



## Online Series

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# Assessment and Remaining Challenges of the Second North Korea-U.S. Summit in Hanoi

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No deal was reached at the Second North Korea-U.S. Summit in Hanoi. There was a distinctly different view in the approach of the two negotiating parties: the U.S. in favor of “big deal” vs. North Korea with a phased approach. Such conflicting stance, however, does not seem to account for reasons behind a failed agreement in the summit. What lies underneath the failed agreement is the U.S. negotiation strategy and domestic political issues at play. Important ground for such evaluation is the existence of a prior agreement in writing. This evaluation in turn allows the prospects that contrasting positions of the two parties, big deal vs. phased approach, could be narrowed to a large extent in future negotiations. In addition, the two parties appeared to reach a consensus on declaring an end to the Korean War and installing a liaison office in the lead-up to the summit. North Korea’s suspension of nuclear and missile testing and the continued halt of the ROK-U.S. joint military exercises could become an important impetus driving the future negotiations. Although the resumption of negotiations is a highly likely scenario, striking a deal will not be easy. That is where South Korea should come in. All the possible means should be deployed to facilitate resuming the North Korea-U.S. negotiation as early as possible and help the two parties clinch a deal. It is required for the ROK to actively review dispatching a special envoy both to North Korea and the U.S. and holding inter-Korean summit and the ROK-U.S. summit. The ROK should listen to both parties of the Hanoi Summit and act as a facilitator in resuming negotiations by presenting a mediated proposal.

The Second North Korea-U.S. Summit held in Hanoi broke down without desirable outcome against the expectation placed on this high stake summit. In the run-up to the summit, working-level negotiations seemed to go smoothly with the news circulated that the two parties were nearing closer to reach an agreement on the end-of-the war declaration and the installment of a liaison office. The Hanoi Declaration, however, despite being under the world spotlight, was never announced. The failure to reach an agreement was indicative of the treacherous paths lying ahead of denuclearization and the settlement of a peace regime on the Korean Peninsula. Nobody expects an easy path forward from the beginning though. Now the role of South Korea has become ever more important in eliminating obstacles getting in the way of achieving those goals. Besides, even with differing statements from each side in a news conference held right after the summit, North Korean and the U.S. explicitly expressed positive prospects hinting a possible resumption of the negotiations thereafter. This paper aims to analyze reasons for failed Hanoi agreement and present remaining challenges ahead and the grounds for hope for clinching a deal in the future.

### **Difference from Both Sides: Big Deal vs. Phased Approach**

The demands from the U.S. were quite comprehensive with regard to North Korea's denuclearization. President Trump pinpointed nuclear facilities aside from Yongbyon stating that "more denuclearization is necessary." The Secretary of the State Mike Pompeo mentioned missiles and nuclear warheads weapons system. In addition, the National Security Advisor John Bolton even went ahead with putting biological and chemical weapons on the table. In short, the U.S. appeared to demand a "big deal" binding the North to commit to the implementation of very far-reaching and concrete actions, including a dismantlement of not only Yongbyon but also additional nuclear facilities as well as a comprehensive declaration, dismantlement, and verification of nuclear-grade programs (missile, nuclear warhead, and nuclear material) and biological and chemical weapons facilities. By contrast, a different statement was released by North Korean Foreign Minister Ri Yong Ho and Vice

Foreign Minister Choe Sun Hui in North Korea's own press conference. According to their statement, Chairman of the State Affairs Commission of the Democratic People's Republic of Korea (DPRK) Kim Jong Un made his intention clear that all the Yongbyon nuclear facilities will be permanently dismantled with a participation of U.S. experts as part of a joint operation and that a permanent halt of nuclear and long-range missile testing will stay effective and be affirmed in a written document and that the denuclearization process will proceed much faster with the trust-building measures along the way.

The U.S. announced regarding the sanctions lifting that the North demanded a lifting of sanctions in their entirety as corresponding actions for the dismantlement of Yongbyon nuclear facilities and the U.S. could not accept it. Trump also stated that there will be a bright economic future awaiting North Korea as a result of big deal. In contrast, the North announced that it demanded the lifting of some sanctions, primarily those taking a toll on the civilian economy and the people's living out of five United Nations Security Council (UNSC) resolutions enforced from 2016 to 2017. Conflicting statements from both sides could be attributed to a different view that the U.S. perceived the lifting of some sanctions, claimed by the North, as having practically all sanctions lifted in their entirety.

