



**Statement Before the**  
**House Committee on Foreign Affairs**  
**Subcommittee on Asia, The Pacific, and Nonproliferation**

*“On the Eve of the Summit: Options for U.S.  
Diplomacy on North Korea”*

A Testimony by:

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Chairman Sherman, Ranking Member Yoho, and distinguished members of the committee, it is a distinct honor to appear before this committee to discuss options for U.S. diplomacy on North Korea ahead of the second Trump-Kim summit in Hanoi this week.

In less than 48 hours, the world will witness an unusual diplomatic event once again, a summit meeting between North Korean leader Kim Jong-un and U.S. president Donald Trump. The expectations for tangible progress towards North Korea's denuclearization are high for this meeting because there has been so little achieved since the Singapore summit this past summer. The most uncertain aspect of the Hanoi summit is not whether North Korea will hand over nuclear warheads, or provide a full inventory of its program, or agree to a timeline for complete dismantlement. Pyongyang will not take such major steps and instead will offer small, incremental concessions. The main concern is whether the president, besieged by domestic distractions, will give away too much, and take a bad deal that leaves the United States less secure.

### **Giving the President Some Credit**

To be fair, the president should be commended for demonstrating the political will to address the North Korean ballistic missile and nuclear threat through summit diplomacy since there is only one person who can make a decision to denuclearize in the dictatorship. While Kim has written Trump private letters that have charmed him, the president has publicly defended the North Korean leader's intentions against skeptics. In the three-decade history of negotiations with North Korea, this is an extraordinary measure that speaks to Trump's desires to see success. This is far better than his fire and fury rhetoric in 2017 when it looked like war was possible. As evidence of his strategy's effectiveness, Trump likes to boast that he stopped Kim from WMD testing for the past 15 months by his befriending the lonely dictator. But the empirical reality, according to a CSIS study that tracked the frequency of North Korean provocations with U.S.-DPRK diplomacy, is that historically the North does not shoot missiles whenever it is sitting at the table with the U.S.<sup>1</sup> This was not just the case during the Trump administration, but was also generally the case during the Clinton, Bush, and Obama administrations.

What Trump can take credit for is the downturn in conventional military tensions across the border between the two Koreas. It was not too long ago that gunfire and artillery were being exchanged across the Demilitarized Zone over North Korean soldier defections and booby trap landmines maiming South Korean soldiers.

### **North Korea's Negotiating Plan**

The pre-summit speculation is that Kim will hand over an old nuclear test site (Punggye-ri), a rocket test stand (Tongchang-ri), and maybe portions of the Yongbyon nuclear site for international inspection. This may look good to Trump but it's not a big win in the world of nuclear diplomacy. The North Koreans offered up a freeze of the Yongbyon reactor in the last agreement that I worked on in 2007. And the two test sites, while technically new locations for U.S. inspectors to peruse, are no longer needed by the North Koreans as their program has advanced from these facilities. Moreover, anything of value will have long been removed before

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<sup>1</sup> Lisa Collins, "25 Years of Negotiations and Provocations: North Korea and the United States," *CSIS Beyond Parallel*, <https://beyondparallel.csis.org/25-years-of-negotiations-provocations/>

any foreigner sets foot on the grounds. All the while, North Korea's stockpile of 20-60 nuclear weapons, uranium enrichment facilities, and its twenty operational missiles bases remain untouched by the negotiation.<sup>2</sup>

If that is all that Kim has to offer, the president still is unlikely to walk away given the investment he has made in the diplomatic process and the public promises that his bromance with Kim Jong-un is producing results. He will argue that closing the nuclear test site is an achievement that belongs to no other U.S. president (which would be factually accurate but materially irrelevant to fully verifiable and irreversible dismantlement given the scope of the program today). He will argue that verified decommissioning of the Sohae (Tongchang-ri) satellite facility could not be achieved by Obama who saw the North launch a rocket from this very site that ended his "Leap Day" deal.

