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Diplomacy with North Korea: A Status Report

Overview

Since President Donald Trump first agreed in March 2018 to hold a summit with North Korean leader Kim Jong-un to discuss North Korea's nuclear and missile programs, the Trump Administration has emphasized the importance of developing a strong leader-to-leader relationship. The strategy appears to presume that this approach will produce more results than the working-group negotiations employed by previous administrations. Trump and Kim have held three meetings: in Singapore (June 2018); in Hanoi (February 2019); and in Panmunjom (June 2019). Kim also has met on five occasions with Chinese President Xi Jinping, three with South Korean President Moon Jae-in, and one with Russian President Vladimir Putin, none of whom he had met before 2018.

Overall, these diplomatic activities reduced tensions on the Korean Peninsula in 2018 and 2019. Trump and Kim have developed a personal relationship that Trump says could produce a breakthrough. Kim has pledged to denuclearize, and has maintained a moratorium on nuclear tests and intercontinental ballistic missile tests.

From the outset of the U.S.-North Korean rapprochement in 2018, critics of the Trump Administration's approach pointed out that Kim's public denuclearization promises have been conditional and vague. Moreover, North Korea appears to be enhancing its military capabilities. In addition to continuing to produce nuclear material, between May and December 2019 North Korea conducted over a dozen multiple *short*-range ballistic missile (SRBM) tests, in violation of United Nations (U.N.) prohibitions, possibly advancing its solid fuel and guidance systems and developing capabilities to thwart short-range missile defense systems.

Status of U.S.-DPRK Negotiations

As of January 2020, aside from a one-hour June 2019 meeting between Trump and Kim in Panmunjom, the United States and North Korea (officially known as the Democratic People's Republic of Korea, or DPRK) have held one round of official talks since the Hanoi summit. U.S. officials say their North Korean counterparts have refused to engage in additional negotiations.

In late December 2019, Kim announced that, due to the United States' policies "to completely strangle and stifle the DPRK," "there is no ground" for North Korea to continue to maintain its nuclear and missile testing moratorium. Kim

criticized the United States' continuation of sanctions, joint military exercises with South Korea, and shipments of advanced military equipment to South Korea. Kim warned that "the world will witness a new strategic weapon to be possessed by the DPRK in the near future."

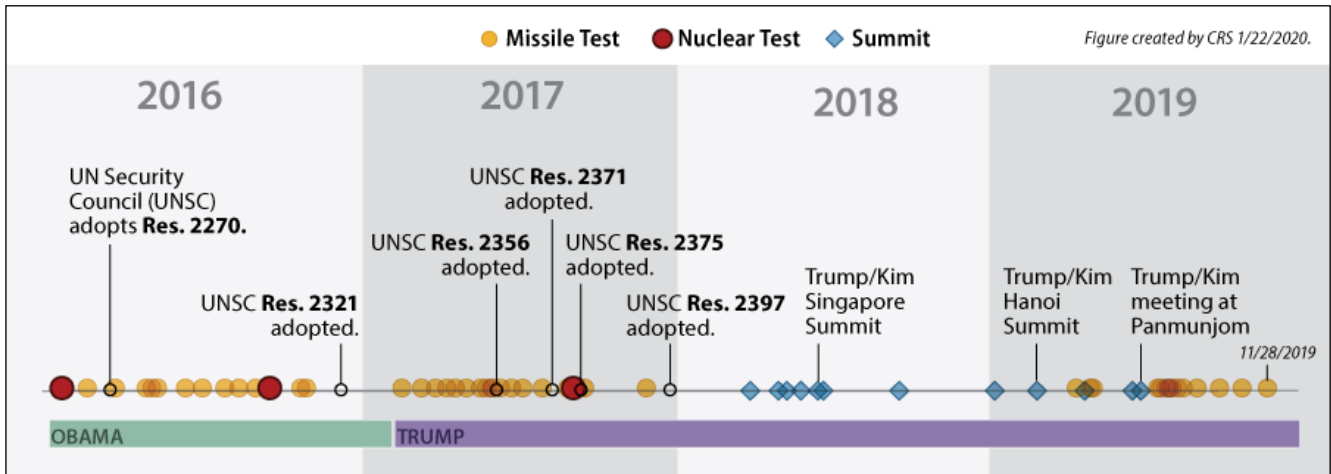
The U.S. and DPRK positions appear to be no closer than they were during the February 2019 Hanoi summit, which ended without an agreement due to differences over the scope and sequencing of DPRK denuclearization measures in exchange for sanctions relief. The two countries have not agreed on denuclearization steps; whether an agreement will include DPRK missiles, chemical weapons, biological weapons, and/or conventional forces; and the mechanisms for verifying any agreement, including inspection and monitoring arrangements. Meanwhile, China, Russia, and, to a lesser extent, South Korea have called for a relaxation of sanctions on North Korea, including Beijing and Moscow's December 2019 proposal to lift several categories of U.N. sanctions. The Trump Administration rejected the proposals as "premature."

