



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 activities (including cyber-crime), weapons trade (including arms deals with Russia), systemic human rights abuses, and the potential for North Korea to resume small-scale conventional attacks against U.S. ally South Korea (Republic of Korea, or ROK).

Since U.S.-DPRK negotiations to freeze and dismantle the North's nuclear weapons program broke down in 2019, North Korea largely has ignored attempts by the United States and ROK to resume dialogue. In 2022, Kim declared North Korea will never denuclearize. North Korea also appears to have boosted its military capabilities and its diplomatic position. 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. North Korea test-launched more than 30 ballistic missiles in 2023 and 2024 to date, including multiple tests of intercontinental ballistic missiles (ICBMs) capable of delivering nuclear warheads. The tests appear to have advanced the reliability and precision of the DPRK's missile forces, and improved North Korea's ability to defeat regional missile defense systems. Analysts debate whether North Korea's moves since 2021 are signs that it is preparing for war.

As the DPRK demonstrates greater military capability, some Members of Congress are pushing the Biden Administration to increase pressure while others are calling for offering greater incentives for North Korea to return to negotiations. Congress has created new tools to shape North Korea's information environment, both through sanctions 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 the DPRK's "repressive information environment" and authorizes \$10 million annually through FY2027 to increase U.S.-government-sponsored broadcasting and information dissemination into North Korea. 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 funded assistance from FY2005 through FY2022 for human rights, democracy, freedom of information, and humanitarian

support for refugees from the DPRK. 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 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

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 is calibrating to North Korea's "escalatory" actions and rhetoric. In contrast, President 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—that Trump and Moon curtailed from 2018 until Moon left office. The United States also has introduced new unilateral sanctions designations and increased its visible deployments of "strategic assets," including nuclear-capable weapons systems, to the Korean Peninsula. With Japan, the United States and ROK 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 ROK 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 the DPRK's denuclearization, but that it would consider "interim steps" along the way

toward that goal, and that it is 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 U.N. Security Council (UNSC) sanctions. UNSC sanctions require member states to curtail trade with North Korea, affecting over 80% of the items it once could 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 crypto activities, weapons procurement and transfers (to Russia), and fuel trade that violates U.S. and UNSC restrictions.

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 following North Korean ICBM and/or nuclear tests. China accounts for over 80% of North Korea’s trade. Kim may believe he has greater room to maneuver due to increased support from China and Russia. North Korea also has upgraded its partnership with Russia, reportedly in return for food, fuel, and other goods and services. In 2023, Kim visited Russia and met President Vladimir Putin. In 2024, the State Department reported that North Korea has transferred ballistic missiles as well as 10,000 containers of ammunition to Russia for use in the war in Ukraine.

Nuclear, Missile, and Cyber Capabilities

North Korea has said its nuclear weapons are intended to deter an attack by the United States. Some analysts worry that the DPRK 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. 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 to expand the conditions under which it would use nuclear weapons to include non-nuclear attacks and situations that threaten the regime’s survival.

North Korea has tested six nuclear devices: in 2006, 2009, 2013, twice in 2016, and in 2017. Since the Six-Party nuclear talks (among China, Japan, North Korea, Russia, South Korea, and the United States) broke down in 2009, North Korea has restarted its nuclear facilities that produce

fissile material for nuclear weapons. The U.S. Defense Intelligence Agency reportedly has assessed that North Korea has successfully developed a nuclear warhead that is “miniaturized” or sufficiently small to be delivered by long-range ballistic missile. North Korea’s ICBM tests appear to be an effort to improve its ability to strike the United States, and its ballistic missile tests more generally appear aimed at advancing its ability to thwart regional missile defenses and strike U.S. allies and assets. U.S. officials also have voiced concerns about Pyongyang’s improving cyber capabilities, including suspected DPRK-affiliated attacks on cryptocurrency-related companies that North Korea reportedly has used to steal billions of dollars since 2017.

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 U.N. 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) requires the President to certify, among several metrics, human rights improvements in order to suspend or terminate most sanctions.

The DPRK’s Internal Situation

Kim Jong-un, believed to be in his late 30s, succeeded his father in 2011. On assuming power, Kim conducted several purges of high-level officials to solidify his status as paramount leader. For the first several years of his tenure, the DPRK economy appeared to expand, in part due to the government allowing previously prohibited markets and granting enterprises somewhat greater autonomy. Since 2016, when the UNSC began to impose sanctions targeting critical sectors, growth appears to have fallen, in part due to the near-collapse of DPRK exports as trading partners implemented sanctions.

At the start of the COVID-19 pandemic, North Korea largely closed its borders and restricted economic activities. In 2020 and 2021, North Korea’s official trade, which already had been reduced to a trickle due to sanctions, fell by nearly 90%. The difficulty of importing food and agricultural products during the border shutdown, combined with poor weather, likely exacerbated North Korea’s chronic food shortages. The U.N. estimates that over 10 million North Koreans, 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. In 2023, North Korea reopened to trade and diplomatic exchanges with China and Russia. Its trade with China in 2023 nearly matched 2019 levels.

Mark E. Manyin, Specialist in Asian Affairs

Mary Beth D. Nikitin, Acting Section Research Manager

Dianne E. Rennack, Specialist in Foreign Policy
Legislation

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.