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U.S.-North Korea Relations

Since 2016, North Korea's advances in nuclear weapons and missile capabilities under leader Kim Jong-un have catapulted Pyongyang from a threat to U.S. interests in East Asia to a potential direct threat to the U.S. homeland. U.S. policy on North Korea (Democratic People's Republic of Korea, or DPRK) has focused primarily on the DPRK's nuclear weapons and missile programs. Other U.S. concerns include, the DPRK's illicit revenue generating activities (including cybercrime); expanded DPRK-Russia ties that may provide North Korea with more advanced military capabilities; North Korea's systemic human rights abuses; the potential for North Korea to resume conventional military attacks against U.S. treaty ally South Korea (Republic of Korea, or ROK); and the risk that a DPRK-ROK clash escalates into a major military conflict.

Since negotiations between then-President Donald Trump and Kim to freeze and dismantle the North's nuclear weapons program broke down in 2019, North Korea largely has ignored U.S. and South Korean attempts to resume dialogue. Since 2022, North Korea has test launched more than 80 ballistic missiles, including multiple tests of intercontinental ballistic missiles (ICBMs) capable of delivering nuclear warheads. The tests appear to have advanced the reliability and precision of DPRK missile forces and improved North Korea's ability to defeat regional missile defense systems. In 2022, Kim declared North Korea will never denuclearize. In late 2023 and early 2024, Kim abandoned decades of official policy and declared that South Korea is not inhabited by "fellow countrymen" but is a separate, "hostile" state that North Korea would "subjugate" if war broke out.

As North Korea demonstrates greater military capability, some Members of Congress have pushed the Biden Administration to increase pressure, while others have called for offering greater incentives for North Korea to return to negotiations. Congress has created tools to shape North Korea's information environment, both through sanctions policy and international broadcasting. The Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2022 (Title LV, Subtitle F, P.L. 117-263) required the President to develop a strategy to combat North Korea's "repressive information environment" and authorized \$10 million annually through FY2027 to increase U.S.-government-sponsored broadcasting and information dissemination into the country. Some Members have expressed support for reauthorizing the North Korean Human Rights Act of 2004 (H.R. 3012/S. 584), which established a Special Envoy on North Korean Human Rights Issues in the State Department and authorized assistance from FY2005 through FY2022 for human rights, democracy, freedom of information, and humanitarian support for North Korean refugees. In 2023, the Senate

confirmed the Biden Administration's appointee for Special Envoy on North Korean Human Rights Issues, a post that had been vacant for over six years. In February 2024, the Departments of the Treasury, State, and Commerce announced new coordinated policies to improve the licensing of humanitarian delivery of agricultural commodities and medical devices to North Korea by nongovernmental organizations, steps some Members of Congress had sought for years.



Sources: CRS. Boundaries, U.S. Department of State.

U.S. and ROK Approaches to the DPRK

President Joe Biden and his South Korean counterpart, Yoon Suk-yeol, have pursued a coordinated approach to North Korea that heavily emphasizes deterrence, which the United States says it is calibrating to North Korea's "escalatory" actions and rhetoric. In contrast, Trump for most of his term and Yoon's predecessor, Moon Jae-in (2017-2022), emphasized dialogue and diplomacy with North Korea. Since Yoon's May 2022 inauguration, Biden and Yoon have expanded the scope and scale of combined military exercises—including with Japan. Trump and Moon had curtailed such exercises in 2018 to facilitate dialogue with Kim. Trump called the exercises "provocative" and said the move, which was not accompanied by any apparent commensurate steps by North Korea, would save money.

Under Biden, the United States imposed unilateral sanctions on additional DPRK targets and increased its visible deployments of "strategic assets," including nuclear-capable weapons systems, to the Korean Peninsula. With Japan, the United States and South Korea have created new trilateral tools for responding to North Korea, including a mechanism for exchanging real-time warning data on DPRK missile launches and establishing a working group on DPRK cyber activities. The United States and South Korea have offered Pyongyang unconditional humanitarian assistance, the Biden Administration has offered to meet with North Korea "without preconditions," and Yoon has pledged to provide large-scale economic assistance if North Korea "embarks on a genuine and substantive process for denuclearization." Pyongyang reportedly has rejected these

offers. The Biden Administration says it seeks North Korea's denuclearization but would consider "interim steps" along the way toward that goal and has been ready to hold "threat reduction" talks with North Korea.