As such, Washington proposed a grand bargain in the summit while Pyeongyang stuck to a gradual phased approach. The U.S. seemed to reckon that the North is not ready for denuclearization and yet demanded an extreme level of sanctions lifting. North Korea, on the other hand, appeared to conclude that accepting all the U.S. demands will be too much of a risk-taking without a proper security guarantee when there is not much of trust built between the two countries. One can evaluate at least from the outside that such differing opinions had led to a failure of the agreement.

### **Prior Agreement in Writing and Failure on Reaching an Agreement at the Summit: The U.S. Negotiation Strategy? Or Its Domestic Issues?**

Such conflicting position, however, does not seem to account for reasons behind a failed agreement at the summit. Additional reasons or more core issues could have been related to the U.S. negotiation strategy or its domestic issues. Important ground for such evaluation is backed by Trump's remarks that there was a "prepared agreement in writing." In addition, the failure to sign a deal seems likely to be more strongly influenced by the U.S. than North Korea. In a setting with the press right before the one-on-one meeting in the morning of February 28, Chairman Kim said "even one minute is precious for us" while President Trump stressed "I am not in a rush." The U.S. proposed the so-called "big deal" to the maximum extent to the North deviating from a draft of the prior agreement in writing that had been formulated throughout working level negotiations in the run-up to the summit. It could be because of the U.S. judgment that doing so will give them an upper hand in the following negotiations even if North Korea would not accept it. In other words, the U.S. might have proposed a "big deal" different from a document of agreement from the perspective of negotiation strategy at the risk of a possible negotiation failure to a certain extent. While Chairman Kim attempted to spare them even "one minute" for successful outcome of the summit, Mr. Trump this time might have left no room for compromise for a "right deal."

In terms of U.S. domestic politics, one of the most important reasons for a failed agreement could have been the crushing testimony of President Donald Trump's former lawyer and fixer Michael Cohen at the hearing as Mr. Trump himself may have hinted it. Trump had to pay a keen attention to the testimony of his former lawyer as it was taking place simultaneously during the summit. That could have prevented Trump from being able to fully focus on striking a deal with Chairman Kim. In addition, Trump could have calculated that no deal would be better this time simply to avert domestic crisis facing his administration given the possible ramifications of Cohen's hearing testimony combined with the Democrat's possibly strong criticism against the North-U.S. deal if it was not a "big deal." President Trump had no choice but to take account strong offensive from the anti-Trump camp due to unexpected factor emerging from Cohen's Congressional hearing. Nancy Pelosi, Speaker of the U.S. House of Representatives stated right after the summit

that “no deal” is good.

Although it is hard to confirm, a prior agreement in writing is evaluated to include the dismantlement of Yongbyon nuclear facilities and partial lifting or exemption of some sanctions. That preliminary draft may have been written in line with “synchronous and parallel” approach as proposed by the U.S.—one evaluated as being similar to North Korea’s “synchronous and phased” approach. Had an agreement been reached, it would have brought home significant benefits for the U.S. in spite of the possible backlash from the anti-Trump camp. Yongbyon is the only nuclear facility within the DPRK equipped with plutonium-producing nuclear reactor. The dismantlement of such reactor, therefore, could have rid North Korea of plutonium and tritium-producing capability needed for manufacturing hydrogen bomb and miniaturizing nuclear bombs. Even with the existence of other enriched uranium-producing facilities except for Yongbyon, there is a limit to boosting the capacity of nuclear weapons with enriched uranium alone. To that end, Yongbyon nuclear facilities are a key component that gradually weakens North Korea’s nuclear capability. The U.S. decision to stick to a grand bargain or big deal is evaluated to be closely linked to its negotiation strategy and domestic political issues—a position seemingly returned to the past “denuclearization-first approach” as opposed to agreeing to primarily dismantling Yongbyon nuclear facilities that carry such significant implications. This evaluation in turn allows the prospects that contrasting positions of the two parties, big deal vs. phased approach, could be narrowed to a large extent in future negotiations.

