Answers to Common Questions About North Korea

1. What do we know about Kim Jong Un's health?

As of this writing, reports about the current state of Kim Jong Un's health have been unsubstantiated by on-the-record sources, including the North Korean government.

Rumors and speculation largely began on April 21, 2020, when the online news site Daily NK published a <u>report</u> stating that North Korean leader Kim Jong Un underwent heart surgery on April 12 and was recuperating at a villa outside of Pyongyang. This report followed <u>earlier speculation</u> about Kim's health after he was absent from a ceremony honoring his late grandfather, Kim II Sung, on April 15.

The Daily NK article originally cited multiple sources for its reporting; however, it was later updated to clarify that the information came from a single unnamed source "in North Korea." (Daily NK relies on unnamed sources who provide unconfirmed reports.)

Later that day, CNN published a report titled "<u>US monitoring intelligence that North Korean leader is in grave danger after surgery</u>," citing "a US official with direct knowledge," "a second source familiar with the intelligence," and "[a]nother US official," who said the concerns about Kim's health are credible but the severity is hard to assess. It is unclear whether the "intelligence" cited by CNN's sources is independent from the Daily NK source or not. While the CNN report mentioned the Daily NK report, it stated "CNN is unable to independently confirm the report."

South Korea's Presidential Blue House <u>said</u> it could not confirm reports about Kim's health and that "no unusual signs" have been detected inside North Korea. Nonetheless, shortly thereafter, the hashtag #KIMJONGUNDEAD went viral, with 300,000 tweets.

On April 26, Moon Chung-in, South Korean President Moon Jae-in's top foreign policy advisor, tried to quell rumors when he <u>told</u> CNN, "Kim Jong Un is alive and well. He has been staying in the Wonsan area since April 13. No suspicious movements have so far been detected." Chinese foreign ministry spokesperson Geng Shuang <u>said</u> China was aware of reports about Kim's health but does not know their source.

More recently, the South Korean newspaper *Korea JoongAng Daily* reported that Kim's absence from public life is due to the fact that one of his bodyguards was suspected to have contracted the coronavirus, citing "a source in China familiar with North Korea affairs."

Even if Kim's health was at risk, it is unlikely that the North Korean government would comment on this fact. Furthermore, the North Korean government has never hidden a leader's death for an extended period of time. In the case of former leaders Kim II Sung and Kim Jong II, the North Korean media reported their deaths within two days of their occurrence.

2. What would happen if Kim Jong Un died?

No one knows exactly what would happen if Kim Jong Un died suddenly.

There are no indications that Kim Jong Un's death would lead to an immediate collapse of the North Korean government. Analysts <u>assess</u> it is likely designed to function on its own for some time even following a "decapitation" of its leadership.

Given North Korea's pattern of hereditary succession, many analysts speculate that leadership would transition to another member of the Kim family. Kim Jong Un's sister, Kim Yo Jong, seems well-placed considering her <u>growing role in leadership</u>.

That said, North Korea never formalized hereditary succession; it has just been a practical convention up to now. Technically, under the country's Constitution, the supreme leader is elected by the legislature, the Supreme People's Assembly (SPA). More precisely, the symbolic title of "supreme leader" goes to the Chairman of the State Affairs Commission (SAC), which under the current Constitution is the highest executive authority and the commander-in-chief of the armed forces.

If something were to happen to Kim, it is presumably SAC First Vice-Chairman Choe Ryong Hae who would manage executive functions until the legislature elected a new leader. Choe holds other high-level positions, including President of the Presidium of the Supreme People's Assembly, and Vice Chairman of the Workers' Party of Korea. He also served as Kim Jong Un's military second-in-command. Of note is that Kim Yo Jong is rumored to be married to one of Choe's sons, meaning there may be an alliance of sorts between the Choe and Kim families.

None of this is certain, however. U.S. thinking on North Korea—even among the best experts and policy wonks—mostly relies on guesswork. The US has a <u>dearth</u> of intelligence on North Korea. Donald Gregg, former CIA station chief in Seoul, <u>called</u> North Korea "the longest running intelligence failure in the history of American espionage."

