



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 central 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 bilateral normalization, officially ending the Korean War, and human rights 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 increased strains from dealing with the COVID-19 outbreak, which led North Korea to seal its borders in early 2020.

In April 2021, the Biden Administration announced it had completed a review of U.S. DPRK policy, and that it will pursue 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 approach, overseen by a Special Representative for the DPRK who concurrently serves as U.S. Ambassador to Indonesia, 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 reached out to North Korea, offering to meet without preconditions, and that "the ball is in [Pyongyang's] court." Some analysts characterize the Administration's approach as overly passive, with little substantive content in its public offers to engage.

In the near term, some analysts worry that DPRK leader Kim will abandon his November 2017 unilateral moratorium on nuclear tests and long-range ballistic missile tests. Pyongyang has resumed short- and medium-range missile tests and taken other steps to enhance its military capabilities since 2017. It also has continued to conduct cyberattacks around the globe and expand its efforts to evade international sanctions.

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 bottom-up approaches undertaken by previous administrations, their diplomatic efforts relied on summits and leader-to-leader communication. Trump and Kim exchanged more than 25 letters and held three meetings: in Singapore (June 2018);

Hanoi (February 2019); and Panmunjom, on the inter-Korean border (June 2019). The U.S.-DPRK diplomacy was complemented—and at certain points facilitated—by increased diplomacy between North and South Korea. President Biden has indicated that he will seek to return to a more traditional diplomatic approach that emphasizes working-level talks.

The Biden Administration has indicated that the United States could build on 2018 agreements the United States and South Korea separately reached with North Korea, along with prior agreements negotiated with Pyongyang. In a 2018 joint declaration issued in Singapore, 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." Subsequent negotiations in Hanoi in 2019 collapsed, however, due to differences over the scope and sequencing of DPRK denuclearization measures required in exchange for sanctions relief.

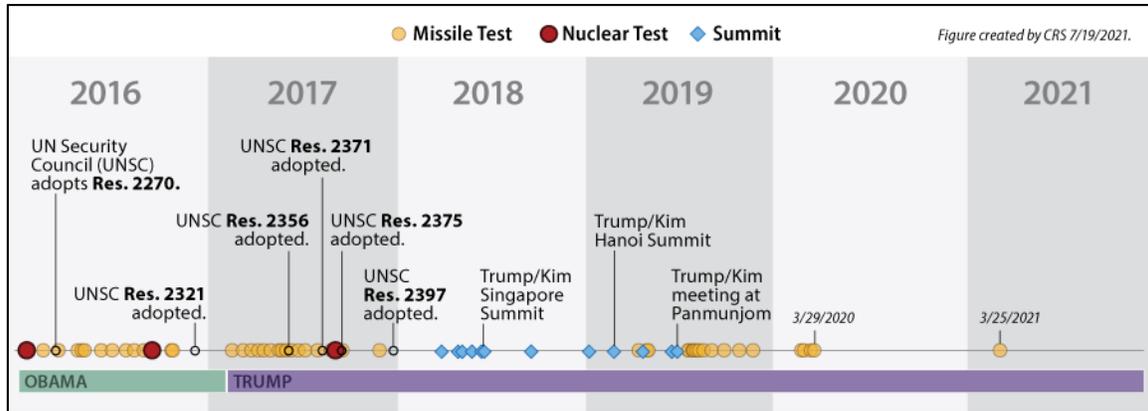
If U.S.-DPRK talks restart, Members of Congress could debate the merits of the Biden Administration's apparent aim to push in the near term for incremental dismantlement of North Korea's nuclear program in step with gradual sanctions relief, rather than trying for earlier and/or more extensive DPRK denuclearization concessions. The possibility of sanctions relief is complicated by, among other factors, U.S. legal requirements to address a range of security, regional stability, human rights, and governance issues before sanctions can be suspended or altogether terminated. U.S. sanctions on North Korea target not just weapons development but also human rights abuses, money laundering, weapons trade, international terrorism, and cyber operations. Members may also debate whether and how to push the Administration to more effectively shield humanitarian aid from the impact of sanctions.

Key Developments

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 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 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, Major Summits and Leader Meetings, 2016-2021



- 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 moratorium because of the breakdown in U.S.-DPRK talks since the Hanoi summit. In October 2020, North Korea publicly paraded a new ICBM and other new advanced military hardware.
- Since May 2019, North Korea has conducted over a dozen short-range ballistic missile (SRBM) tests, in violation of U.N. Security Council prohibitions, likely 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, improve its ICBMs' accuracy, and launch a spy satellite. Achieving these goals may require testing.
- A key element of the Biden approach, which Moon publicly has welcomed, is revitalizing the U.S.-South Korea relationship. Many observers contend Trump damaged the alliance during his term.
- In 2018, the two Koreas held three summits, signed a military agreement, and opened a liaison office in North Korea. International and U.S. sanctions, however, impede Seoul from pursuing many inter-Korean projects favored by Moon. Moon's term-limited presidency ends in May 2022.
- 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, and blew up the liaison office. In July 2021, following a months-long exchange of letters between Kim and Moon, the two Koreas announced North Korea was rejoining many of the telephone hotlines it had abandoned.
- 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.

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, Trump cancelled annual U.S.-South Korea military exercises, calling them "expensive" and "provocative." Due in part to the pandemic, 2021 exercises are being 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. In particular, North Korea and China have restored close diplomatic relations.
- Although the United States and DPRK before the Hanoi summit discussed exchanging liaison offices, there has been no upgrade to the bilateral relationship nor progress on building a "peace regime," which could start with a declaration formally ending the Korean War.

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 Security Council and have called for lifting several categories of sanctions. 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 closing its borders to fight COVID-19 and following storms that wreaked havoc on domestic agriculture. In June 2021, the Kim government said the country was facing a "food crisis."

Mark E. Manyin, Specialist in Asian Affairs

Emma Chanlett-Avery, Specialist in Asian Affairs

Mary Beth D. Nikitin, Specialist in Nonproliferation

Dianne E. Rennack, Specialist in Foreign Policy Legislation

IF11415

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.