to the international community yet that they've got a weapon that's deployable on one of their missile warheads. So they've got to demonstrate that they can miniaturise a nuclear weapon, to fit on a warhead, and also that they have a long range missile capability that can deploy that weapon to targets further afield than the immediate surrounds.

Nick Bisley

I remember I was at a conference a year or two ago in Singapore and there was a Russian general of unknown military affiliation, a senior general. No one could quite tell you what part of the military

he was actually from, and he had a sort of straight from central casting thick Russian accent, but he said I want to be very clear, North Korea has an explosion, it doesn't have a bomb. There's still at that stage and they need to do more things to get to the point where they can deliver something.

Ben Habib

That's right. They haven't proven that they've got a deployable nuclear weapon. Now from that perspective I would expect to see another nuclear test at some time in the future. Now the exact timing of that might depend on other political machinations swirling around the Korean peninsula. So maybe this time next year when the joint exercises are on – this has often been a favourite time for provocations.

Nick Bisley

So do you think with the sort of high visibility exercises, like a nuclear test, that there's as much political calculation as there is technical?

Ben Habib

Yes.

Nick Bisley

That goes into determining when and what they do.

Ben Habib

Yeah, the technical aspect is clearly important here, but the timing, I mean, they can choose any time of the year to do this, for maximum impact, it helps them to build their diplomatic leverage by testing at a time that's useful in that regard.

Nick Bisley

I just want to go back to what I thought was a pretty moderate response to the joint exercises, certainly if you compare the past three or four years of the joint ROK, US military exercises, they've always prompted something pretty nasty, even if it's just nasty rhetoric, but this year a few short range missile tests that didn't do anything in terms of damage, if that's what we, the international community got away with, I think we got away very light. Why do you think they were quite so moderate? Was it simply a question of overstep the mark, or do you think this reflected a marginally more moderate approach within DPRK thinking?

Ben Habib

Well, part of the rationale for the escalations last year might have had to do with internal North Korean politics. So, it's possible that Kim Jong-Un feels much more secure internally now, that he doesn't have to play the military card to demonstrate his credentials. I would expect to see another nuclear test. I would expect to see one or two more long range missile tests, because they've still got to demonstrate that that technology works properly, the multi-stage rockets. And all the signals indicate that the North Korean government wants this capability, and that there's no suite of incentives, there's no carrots and sticks that would persuade them otherwise.

Nick Bisley

My sense is that as time has gone by, we really need to move beyond the idea that the nuclear gambit is large scale nuclear blackmail – give us a lollypop and we'll stop behaving badly. This is something that I think strategically they want.

Ben Habib

So from that perspective the sanctions regime is a relic of the past. Its objectives are not fulfillable so then you have to ask why maintain the sanctions regime in place? It's documented in the

literature on sanctions, sender countries often target other countries with sanctions for their own domestic political purposes. Now the American political process is really dogged by this doves versus hawks schism within the foreign policy community. There's no way that any American administration can be seen to be too accommodating to the North Koreans, without this cry of appeasement that's going up. It's one of the problems with trying to engage North Korea, this internal dynamic in US politics. From that perspective you can see that the US at least has to be seen to maintain the sanctions regime no matter what happens. Military is off the table so this is really the only tough option.

Nick Bisley

Well, thanks very much Ben. I think that's all we've got time for for the moment. Doubtless our friends in Pyongyang will do something this year that we haven't quite thought of and we'll be back later in the year for another North Korea update. Meanwhile you can follow Ben on his Twitter account @DrBenjaminHabib. You can also follow me on my Twitter account to find out all the things that we're doing here at La Trobe Asia @NickBisley. Thanks for listening.