The two nuclear-armed states are still technically at war with each other, ever since the Korean War (1950-1953) ended with an armistice agreement, or ceasefire.

3. Why is the United States still at war with North Korea, and what does this mean exactly?

The United States entered a state of war with the Democratic People's Republic of Korea ("North Korea") in 1950, as did all other fifteen UN members who militarily intervened in a

coalition to uphold the Republic of Korea ("South Korea").¹ The military commanders of both sides signed an <u>armistice</u> in 1953, but the corresponding governments never replaced it with a formal peace agreement as recommended in the ceasefire. Except for the United States and France, all other original coalition members have long since established formal <u>diplomatic</u> relations with North Korea.

Since the Armistice did not end the state of war between the United States and North Korea, hostilities could resume anytime either side stops recognizing this ceasefire. In fact, both sides have accused each other of serious violations of the Armistice, and North Korea has <u>repeatedly</u> stated it did not consider itself bound by it anymore.

The reignition of the conflict would be "<u>catastrophic</u>" and "the worst kind of fighting in most people's lifetimes," according to former U.S. Secretary of Defense James Mattis. As many as 300,000 people would die in the first days from conventional fighting alone. Conflict would quickly drag in the United States, which is bound by an <u>alliance</u> treaty with South Korea and maintains 28,500 troops on its ally's territory. It could also drag China back in, North Korea's formal military <u>ally</u>, because of provisions in the <u>Sino-North Korean Mutual Aid and Cooperation Friendship Treaty of 1961.²</u>

4. Does North Korea have any cases of COVID-19?

North Korea reports there are no cases of COVID-19 in the country. Due to North Korea's cultivated opacity and current restrictions on movement in the country, it is difficult to get a clear picture. What is known, however, is that North Korea enacted early and strict measures to prevent the spread of COVID-19 within its borders, and that the neighboring Chinese provinces of Jilin and Liaoning reported only one or two deaths each by the end of April. Furthermore, UNICEF sent Personal Protective Equipment to North Korea following a request from the DPRK Ministry of Public Health.

5. What is the current relationship between North Korea and South Korea?

¹ It is often incorrectly assumed that the DPRK is at war with the UN collectively rather than with the intervening UN members individually. These members did intervene on the basis of UN Security Council resolution 82 to 84, under the UN flag and under the leadership of an entity called "UN Command." That said, no UN organ ever had command or control over this intervention. The resolutions only "recommend[ed]" furnishing assistance to the ROK "under the unified command of the United States of America." See also Patrick M. Norton, Ending the Korean Armistice Agreement: The Legal Issues (1997), Henri Féron, Peace with Pyongyang: Legal Implications for the United States and South Korea (2018).

² An August 10, 2017 <u>editorial</u> by China's state-controlled Global Times newspaper said China should stay neutral if North Korea ignited conflict, but also that it should prevent the South and the US from overthrowing the country.

South Korean President Moon Jae-in has made improving inter-Korean relations a key part of his presidency, and has made more headway than past presidents in making progress in this area.

On April 27, 2018, Moon and Kim Jong Un met and promised in the <u>Panmunjeom Declaration</u> they would declare the end of the war and hold meetings involving the United States and possibly to China to "replac[e] the Armistice Agreement with a peace agreement and establishing a permanent and solid peace regime."

Five months later, Moon and Kim met in Pyongyang for a second summit and signed an inter-Korean military agreement that set forth a demilitarization process, including disarming soldiers in the Joint Security Area and demining portions of the DMZ. South Korea took concrete steps to revive inter-Korean cooperation, such as establishing a diplomatic compound in Kaesong, seeking to link the inter-Korean railroad at Dorasan Station at the DMZ, and creating "peace trails." Polls show that the majority of South Koreans favor a peace agreement with North Korea.