If talks restart, U.S. negotiators—and Members of Congress conducting oversight—would face the question of whether to aim for incremental dismantlement of North Korea's nuclear program in step with gradual sanctions relief, or to try for a "big deal" and demand that complete denuclearization precede full sanctions relief. A related question is whether the Administration would accept partial denuclearization as an outcome of talks. The possibility of full sanctions relief is complicated by the other reasons the United States has leveled sanctions on North Korea, including human rights abuses, money laundering, illicit weapons trade, international terrorism, and offensive cyber operations.

Key Developments Since March 2018

North Korea's Nuclear and Missile Programs

- Kim in 2018 publicly agreed to "work toward complete denuclearization of the Korean Peninsula," pledging "permanent dismantlement" of nuclear facilities in Yongbyon—an important nuclear site—"as the United States takes corresponding measures." He promised to dismantle North Korea's *Sohae* missile and satellite launch site in the presence of international inspectors, and agreed to allow experts to visit a nuclear test site that North Korea says it has disabled.

Figure I. Timeline of North Korean Ballistic Missile and Nuclear Tests, UNSC Sanctions, and Major Summits, 2016-2019

- North Korea has not tested a nuclear weapon or test-launched intercontinental ballistic missiles since November 2017. In March 2018, South Korea said Kim promised to suspend “strategic provocations,” including nuclear tests and long-range ballistic missile test launches, while dialogue continues. In Panmunjom, Kim reportedly made a similar pledge. Trump has said he has “no problem” with North Korea’s multiple short-range ballistic missile tests in 2019.

Diplomatic and Economic Developments

- North Korea and China have restored close diplomatic relations. The relationship had been strained since Kim became leader in 2011.
- There is some indication that several countries are less robust in enforcing international sanctions than before the rapprochement. The United Nations has documented North Korea’s efforts to evade sanctions, including ship-to-ship transfers of oil and coal in the waters off China’s and Russia’s coasts. Russia has skirted the end-of-2019 requirement to send North Korean labor teams home by issuing them tourism and education visas.
- In 2018, the two Koreas and the United States agreed to build a “peace regime,” which could start with a declaration formally ending the Korean War. The United States and DPRK have discussed exchanging diplomatic liaison offices. There has been little-to-no progress in these areas since the Hanoi summit.
- In 2018, North Korea and South Korea opened a permanent liaison office near Kaesong, North Korea. Since the Hanoi summit, however, Pyongyang largely has ignored Seoul. International and U.S. sanctions prevent Seoul from independently pursuing many inter-Korean projects President Moon favors. In January 2020, Moon’s government reiterated its desire to obtain waivers to permit these projects and/or to pursue initiatives—such as inter-Korean tourism—that it argues are not covered by U.N. sanctions.

Military Developments

- In 2018, the two Koreas signed a military confidence-building agreement that calls for reduced military activity around the border and removes guard posts

along the demilitarized zone (DMZ). North Korea has not implemented many of its commitments, but observers have noted a reduction in tension in the DMZ.

- Trump in June 2018 unilaterally cancelled major annual U.S.-South Korea military exercises to facilitate diplomacy with North Korea. Subsequently, Congress inserted provisions into defense authorization legislation (P.L. 115-232; P.L. 116-92) that condition the President’s authority to reduce U.S. troops in South Korea.
- In a related development, the U.S. and South Korean governments were unable to renew their Special Measures Agreement (SMA) on dividing the costs of basing U.S. troops in South Korea before the previous SMA expired at the end of 2019. Contingency funds to pay for South Korean workers servicing U.S. bases probably will run out in late winter/early spring 2020. The Trump Administration has demanded steep increases in South Korea’s contributions, and Trump has said it is debatable whether the U.S. troop presence in South Korea serves U.S. interests.

Other Developments

- In May 2018, North Korea released three American detainees. Previous U.S. Administrations also secured the release of U.S. citizens detained in the DPRK, including 11 individuals freed during the Obama Administration.
- In 2018, North Korea repatriated remains of possible U.S. Korea War-era troops, resulting in more than 40 positive identifications, and the two countries appeared poised to resume the repatriation program that had identified over 400 remains until the United States terminated the program in 2005. No progress was made on this issue during 2019.

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