U.S. and International Sanctions

North Korea is the target of scores of U.S. and UN Security Council (UNSC) sanctions. UNSC sanctions require member states to curtail trade with North Korea, affecting over 80% of the items it could once sell abroad. North Korean imports, such as oil, are capped at levels to meet basic livelihood requirements. In 2016, 2017, and 2019, Congress passed, and Presidents Obama and Trump signed, legislation expanding U.S. sanctions (P.L. 114-122, P.L. 115-44, and P.L. 116-92). Both Administrations issued executive orders and designations to authorize and apply sanctions against North Korean entities and secondary sanctions targeting those engaged in, financing, or otherwise facilitating trade with North Korea. More recently, the Biden Administration has designated for sanctions North Koreans conducting illicit cyber and cryptocurrency-related activities, weapons procurement and transfers (to Russia), and fuel trade that violates U.S. and UNSC restrictions.

DPRK-Russia and DPRK-China Relations

The UNSC 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. During 2022, China and Russia blocked U.S.-led efforts at the UNSC to tighten restrictions on DPRK's petroleum imports. In contrast, from 2006 to 2017, both countries supported the adoption of 10 UNSC sanctions resolutions in response to North Korean ICBM and/or nuclear tests. China accounts for over 80% of North Korea's trade. North Korea also has upgraded its partnership with Russia, signing a new treaty with a "mutual military assistance" clause, dispatching over 10,000 troops to help Russia in the Ukraine war and providing Russia with ballistic missiles and thousands of containers of ammunition. Experts assess that Russia could reciprocate by transferring advanced military technology to North Korea—if it has not done so already.

Nuclear, Missile, and Cyber Programs

North Korea continues to increase its nuclear weapons stockpile and improve its missile capabilities. Missile tests appear to be an effort to improve North Korea's ability to strike the United States and its allies and assets and to thwart regional missile defenses. The U.S. Defense Intelligence Agency reportedly has assessed that North Korea, which last tested a nuclear device in 2017, has successfully developed a nuclear warhead that is "miniaturized" or sufficiently small to be delivered by long-range ballistic missile. U.S. official statements reiterate that "any nuclear attack by the DPRK against the United States or its allies is unacceptable and will result in the end of that regime."

North Korea has said its nuclear weapons are intended to deter an attack by the United States. In its 2024 worldwide

threat assessment, the U.S. intelligence community said that Kim "almost certainly has no intentions of negotiating away his nuclear program, which he perceives to be a guarantor of regime security." In 2022, North Korea adopted a new law expanding the conditions under which it would use nuclear weapons to include non-nuclear attacks and situations that threaten the regime's survival. Some analysts worry that North Korea may become emboldened to launch attacks or to use nuclear blackmail to achieve other policy objectives if it believes it has developed a sufficiently robust deterrent against U.S. and South Korean retaliation.

U.S. officials have voiced concerns about Pyongyang's improving cyber capabilities. Suspected DPRK-affiliated cyberattacks on cryptocurrency-related companies have enabled North Korea to reportedly obtain billions in illicit revenue through theft, hacks, and ransomware campaigns.

North Korea's Human Rights Record

Reports portray extreme human rights abuses by the North Korean government, including a system of prison camps housing approximately 100,000 prisoners. In 2014, a UN Human Rights Council commission concluded that North Korea had committed "crimes against humanity" and argued that the individuals responsible should face charges. The North Korea Sanctions and Policy Enhancement Act of 2016 (P.L. 114-122), as amended, prohibits U.S. imports of North Korean goods based on a "rebuttable presumption" that such goods were made with convict, forced, or indentured labor. The act also requires the President to certify human rights improvements in order to suspend or terminate most sanctions.

North Korea's Internal Situation

Kim Jong-un, believed to be in his early 40s, succeeded his father in 2011. On assuming power, Kim purged high-level officials to solidify his status as paramount leader. For the first several years of his tenure, the DPRK economy appeared to expand, partly due to the government allowing previously prohibited markets and granting enterprises somewhat greater autonomy. After 2016, when the UNSC began to impose sanctions targeting critical sectors, growth appears to have fallen. The freezing or rollback of many reforms and the near-collapse of DPRK exports as trading partners implemented sanctions contributed to the slowdown. For over 30 years, North Korea has experienced chronic food shortages. The UN estimates that over 10 million North Koreans, or roughly 40% of the population, are undernourished. There are few outward signs, however, that economic difficulties are threatening the regime's stability or compelling it to engage with the United States or South Korea. Since North Korea selectively ended COVID-19-related closures of its border in 2023, revenue from cyber theft and increased trade with Russia and China may be boosting the DPRK economy.

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