But Moon's pro-peace diplomacy with North Korea has been stalled by Washington. In an October 2018 call to South Korean Foreign Minister Kang Kyung-Hwa, Secretary of State Mike Pompeo <u>rebuked</u> Seoul for moving too fast with Pyongyang and failing to move in lock step with Washington on denuclearization. And when asked about South Korea's possible lifting of sanctions on North Korea, President Trump <u>told</u> reporters, "They won't do that without our approval. They do nothing without our approval."

Since Trump has <u>failed</u> to reach a deal with Kim on nuclear negotiations, progress has stalled between the two Koreas. However, with the <u>landslide victory</u> of Moon's Democratic Party in parliamentary elections in April, and the threat of the coronavirus demanding global cooperation, Moon may have a <u>greater opportunity</u> and more support to improve inter-Korean relations.

On April 27, Moon vowed to seek ways to increase inter-Korean cooperation with North Korea.

6. What kinds of sanctions are currently imposed on North Korea, and what are their effects?

The United States has lobbied the UN Security Council to systematically react to milestones in the North Korean nuclear program with heavier and heavier sanctions. UN sanctions now prohibit almost all trade and investment and financial transactions involving North Korea. The United States also maintains additional sanctions. In particular, it uses dollar-based sanctions designed to deter foreign banks from processing North Korea-related transactions — using the threat of getting shut out from the U.S. financial system to enforce the sometimes spotty implementation of UN sanctions.

The sanctions have had humanitarian consequences, <u>despite Security Council resolutions</u> <u>insisting</u> that they are not intended to have any. In January 2018, the United Nations Children's

Fund (UNICEF) said that more than 60,000 North Korean children are <u>at risk of severe acute</u> <u>malnourishment</u> — effectively a precursor to starvation — due to the disruption in the availability of humanitarian supplies caused by tightening sanctions.

A March 2019 UN Panel of Experts report examined how sectoral sanctions and financial restrictions impede humanitarian operations, listing in its annex 87 reported examples of blocked goods, including medical appliances, agricultural appliances, and anything with "[s]crews, bolts, nails, staples, etc." in it. A May 2019 report by the World Food Programme warned that 10.1 million North Koreans were food insecure and that sanctions affected agricultural production. An October 2019 report commissioned by the Korea Peace Now! campaign showed that sanctions imposed on North Korea are having adverse consequences on humanitarian aid and economic development in the country, with a disproportionate impact on women.

In his February 2020 report to the Human Rights Council, UN Special Rapporteur on the situation of human rights in the DPRK, Tomás Ojea Quintana, stated, "a declaration on peace and development in the Korean Peninsula, and a swift resolution of the armistice status, would create the atmosphere and space needed for further discussions on denuclearization, less isolation, more access, and respect for human rights." He also called for an assessment of the impact of sanctions on the North Korean population, and said sanctions harming ordinary people should be avoided.

7. Have sanctions had any of their intended impacts on changing North Korea policies?

North Korea holds <u>responsible</u> for sanctions damage "the U.S., its followers and also those countries that submitted to the U.S. coercion," and has systematically responded to sanctions with defiant protests and continued pursuit of its nuclear program.

Its authoritarian political system allows it to maintain its security policies even in the face of disastrous odds, such as the death of half of a million North Koreans in the economic crisis that followed the collapse of the Soviet Union. The North Korean state is also politically resilient to the impact of sanctions because it is designed to be as autarkic as possible. North Korea also has substantial uranium reserves, which allow it to be self-sufficient in the production of nuclear material. North Korea has become so adept at evading sanctions that a UN Panel of Experts report from February 2019 has evaluated the sanctions as "ineffective" in terms of coercion.

³ In what is considered the most authoritative exposition of North Korea's state ideology of Juche (often translated as "self-reliance"), former North Korean leader Kim Jong-II insisted economic self-sufficiency was essential to preserving national independence. See Kim Jong-II, <u>On the Juche Idea</u>, March 31, 1982, p.43.