If North Korea gives even this much, it would be surprising. There are three key facts that the Chairman, ranking member and distinguished members of this committee should internalize in advance of this summit.

First, North Korea will not wholly give up its nuclear weapons programs. According to archived, declassified CIA satellite imagery obtained and analyzed by a recent CSIS study, North Korea started landscaping the site for the Yongbyon nuclear complex in 1963 – even before China detonated its first nuclear device.<sup>3</sup> This program is a half-century effort that is deeply ingrained in the state-building and national narrative of this country.

Second, their negotiating strategy is to offer up some of their past – that is, old sites that they no longer need; or parts of their future in the form of promises not to test weapons or transfer them. But in the meantime, they will hold in tow their "present" – that is, their weapons stockpiles, operational missile bases, scientific expertise, and related facilities. We should not expect them to give more, but possibly even give less. Thae Yong Ho, North Korea's former deputy ambassador to the United Kingdom and an escapee now living in South Korea, compared this strategy to that of a dishonest used-car salesman. "They're going to repaint their broken-down car, make it look new, and then sell it," he said recently.<sup>4</sup>

Third, on missile negotiations, North Korea seeks to decouple the security of the United States from that of its allies. It may be willing to offer up a freeze of the developmental long-range ICBM program but get the United States to accede to the deployed and operational SRBM, MRBM, and IRBM programs and bases. Taking a deal like this will weaken our alliances in Asia, which is to the benefit of North Korea, China, and Russia.

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<sup>2</sup> Joseph Bermudez, Victor Cha and Lisa Collins, "Undeclared North Korea: The Sakkanmol Missile Operating Base," *CSIS Beyond Parallel*, November 12, 2018, <https://beyondparallel.csis.org/undeclared-north-korea-sakkanmol-missile-operating-base/>

<sup>3</sup> Joseph Bermudez and Beyond Parallel, "Yongbyon Declassified: At Ground Zero," *CSIS Beyond Parallel*, May 14, 2018, <https://beyondparallel.csis.org/yongbyon-declassified-ground-zero/>

<sup>4</sup> Andrew Jeong, "Former North Korean Diplomat Warns of Deception at Hanoi Summit," *The Wall Street Journal*, February 19, 2019, <https://www.wsj.com/articles/former-north-korean-diplomat-warns-of-deception-at-coming-hanoi-summit-11550586970>

## **Do Not Take a Bad Deal**

The operative question is whether Trump will give away too much in Hanoi for North Korean offerings. Kim will not immediately hand over his modest concessions but will try to milk the president for real chits including reduction of U.S. military readiness with ally South Korea, a peace declaration, political recognition, removal of sanctions, and even reductions in U.S. troop levels.

Surely the president's advisors will tell him not to trade in our alliance assets for something as unreliable as North Korean promises, but as the president showed in Singapore when he unilaterally decided to give up U.S.-ROK military exercises to the North Koreans without telling his secretary of defense or the South Koreans, the president is unpredictable at best and dangerous at worst. This would be a bad deal that would not leave us more secure and would be tantamount to recognizing North Korea as a de facto nuclear weapons state.

Very little will have been negotiated in advance of the summit. North Koreans know that their American working-level counterparts will drive a hard deal calling for a full inventory of all of their capabilities and a two-year timeline for inspection, dismantlement, and removal of all of the country's WMD programs. The North Koreans know that the last deal ten years ago fell apart when it came time for the regime to come clean on its weapons programs with a comprehensive declaration. They prefer to push the negotiations all the way to the top where the North Korean leadership has been diligently preparing, but our president, distracted by the Mueller investigation and immigration, prefers to "wing it." The North Koreans and Chinese all see the best chances for an advantageous deal coming from the president not from his policy professionals.