### **Ground for Resuming Negotiations: Consensus on Core Agenda regarding the End-of-the War Declaration and Expressed Will for Negotiation and Freeze for Freeze**

The Hanoi Summit, nevertheless, provided an important step forward despite a failure of the agreement. First, the two countries reached a consensus on declaring an end-of-the war and installing a liaison office in the lead-up to the summit. The U.S. Special Representative for North Korea Stephen Biegun said at Stanford on

January 31 that President Trump is ready to end the Korean War. At the Hanoi Summit, Mr. Trump responded to a reporter asking about a liaison office that the installment of a liaison office is actually a good idea in both ways. Such statements do not seem to have a premise attached—the implementation of actions for final and complete denuclearization. It is because what U.S. mostly took issue with the North is on the elimination of sanctions, which is considered to be Washington's core leverage in the negotiation against the DPRK. In addition, the installment of a liaison office is necessary for the U.S. to dispatch an inspection team for denuclearization. Moreover, the end-of-the war declaration, which carries political implications, is not burdensome for the U.S. and can be praised to be one of its achievements. Installing a liaison office between Washington and Pyongyang is an important step in establishing an official diplomatic relationship. Declaring an end to the Korean War is all the more meaningful in that the end-of-the war declaration itself is not only significant in creating the peace regime but it can also function as entry to get a negotiation for the peace agreement off the ground.

What should be noted from the summit is a possibility of some relaxation of sanctions as a result of having the North take advanced steps for denuclearization. In fact, the contending points of sanctions-related issues in the summit were not about whether sanctions should be lifted, but the easing of sanctions or to what extent the sanctions should be removed (elimination of some sanctions vs. lifting of sanctions in their entirety). The U.S. appeared to make it clear that they are willing to have some sanctions alleviated in sync with the North's advanced denuclearization actions even before reaching complete denuclearization. Such position implies a likely resumption of Mt. Kumgang tourism and Kaesong Industrial Complex and implementation of inter-Korean economic cooperation projects such as connecting railways and roads. Washington and Pyongyang already appeared to have in mind resuming the negotiations. The two leaders expressed trust and respect toward each other all throughout the summit in Hanoi. At a press conference held right after the summit, they refrained from strong criticism that might trigger a backlash from the other side and only announced their version of the story behind the negotiations that had broken down. North Korea's state news agency boosted about the outcome

of Hanoi summit. The Secretary of State Pompeo said of his expectation that the U.S. negotiation team could be dispatched to Pyeongyang within a couple of weeks. In fact, both sides are running out of time at this point. President Trump needs concrete results with regard to policy toward North Korea that could be highly publicized to the public in the face of upcoming re-election in 2020—results that could never be produced without a compromise with the North. In the same vein, the successful outcome is not a likely scenario for economic construction-focused North Korea without a compromise with the U.S. Furthermore, the year 2020 marks the last year of its five-year economic development project for the DPRK, which elevates a possibility of resuming the North Korea-U.S. negotiations. In addition, the two expressed their willingness to stick with the “freeze for freeze.” Chairman Kim reaffirmed during the summit that the DPRK will not proceed any nuclear and missile testing. South Korea and the U.S., in turn, agreed to terminate the Key Resolve and Foal Eagle (KR/FE) joint military drills on March 3, 2019. A freeze for freeze is expected to continuously serve as crucial impetus driving the North Korea-U.S. negotiations as shown by the 2018 peace process unfolded on the Korean Peninsula.

### **Remaining Challenges: Mediating and Facilitating N.K.-U.S. Negotiation through Envoy, Inter-Korean Summit, and ROK-U.S. Summit**

Although the North Korea-U.S. negotiation is highly likely to resume, clinching a deal remains to be seen. The timeline for resuming a negotiation is unclear and the impasse is likely to continue for the time being. To that end, an active role of the Republic of Korea (ROK) is required more than ever so that such efforts speed up the negotiation resumption and facilitate reaching an agreement. President Trump already called the ROK President Moon Jae-in on his way from Hanoi urging him to engage in a dialogue with the North as a mediator. Therefore, now is a golden time for the success of North Korea-U.S. negotiation, possibly once in a lifetime opportunity that could never come back for denuclearization and a peace regime on the Korean Peninsula. All the efforts and resources available must be exerted.