China remains by far North Korea's <u>main trading partner</u>. It has voted in favor of UN sanctions and officially reported \$2.18 billion in bilateral trade volume for 2018, the lowest level since 2007. It has nevertheless insisted that the crisis would not be resolved by sanctions alone and that there should be "peace talks." It has regularly provided North Korea with <u>aid</u> not captured in trade statistics. In an August 29, 2019 "<u>statement</u>" by tweet referencing the U.S.-China trade war, President Trump accused Beijing of "providing North Korea with considerable aid, including money, fuel, fertilizer and various other commodities. That is not helpful!"

8. How do sanctions impact the ability of North Korea to respond to COVID-19?

Since the coronavirus became a global pandemic, there have been increasing calls to lift sanctions against vulnerable countries such as North Korea. Michelle Bachelet, UN human rights chief and a physician, <u>called</u> for sectoral sanctions to "be eased or suspended" because they impede the delivery of vital medical and humanitarian aid. "In a context of global pandemic," Bachelet explained, "impeding medical efforts in one country heightens the risk for all of us."

As noted previously, sanctions against North Korea <u>prohibit</u> the delivery of humanitarian-sensitive items, including those essential to providing medical care, such as sterilizers, ultrasound and cardiograph machines, syringes, needles, catheters, and dental and ophthalmic equipment.

Aid organizations intending to send humanitarian goods to North Korea <u>must</u> seek exemptions on a case-by-case basis. Furthermore, there are no banking channels for aid organizations to go through when purchasing and sending humanitarian goods, including medical supplies.

Since the emergence of the COVID-19 pandemic, the UN Security Council has granted <u>some</u> <u>exemptions</u> to humanitarian organizations to allow life-saving aid to be delivered to North Korea. On April 16, the U.S. Treasury Department <u>announced</u> sanctions exemptions for humanitarian assistance to North Korea, including "testing kits, respiratory devices, personal protective equipment, and medicine used in the prevention, diagnosis, treatment and recovery from COVID-19."

But such aid does not compensate for the damage that sanctions are causing on the North Korean health system. The <u>consensus</u> among many individuals and organizations that provide humanitarian aid to North Korea is that an outbreak of coronavirus in North Korea could put millions of lives at risk.

9. Where do relations between the U.S. and North Korea stand currently?

Despite several meetings between Trump and Kim, the two leaders have been unable to make any progress on peace or denuclearization.

Tensions between the United States and North Korea peaked in the period of accelerated North Korean weapons testing spanning from a hydrogen bomb test on January 6, 2016 to an ICBM test on November 28, 2017. On April 26, 2016, after a submarine-launched missile test, President Obama warned that "[w]e could, obviously, destroy North Korea with our arsenals." On August 9, 2017, after an ICBM test, President Trump threatened North Korea with "fire and fury like the world has never seen." On November 29, 2017, after an ICBM test "capable of striking the whole of the U.S. mainland," Kim Jong Un declared to have "finally realized the great historic cause of completing the state nuclear force."

Relations took a major turn at the first-ever U.S-North Korea summit, held in Singapore on June 12, 2018. President Trump and Chairman Kim <u>promised</u> to build "new relations in accordance with the desire of the peoples of the two countries for peace and prosperity" and to "join their efforts to build a lasting and stable peace regime"

President Trump unexpectedly <u>cut short</u>, without a deal, the second U.S.-North Korea summit, held in Hanoi on February 27-28, 2019. The official positions turned out to be far apart, although it is not clear what Trump and Kim told each other in their one-on-one meeting. Officially, North Korea <u>says</u> it offered to "permanently and completely dismantle all of the nuclear material production facilities in the Yongbyon area" and to formalize its nuclear and long-range missile test moratorium. In exchange, it says it wanted the lifting of five UN sanctions resolutions adopted since 2016. The U.S. position, it later <u>turned out</u>, appeared to reflect the all-or-nothing "Libya model" championed by National Security Adviser John Bolton, requiring North Korea to unilaterally give up its entire WMD program.⁴

North Korean Vice-Foreign Minister Choe Son Hui later <u>blamed</u> the collapse on Bolton and Secretary of State Mike Pompeo, and warned that North Korea could resume testing. In a major <u>speech</u> on April 12, 2019, Kim Jong Un said he would wait until the end of the year for the United States to propose a deal with "fair clauses which conform to the interests of both sides." He emphasized that the core issue was the U.S. "hostile policy" and that he would "no longer set his heart on such a trivial issue as lifting sanctions by the hostile forces."

