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Hanoi hubris

Kim went big and Trump went home – the US-North Korea summit was an absolute failure. But where do we go from here?

In my Hanoi summit preview, I wrote of US-North Korea nuclear diplomacy that 'the top-down nature of the current process risks both collapse and Trump's tendency to negotiate bad deals.' Ironically, US president Donald Trump's avoidance of the latter has produced the former, as he apparently walked away from negotiations in Hanoi following demands for excessive sanctions relief by North Korean leader Kim Jong Un. Consequently, the summit produced no joint statement, no common definition of denuclearisation, no compromise-based roadmap leading toward denuclearisation, and no progress on the vague commitments in the Sentosa Declaration of 2018.

Many of the summit post-mortems have tried to spin this failure as success, arguing that 'no deal is better than a bad deal,' that Trump and Kim parted 'amicably,' that Washington's and Pyongyang's negotiating teams are still willing to engage, or that the two sides were 'close to the finish line.' This is dubious. The Hanoi summit was a debacle born of hubris and poor preparation. The question now is: how did we get here, what does it mean, and what should we expect going forward?

Flying too close to the sun

In the lead-up to Hanoi, working-level negotiations seemed to focus on numerous elements — confidence-building measures, sanctions exemptions, partial nuclear facility dismantlement, etc — that could be combined into a modest deal. Yet apparently Kim went directly to a big demand: major repeal of international sanctions, notably sectoral and individual sanctions implemented beginning in 2016-2017.

Even setting aside complex sequencing issues, North Korea's corresponding concession, verifiable dismantlement of the plutonium production and uranium enrichment facilities at the Yongbyon complex, was clearly a non-starter for the US. Inability to reach agreement on

substantive matters is unsurprising given the skeletal nature of the results of the June 2018 Singapore summit and the lack of working-level progress until January 2019. But the magnitude of the gap between US and North Korean positions is shocking to see at a leader-level summit.

This is a direct consequence of a flaw in US-North Korea nuclear diplomacy: Pyongyang has stalled working-level talks in order to gamble on Kim's ability to outmanoeuvre Trump into a bad deal during summits. In this context, two considerations are notable.

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First, North Korea's strategy of privileging summits over working-level negotiations does not necessarily imply Kim's maximalist demand on sanctions. There were lower levels of high-priced demands that would not have torpedoed the summit. So why did North Korea make such an audacious offer, one likely to provoke Trump to react with negotiation brinksmanship found in *The Art of the Deal*? Perhaps it was reckless miscalculation, an assumption that Trump's political difficulties and desire for a foreign policy win would lead him to sign a disadvantageous deal. More likely, however, is that Kim was aware that maximalist demands would risk summit breakdown, but considered that risk acceptable.

The logic here is that if Trump agreed, then it would be a victory for North Korea; if not, then a failed summit is the functional equivalent of continuing the tried-and-true process of diplomatic delay allowing Pyongyang to wait out the Trump administration, continue to build its nuclear arsenal, and buttress its eventual status as de facto nuclear power. The North Korean summit negotiation tactic demonstrated lack of either seriousness or good faith, and Trump should be upset, although he claims not to be.

Second, the US side also carries responsibility for the summit failure. US negotiators were unable to bridge the gap between US and North Korean positions in talks prior to the summit. Indeed Washington and Pyongyang were far enough apart that a draft joint statement was nowhere near completion prior to the summit. Secretary of State Pompeo's post-summit claims that the US and North Korea were 'close' to an agreement were face-saving gestures — negotiators do not break off talks when they are close. Numerous statements from the US side just prior to the summit were intended to reduce expectations in Hanoi, and

as such the US should have postponed the summit until more certain progress had been made and there was less room for Kim to improvise on fundamental issues such as sanctions.

The US negotiators should also have predicted — given repeated statements from North Korean media — that North Korea would focus on addressing major sanctions rollback, and, again, if the US was unwilling to compromise in this area, the summit should have been delayed. Finally, diplomatic intelligence should also have pushed for summit postponement, if it believed that Kim was likely tobe inflexible about maximalist demands. And if it did not foresee this possibility, that is also a failure.

Interpreting failure and rising from the ashes

In the first place, the Hanoi collapse shows the limits of US-North Korea summit diplomacy in the absence of appropriate working-level preparation. This has been a costly lesson, however, as returning to working-level talks is more difficult following leadership failure. Moreover, if, as has been the case until now, Trump and Kim do not authorise their working-group negotiators to make substantive concessions, any future provisional agreements risk being undermined by micromanaging leaders.

Second, Kim's focus on sanctions rollback in Hanoi communicates that he is concerned about North Korean economic output. This means that sanctions continue to remain leverage for Washington to possibly compel Pyongyang's return to negotiations. Third, North Korea's risky, hardball approach to summit negotiations again underlines that it will not surrender all of its nuclear weapons program and arsenal. As a de facto nuclear power, North Korea is not a non-proliferation case, but instead a problem to be managed rather than solved. The international community must develop strategies — from deterrence to arms control — to this end.

In the final analysis only one thing is certain: things are a mess.

So, what now? The good news is that North Korea has assured the US it will continue self-imposed moratoria on nuclear and missile tests, while the US and South Korea intend to continue suspension and down-scaling of joint military exercises. The bad news is that it is difficult to envision the source of future momentum that could spark meaningful

working-level nuclear negotiations between Washington and Pyongyang. Both parties have stated post-summit that they are in no hurry to return to talks — meanwhile North Korea is producing more fissile material and missiles.

South Korean president Moon Jae In is the obvious possibility for a diplomatic spark, as he played a similar role following the initial cancellation of the Singapore summit. Yet Moon is weakened by an anaemic economy, a chaotic administration, and declining poll numbers, which the Hanoi fiasco only exacerbates. Moreover, post-Hanoi policy-makers in Washington will be more sceptical of future claims by Moon that North Korea is ready to negotiate in good faith. He will have to be careful not to oversell his position and risk US-South Korea friction.

Biting sanctions may also convince North Korea to return to denuclearisation talks, but there is no indication yet that Kim feels enough pain to be coerced in this way. In this regard China will play a critical role, as slackening sanctions enforcement could keep North Korea's economy afloat indefinitely. At some point Kim may find it propitious to return to talks, but he is likely to do so only when he feels he has leverage. As for Washington, a key question will be whether Trump loses interest in the North Korea dossier, given his other foreign policy priorities and domestic political headwinds. Another key question is who will have more influence over Trump's thinking on North Korea, negotiation-friendly voices such as Special Representative Stephen Biegun, or hardliners such as National Security Advisor John Bolton. If the former, negotiations might restart after a cooling-off period; if the latter, US-North Korea diplomacy might be scuttled. In the final analysis only one thing is certain: things are a mess.



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