At this critical juncture, it is necessary to reflect on how the peace process had unfolded and advanced in 2018. Back then, breakthroughs in the midst of crisis or deadlock were made through the ROK's leading role and inter-Korean relations. In particular, South Korea proposed a halting of the ROK-U.S. joint military exercise during the Olympic period amidst escalated military tensions at the end of 2017. As a result, it successfully pulled off hosting peaceful PyeongChang Olympics. Moreover, the ROK dispatched a special envoy to North Korea building on inter-Korean exchange initiated by the Winter Olympics and affirmed the North's intention for denuclearization and negotiations with the U.S. through an agreement reached on May 5. In addition, Seoul, by dispatching a special envoy, induced the North to agree to the North Korea-U.S. summit on May 8 of the same year. President Moon found a way to address the crisis in the face of the called-off North Korea-U.S. summit on May 5 by holding impromptu inter-Korean summit on May 26, 2018. The Pyeongyang Summit of September 2018, held amidst the stalled North Korea-U.S. negotiation since July, facilitated the North's decision to dismantle Yongbyon nuclear facilities (in return for the U.S. corresponding measures) and the U.S. decision to hold the Second North Korea-U.S. Summit. In sum, the active role of the ROK and advanced inter-Korean relations act as a catalyst in resuming North Korea-U.S. negotiations and building relations.

It is once again required for the ROK to actively review dispatching a special envoy both to North Korea and the U.S. and holding the ROK-U.S. summit. The ROK should listen to both parties of the Hanoi Summit and act as a mediator in resuming their negotiations. In addition, a direct communication is necessary to figure out each side of the story as to why the Hanoi Summit broke down and see to what extent they can accept the demands of each party. Furthermore, there is a need to induce both parties not to engage in activities that could either worsen their relations or escalate tensions (strong accusation, toughening of sanctions, missile testing, etc.). South Korea needs to create a detailed mediation plan and present such proposals while simultaneously affirming the position of each side.

In particular, the government of South Korea needs to initiate dispatching a special envoy to North Korea and hosting the inter-Korean summit. While Seoul



has established a regular consultative body with the U.S. on denuclearization issues including the ROK-U.S. working group, it has yet to create an official and permanent consultative channel with Pyongyang. It is still important to induce the North to pledge additional measures aside from the dismantlement of Yongbyon nuclear facilities. Although such dismantlement is a very significant step for denuclearization, Trump is highly unlikely to settle just for “Yongbyon” at the first round of negotiations given the fact that he already publicly mentioned “plus alpha” aside from Yongbyon. However, the U.S. preemptive measure conducive to building trust may be required to induce the North to promise for additional measures in addition to Yongbyon. Such measures could include allowing limited inter-Korean economic cooperation (resuming Mt. Kumgang tourism and Kaesong Industrial Complex and connecting railways and roads) and humanitarian assistance to the North. Those measures could take the burden off of the U.S. shoulders and make the ROK assume the responsibility instead. Moreover, it will create an environment for the DPRK to agree to additional steps of Yongbyon plus alpha, as desired by the U.S., while accommodating the North’s demands. Such measures can be discussed and implemented by dispatching a special envoy to North Korea and holding inter-Korean summit. Chairman Kim could pay a reciprocal visit to Seoul for the inter-Korean summit as promised last year. Having a working-level summit in Panmunjeom is also a possibility. A prior consultation with the U.S. is, of course, necessary in the process.

In addition, the ROK government needs to propose a mediated plan that could be negotiable: the level and extent of additional denuclearization steps (Yongbyon plus alpha) for the North, and the level and extent of corresponding measures for the U.S. One important point to note is what North Korean Foreign Minister Ri Yong Ho and Vice Foreign Minister Choe Sun Hui announced right after the summit: the DPRK’s focus is the security guarantee as corresponding measure for its denuclearization actions and the easing of sanctions is perceived to be at a lower level of corresponding measures compared to security guarantee. To that end, the ROK should review concrete measures guaranteeing North Korea’s security (such as a peace agreement) along with the easing of the UNSC sanctions as reciprocal actions for its additional steps of Yongbyon plus alpha toward denuclearization.

It is equally important to thoroughly implement the existing military trust-building measures between the two Koreas. Cooperation for military trust-building will not be hugely restrained by sanctions and thus allow creating an environment conducive to denuclearization and establishment of a peace regime while reducing military tensions on the Korean Peninsula. In particular, the advanced inter-Korean military trust-building could contribute to South Korea's enhanced role as a mediator and facilitator amidst the stalled North-U.S. negotiation and will lay the foundation for peace management on the Korean Peninsula. South and North Korea already completed demilitarization of Joint Security Area (JSA) in Panmunjeom in 2018 and primarily dismantled 11 guard posts (GP) in demilitarized zone (DMZ) as a pilot project. The two Koreas should speed up the implementation of inter-Korean military agreement such as transforming the DMZ into a peace zone by establishing the Inter-Korean Joint Military Committee in 2019. ©KINU 2019

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