Despite an impromptu <u>meeting</u> between Trump and Kim at the DMZ in June, working-level talks between the US and North Korea <u>broke down</u> in Stockholm in October, and was followed by <u>more missile tests</u> and more <u>hostility</u>.

⁴ According to Reuters, the document describing the U.S. position called among other things for "fully dismantling North Korea's nuclear infrastructure, chemical and biological warfare program and related dual-use capabilities; and ballistic missiles, launchers, and associated facilities." It also called on North Korea to provide a comprehensive declaration of its nuclear program and full access to U.S. and international inspectors; to halt all related activities and construction of any new facilities; to eliminate all nuclear infrastructure; and to transition all nuclear program scientists and technicians to commercial activities.

Kim had given the U.S. an <u>end-of-year deadline</u> to make progress in nuclear negotiations. After that deadline passed, Kim <u>laid out</u> North Korea's priorities for 2020, including "offensive measures to defend our sovereignty and security" and the unveiling of a "new strategic weapon." North Korea <u>said</u> it was no longer bound by commitments to halt nuclear and missile tests, blaming the U.S.'s "brutal and inhumane" sanctions regime.

With the <u>appointment of a new Foreign Minister</u>, North Korea appeared to be focusing its efforts on inter-Korean relations in 2020.

The emergence of the coronavirus pandemic has changed the landscape. With the need for global cooperation, the Trump administration has on one hand extended <u>offers</u> of aid to North Korea, and on the other hand <u>urged</u> the G7 to "stay committed" to applying sanctions. Perhaps not surprisingly, North Korea said it is <u>no longer interested in dialogue with the United States</u> and continues to <u>test missiles</u>. The US and South Korea also decided to <u>resume</u> joint military exercises that had initially been postponed.

10. Why does North Korea have nuclear weapons, and how many nuclear weapons do they have?

North Korea has <u>stated</u> that the primary impetus for its drive to achieve nuclear capability has been the <u>nuclear threat</u> posed to it by the United States, and has <u>said</u> it will not give up its nuclear weapons until the U.S. drops its "hostile policies" against Pyongyang.

A Bulletin of Atomic Scientists report <u>estimates</u> that North Korea has "produced enough fissile material to build between 30 and 60 nuclear weapons," has "assembled 10 to 20," and has in one of its tests demonstrated an explosive yield of a couple hundred kilotons (more than ten times the strength of the 16kT Hiroshima bomb). The report <u>noted</u> that North Korea successfully tested on November 29, 2017 an intercontinental ballistic missile (ICBM) with a 13,000km range "sufficient to potentially target all of the United States," though questions remained about its reliability.

North Korea has presented U.S. hostility as a justification for its pursuit of nuclear weapons and for its <u>withdrawal</u> from the Nuclear Non-Proliferation Treaty (NPT). "Our national nuclear force is, to all intents and purposes, a war deterrent for putting an end to nuclear threat of the U.S. and for preventing its military invasion," <u>said</u> North Korean Foreign Minister Ri Yong-ho to the UN General Assembly in 2017. A few days earlier, President Trump had used this tribune to <u>say</u>: "if [the United States] is forced to defend itself or its allies, we will have no choice but to totally destroy North Korea."

North Korea <u>claims</u> it is the United States that is initially responsible for bringing nuclear weapons in the picture by threatening the North with their use since the 1950s, by introducing tactical nuclear weapons in the South during the Cold War, and by holding "large-scale joint military exercises against [North Korea]" of an "aggressive nature" and that involve "nuclear

strategic assets." The United States and South Korea have long maintained that these exercises are defensive in nature, though President Trump has <u>called</u> them "war games" and "provocative." In 2018 Trump <u>promised</u> to suspend military exercises with South Korea. (Trump also <u>said</u> the war games cost the U.S. about \$100 million.) But the U.S. and South Korea only <u>scaled back</u> some of these activities. In April 2019, the U.S. and South Korea held a week-long military exercise involving <u>Terminal High Altitude Area Defense</u> (THAAD) battery. North Korea <u>denounced</u> the exercise, saying it "destroys peace and stability in the Korean peninsula."

