



Statement Before the
Senate Committee on Foreign Relations
Subcommittee on East Asia, The Pacific, and International
Cybersecurity Policy

*“U.S. Policy Toward North Korea After the
Second Summit”*

A Testimony by:

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Chairman Gardner, Ranking Member Markey, and distinguished members of the committee, thank you for the opportunity to appear before this committee to discuss options for U.S. diplomacy on North Korea after the second Trump-Kim summit.

There were high expectations at this second meeting of American and North Korean leaders in Vietnam last month after the absence of progress on denuclearization commitments made at the first summit in Singapore last summer. Not only were the two leaders unable to deliver an agreement with tangible steps on denuclearization, they also dispensed with the joint statement signing, cancelled the ceremonial lunch, and skipped the joint press conference. In a solo presser, the president said that sometimes you “have to walk, and this was just one of those times.”¹

The president indeed may have avoided getting entrapped into a bad deal at Hanoi. What North Korea put on the table in terms of the Yongbyon nuclear complex is a fraction of their growing nuclear program that does not even break the surface of their underlying arsenal and stockpiles of fissile materials, not to mention missile bases and delivery systems. And what they sought in return, in terms of major sanctions relief on five UN Security Council resolutions that target ninety percent of their trade, would have removed one of the primary sources of leverage, albeit imperfect, on the regime. In this instance, no deal was better than a bad deal.

Nevertheless, the Hanoi summit has left us with no clear diplomatic road ahead on this challenging security problem, a trail of puzzled allies in Asia, and the promise of no more made-for-television summit meetings for the foreseeable future. The question remains: where do we go from here?

When leaders’ summits fail to reach agreement, diplomacy by definition has reached the end of its rope. President Trump and Secretary Pompeo put the best face they could on in Hanoi, talking about closer understanding and continued good relations between the two sides as a result of the meetings, but the failed summit leaves a great deal of uncertainty going forward. South Koreans will frantically seek meetings with Washington and Pyongyang to pick up the pieces. The North Koreans already have sent an envoy to China to chart next steps.

While I do not think this will mean a return to the “Fire and Fury” days of 2017 when armed conflict was possible, we have learned a number of lessons from Hanoi going forward.

First, the North Korean position at Hanoi reflects little change in their negotiation strategy despite holding the audience of the U.S. president. This was perhaps the most disappointing outcome of the summit as a long-timer observer and participant in past nuclear negotiations. President Trump essentially tested the critical thesis that had hung over previous negotiations for decades. That is, the North Koreans will not truly show their hand and take big steps unless we talk directly to the leadership. Critics of the Six Party talks made that observation countless times to us when we were negotiating. Yet, what we found in Hanoi was that North Korea stuck stubbornly to its same negotiating strategy, which is to negotiate its "past" when it comes to its nuclear weapons programs, but not its "present" or its "future." What this means is that Pyongyang is only willing to put on the table elements of its program that it no longer really needs -- such as an old nuclear test site or the old plutonium reactor at Yongbyon, while preserving their "present" -- nuclear

¹ “Remarks by President Trump in Press Conference | Hanoi, Vietnam,” *The White House*, February 28, 2019, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-press-conference-hanoi-vietnam/>

weapons arsenal, fissile material, missile bases, and uranium program -- and their "future," which are promises on future production bans. In exchange, however, they want real concessions from their negotiating counterpart like sanctions relief.

Second, I believe that both sides walked away from the summit with the core belief that “pressure works.” In the case of the United States, the fact that the North Korean leader prioritized sanctions relief above all other U.S. concessions taught us that the sanctions are indeed working. There were many other things that could have been asked for – including the exchange of liaison offices and even a peace declaration ending the Korean War – but the North Korean leadership made clear that only one thing mattered, which just reinforced that the maximum pressure campaign is having an impact. For some in the administration like National Security Advisor John Bolton, this means the pressure should continue and even increase, not abate.

