



Diplomacy with North Korea: A Status Report

Overview

Since the early 1990s, the United States periodically has engaged in diplomacy with the Democratic People's Republic of Korea (DPRK, North Korea's official name). A focus of these efforts has been the DPRK's nuclear and missile programs, which have emerged as threats to the U.S. homeland and U.S. East Asian allies, particularly South Korea and Japan. Over the decades, the United States and North Korea also have discussed normalizing relations, officially ending the Korean War after nearly 70 years, and improving human rights conditions in North Korea. Since 2019, following the collapse of personal diplomacy between former President Donald Trump and North Korean leader Kim Jong-un, Pyongyang largely has ignored attempts by the Trump and Biden Administrations to resume dialogue. Kim's reluctance to engage also may be due to his response to Coronavirus Disease 2019 (COVID-19); North Korea has closed its borders since early 2020.

The Biden Administration says it is pursuing a "calibrated, practical approach" that "is open to and will explore diplomacy with North Korea" to eventually achieve the "complete denuclearization of the Korean Peninsula." U.N. Security Council and U.S. sanctions bar nearly all of North Korea's exports and many of its imports, with exceptions for livelihood and humanitarian purposes. The Biden Administration's approach appears to envision offering partial sanctions relief in exchange for partial steps toward denuclearization. Incremental sanctions relief could be difficult to accomplish without congressional support, given limitations enacted into law. U.S. officials say they have offered to meet with North Korea without preconditions, and that "the ball is in [Pyongyang's] court." Some analysts characterize the Administration's approach as overly passive, offering little substantive content in its public efforts to engage, instead emphasizing coordination with Seoul to prevent U.S.-South Korea disagreements over DPRK policy from surfacing.

In the near term, many analysts worry Kim will abandon his unilateral moratorium on nuclear tests and long-range ballistic missile tests. Pyongyang has resumed short- and medium-range ballistic missile tests—unleashing seven launches in early 2022—continues to enhance its military capabilities, and conducts cyberattacks around the globe.

Background

In 2018, following two years of a steadily escalating crisis that threatened to erupt into military conflict, Trump and Kim defused tensions. Departing from the working-level bureaucratic approaches undertaken by previous U.S. administrations, Trump and Kim's personal diplomatic efforts relied on summits and leader-to-leader

communication. The pair exchanged more than 25 letters and held 3 meetings: in Singapore (June 2018); Hanoi (February 2019); and Panmunjom, on the inter-Korean border (June 2019). U.S.-DPRK talks were complemented—and at times facilitated—by increased diplomacy between North and South Korea. Ultimately, the talks collapsed in 2019 due to differences over the scope and sequencing of DPRK denuclearization measures sought by the United States in exchange for sanctions relief.

President Joe Biden has indicated that he will pursue a more traditional diplomatic approach that emphasizes working-level talks and builds on earlier agreements with Pyongyang. These include the 2018 joint declaration issued in Singapore, in which Trump and Kim agreed to "commit to establish" new bilateral relations, build "a lasting and stable peace regime," and cooperate to recover the remains of thousands of U.S. troops unaccounted for from the Korean War. Kim said he "commits to work toward complete denuclearization of the Korean Peninsula."

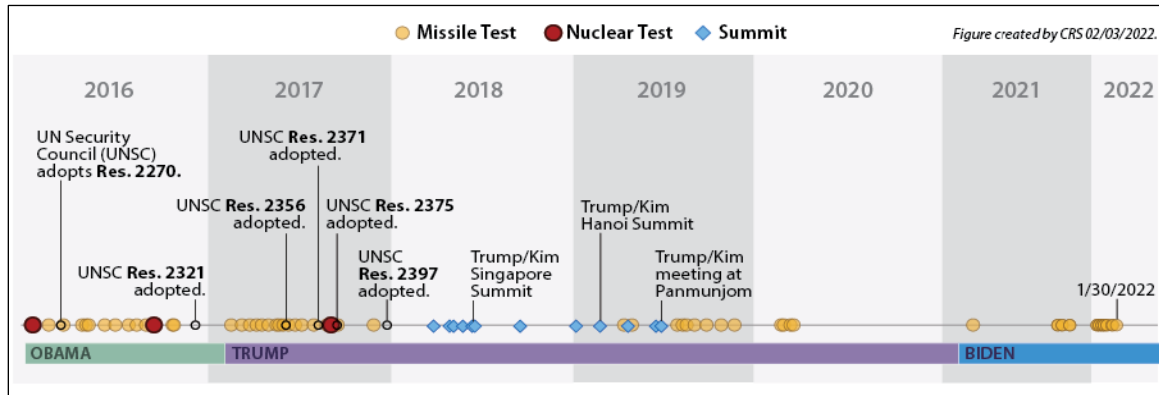
If U.S.-DPRK talks restart, Members of Congress could debate the merits of the Biden Administration's apparent aim to push in the near term for incremental dismantlement of North Korea's nuclear program in step with gradual sanctions relief, rather than trying for earlier and/or more extensive DPRK denuclearization concessions. The possibility of sanctions relief is complicated by requirements in U.S. law that target not only weapons programs but also human rights abuses, money laundering, weapons trade, international terrorism, and cyber operations. Members may also debate whether and how to prod the Administration to more effectively deliver humanitarian aid to the North Korean people despite sanctions.