On May 1, 2019, the United States <u>tested</u> an Intercontinental Ballistic Missile off the Vandenberg Air Force base in California. North Korea subsequently <u>fired three projectiles</u> thought to be short-range missiles capable of piercing the South's defenses, <u>ending a 400-day streak of no testing.</u>

The U.S. has given mixed signals about its intentions with North Korea. In January 2019, U.S. Special Representative for North Korea Stephen Biegun <u>said</u>, "We are not going to invade North Korea." But, shortly before assuming office as U.S. National Security Advisor, John Bolton <u>made</u> <u>the case</u> for attacking North Korea.

Several experts on North Korea say the unresolved status of the Korean War is the principal obstacle to the restoration of peace and security in the region. Former President Jimmy Carter said ending the Korean War is "the only way to ensure true security for both Korean and American people." And William Perry, former U.S. Secretary of Defense, said, "I believe that normalization is essential in achieving denuclearization. They go together hand in hand."

11. What does North Korea want?

North Korea has asked for a peace agreement long before the nuclear crisis. One of the clearest records is a March 25, 1974 formal request for a peace treaty from the North Korean Supreme People's Assembly to the U.S. Congress.⁵ In 1975, North Korea managed to gather enough support in the UN General Assembly for the adoption of <u>resolution</u> 3390B, which "calls upon the real parties to the Armistice Agreement to replace [it] with a peace agreement." In 1987, North Korean leader Kim II-Sung wrote a <u>letter</u> to President Ronald Reagan again asking for a peace agreement.

In the <u>Agreed Framework</u> of 1994, North Korea agreed to return to the NPT and give up its nuclear reactors for more proliferation-resistant ones. In exchange, the United States promised to "move toward full normalization of political and economic relations" and to "provide formal assurances to the D.P.R.K., against the threat or use of nuclear weapons by the U.S." When North Korea withdrew from the Agreed Framework and the NPT in 2003, it <u>cited</u> the following reasons: U.S. nuclear threats, the restart of suspended military exercises including

⁵ Reproduced in <u>Congressional Record</u> (Bound), Vol. 120, Part 8 (April 4, 1974 to April 11, 1974), p.10420.

nuclear-capable assets, the maintaining of sanctions and the failure to ensure delivery of the replacement reactor.

In the Six-Party Talks <u>Joint Statement</u> of September 19, 2005, North Korea "committed to abandoning all nuclear weapons and existing nuclear programs and returning, at an early date, to the [NPT] and to IAEA safeguards." In return, the United States "affirmed that it has no nuclear weapons on the Korean Peninsula and has no intention to attack or invade [North Korea] with nuclear or conventional weapons." The two countries "undertook to... take steps to normalize their relations." Moreover, the "directly related parties" of the Six Party Talks committed to "negotiate a permanent peace regime on the Korean Peninsula."

In a statement from October 3, 2006, North Korea justified its first nuclear test by <u>citing</u> the "US daily increasing threat of a nuclear war and its vicious sanctions and pressure." Then, in a statement from April 14, 2009 reacting to being sanctioned by the Security Council for a satellite launch, North Korea <u>announced</u> it would never again participate in the Six-Party Talks. At the UN General Assembly that year, North Korea <u>said</u> its efforts for a peaceful resolution, including the proposal of a peace agreement, had "not received due response from the United States."

In a statement from January 11, 2010, North Korea <u>presented</u> a peace agreement as an essential confidence-building mechanism to get to denuclearization: "The conclusion of the peace treaty will help terminate the hostile relations between [North Korea] and the US and positively promote the denuclearization of the Korean Peninsula at a rapid tempo." The United States has <u>rejected</u> North Korean peace offers on the motive that they did not involve <u>denuclearization</u>.

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