Negotiating North Korean denuclearization is literally rocket science. It is complicated and cannot simply be done through "gut instincts," as the president once described his negotiating strategy with Kim. Unlike his lack of preparation before Singapore, the president needs to read his briefing book, push hard for a denuclearization list from DPRK, and jealously guard alliance assets from becoming bargaining chips. To do otherwise would benefit DPRK and China while making Americans no more secure.

## **Raise Human Rights**

The president will never realize his dream of seeing North Korea trade its missile launch pads for beachfront condominiums and casinos unless he addresses the regime's massive human-rights abuses.

Trump's loudest pronouncements on the North's horrific human-rights record came in 2017 after the death of Otto Warmbier, a U.S. college student detained during a tourist visit to the country. The president even invited the Warmbier family to the State of the Union speech to highlight the issue. But since Trump met Kim in Singapore last summer, he's gone quiet on human rights.

Over two years into his term, the administration still has not appointed an envoy for human-rights abuses in North Korea, a position mandated by Congress. The president seems to think that raising the issue in Hanoi with Kim would be impolite and distract from the question of denuclearization.

Washington's silence has had palpable consequences: Five years after a United Nations Commission of Inquiry report created a groundswell of support for charging the North Korean leadership with crimes against humanity, the UN Security Council last December voted against raising the issue at the behest of China and Russia.<sup>5</sup> Even South Korea has cut almost all of its government funding for human rights NGOs.

What this conventional policy thinking does not account for is that human rights are critical to the president's negotiation strategy for five reasons as I have discussed in a recent George W. Bush Institute paper.<sup>6</sup>

First, stopping North Korea's bomb-making activities means blocking the hard currency flows that finance them. Much of that money comes from the regime's slave-labor exports and other abusive business activities. Pressuring North Korea to stop these illicit practices not only advances the goals of nuclear nonproliferation and denuclearization, but it also ensures that fewer North Korean people are subject to such exploitation in the process of earning foreign currency for the regime.

Second, in order to verify any nuclear deal, inspectors must be able to move around the country to different sites. That will require a much more open North Korean society than exists today, for which the U.S. should be pressing simultaneously with denuclearization.

Third, raising human rights can strengthen U.S. leverage in the talks. Over the past three decades, North Korea has barely cracked a yawn when Washington has condemned its nuclear activities. But, when the international community began shining a spotlight on Pyongyang's human-rights abuses in 2014, the reclusive regime, feeling vulnerable, quickly dispatched diplomats abroad to lobby against punitive resolutions at the U.N.

Fourth, integrating human-rights demands into the negotiations would be smart politics at home, given how reluctant Congress will likely be to accept any deal that does not address those issues.

Fifth, Trump's promise of economic betterment for Kim in return for his nukes simply will not be credible unless there is tangible progress on human rights. Current UN Security Council resolutions as well as U.S. laws make it difficult for private-sector companies or international financial institutions to engage economically with North Korea absent certification that the country is in compliance with international labor standards. Even at Trump's behest, no general counsel of any U.S. company would recommend investing in North Korea if human rights abuses in the supply chain might put them in violation of U.S. law.

Raising human rights isn't just a necessity but an opportunity. Since the Commission of Inquiry report, Pyongyang has quietly become more engaged in humanitarian efforts and information-gathering on human-rights standards. This may make the North Koreans more receptive to a dialogue about human rights and international monitoring standards for health and food assistance.

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<sup>5</sup> UN Human Rights Council, Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea, 7 February 2014, A/HRC/25/63, available at: <https://www.ohchr.org/en/hrbodies/hrc/coidprk/pages/reportofthecommissionofinquirydprk.aspx>

<sup>6</sup> Victor Cha, "Human Rights Must Be on the Table in Hanoi," George W. Bush Institute, February 22, 2019, <https://www.bushcenter.org/publications/articles/2019/2/denuclearizing-north-korea.html>

But, they aren't going to raise the issue if the U.S. doesn't. For the United States to continue to keep quiet in Hanoi would not just dim America's traditional role as a beacon of human freedom but make the task of denuclearizing North Korea even harder.