Key Developments

North Korea's Nuclear and Missile Programs

- Kim in 2018 pledged "permanent dismantlement" of nuclear weapons production facilities in Yongbyon—an important nuclear site—"as the United States takes corresponding measures." The DPRK has partially shut down some parts of its nuclear testing and missile launch sites. As U.S.-DPRK talks stalled, promises to allow inspections or completely dismantle sites went unfulfilled.
- Under Trump and Kim, the two countries did not agree on denuclearization steps, whether an agreement will include limits on DPRK missiles, or the mechanisms for verifying any agreement, including inspection and monitoring.

Figure 1. Timeline of North Korean Ballistic Missile and Nuclear Tests, U.N. Security Council Sanctions, and Kim Jong-un Summits, 2016-2022



- North Korea has not tested a nuclear weapon or test-launched intercontinental ballistic missiles (ICBMs) since November 2017, notwithstanding Kim’s December 2019 statement that “there is no ground” for North Korea to continue the moratoria because of the breakdown in U.S.-DPRK talks. In January 2022, the United States designated five North Korean nationals for sanctions related to weapons proliferation; the DPRK Politburo responded by issuing instructions to “examine” the ending of “trust-building measures,” a likely reference to the moratoria.
- On January 30, 2022, North Korea test-launched the Hwasong-12 (KN-17) intermediate-range ballistic missile, last tested in September 2017.
- Since May 2019, North Korea has conducted over a dozen short-range ballistic missile (SRBM) tests, advancing the reliability and precision of its missile forces, and improving its ability to defeat regional missile defense systems.
- In January 2021, Pyongyang announced it aims to develop tactical nuclear weapons, deploy multiple warheads on a single missile, and improve its ICBMs’ accuracy. Achieving these goals may require testing.

Other Military Developments

- A 2018 inter-Korean military confidence-building agreement required reducing military activity around the border and removing guard posts along the demilitarized zone (DMZ). South Korea met its obligations under the agreement; North Korea has threatened to renege on the small steps it has taken.
- In June 2018, President Trump cancelled annual U.S.-South Korea military exercises, calling them “provocative.” Due in part to the pandemic, 2021 exercises were scaled back; major in-person exercises have not resumed.

Diplomatic Developments

- Pyongyang used the Trump-Kim diplomacy to break out of the relative isolation the international community had imposed following DPRK’s 2016 and 2017 nuclear and missile tests, particularly restoring relations with China.
- Although before the Hanoi summit, the United States and DPRK discussed exchanging liaison offices, they have not upgraded relations. There also has been no progress on building a “peace regime,” which could start with a

declaration formally ending the Korean War. South Korean President Moon Jae-in argues that the United States and South Korea pre-emptively issuing such a declaration will jump-start denuclearization talks.

- Biden and Moon have resolved many areas of friction in the U.S.-South Korea relationship and expanded the scope of bilateral cooperation. Many observers say Trump’s presidency damaged the alliance.
- In 2018, the two Koreas held three summits, signed a military agreement, and opened a liaison office in the DPRK. International and U.S. sanctions impede Seoul from pursuing many other North/South projects.
- Since the Hanoi summit, Pyongyang generally has rejected Seoul’s offers of aid, cooperation, and diplomatic engagement. In June 2020, North Korea declared South Korea its “enemy,” severed all overt inter-Korean communication channels (some of which it subsequently resumed), and blew up the liaison office.
- In 2018, North Korea repatriated remains of possible U.S. Korea War-era troops, resulting in more than 40 identifications. No progress has been made since.

Economic Developments

- Many countries are less robustly enforcing U.N.-required sanctions than before the Trump-Kim meetings. China and Russia have blocked new sanctions designations at the U.N. and have proposed lifting several sanctions categories. The U.N. has documented North Korea’s growing success in evading sanctions.
- In 2020 and 2021, North Korea’s economy appears to have contracted significantly after the country closed its borders to fight COVID-19. Following storms in 2021 that damaged domestic agriculture, the Kim government said the country was facing a “food crisis.”
- Many observers have called for providing food, COVID-19-related, and other aid to North Korea. Kim has rejected almost all offers of humanitarian aid.

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Legislation

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