Similarly, the fact that the North Koreans came to Hanoi with a bad deal in hand intimates a belief that President Trump was under pressure to take less than half-a-loaf. Apparently in working level talks in the run-up to the summit, U.S. negotiators made clear that the offer of Yongbyon for sanctions relief was not nearly workable and yet the North showed up in Hanoi with the same position (and with no fallback position). Furthermore, revelations by CSIS and other think tanks documented North Korean activity at the Sohae satellite launch facility to return the site to normal operating status after initial dismantlement earlier in the summer of 2018 again suggests that the North believes more pressure is necessary to soften up the U.S. position.² This does not suggest that a rocket launch or nuclear test is imminent, but it does suggest that the situation could take a turn downwards before a resumption of diplomacy.

Third, the U.S. should be prepared for other regional parties to start lobbying us to change our position. This is what I once referred to as the dilemma of American reasonableness.³ Whenever we reach an impasse with North Korea in the diplomacy, third parties know that it is impossible to move the intransigent North Koreans; therefore, they invariably come to the U.S. to find a solution. Coming out of Hanoi, both the Chinese and South Koreans acknowledge openly that Pyongyang missed a golden opportunity. After numerous visits to the White House by Kim’s envoys, trips by Pompeo to Pyongyang, and two summit meetings with the U.S. president (a meeting they have sought for 60 years), the North was given the chance to make historic progress. Yet, the best they could manufacture was a minimalist position that one would have expected to hear as an opening gambit at the working level rather than in the key negotiation between the two top leaders. Yet as unreasonable as the North is, those who want to continue to see diplomatic progress, like the South Koreans and Chinese, will invariably come to the United States, complain about the North’s behavior, empathize with our frustration, and then ask Washington to be more flexible.

² Joseph Bermudez, “After Hanoi Summit: Rebuilding of Sohae Launch Facility,” *CSIS Beyond Parallel*, March 5, 2019, <https://beyondparallel.csis.org/hanoi-summit-rebuilding-sohae-launch-facility/>; “North Korea’s Tongchang-ri: Rebuilding Commences on Launch Pad and Engine Test Stand,” *38 North*, March 5, 2019, <https://www.38north.org/2019/03/sohae030519/>

³ Victor Cha, “Delisting North Korea,” *The Washington Post*, October 13, 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/10/11/AR2008101101588.html>

Fourth, we should expect North Korea to retrench in the aftermath of the Hanoi summit. The outcome constituted a major embarrassment for the North Korean leader and it would not surprise me if there were some personnel changes as a result of the failed summit. The question is when they re-emerge whether Pyongyang will be cycling back to a provocation track or focused on finding a diplomatic way forward. In a bizarre Tweet last week, on March 22, President Trump appeared to unilaterally pull back additional Department of the Treasury sanctions against the North Korean regime in a bid not to upset the momentum; however, our data research at CSIS shows that when bilateral negotiations break down between the U.S. and North Korea over the past three decades, the likelihood increases of a North Korean provocation within 5 months.⁴

Fifth, human rights continue to be neglected in the administration's summit diplomacy with North Korea. The only relevant statement in this regard was the president's defense of the North Korean leader's professed ignorance of the murder of American college student Otto Warmbier. The president had an opportunity to ask for a full accounting of what happened to Otto as well as a statement of regret. It is impossible for U.S. denuclearization diplomacy to succeed without integration of the human rights issue. Because of the sanctions levied by this body, there is no company or international financial institution that will enter North Korea given human rights violations in the supply chain. Thus, the president's promises of casinos and condos on the beaches of North Korea in return for denuclearization ring hollow without beginning a real dialogue on human rights.

Finally, we are left with the question of who benefits from a pause in the diplomacy. We may believe that time is on our side because of the continued bite of the sanctions, but the North may believe their continued production of weapons, materials, and missile designs puts added pressure on the United States. In either case, President Trump may be realizing the limits of his "bromance" diplomacy with North Korea. If he loses interest, then we are unlikely to see any progress for the remainder of his term in office, which will make Americans less, not more secure.

⁴ Lisa Collins, "25 Years of Negotiations and Provocations: North Korea and the United States," *CSIS Beyond Parallel*, October 2, 2017, <https://beyondparallel.csis.org/25-years-of-negotiations-provocations/>