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PEACEWRITER PRIZE 2017

An urgently practical approach
to the Korean Peninsula

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Co-hosted by the Norwegian Ministry of Foreign Affairs and HD, the Oslo Forum, is a discreet and informal annual retreat which convenes conflict mediators, peacemakers, high-level decision-makers and key peace process actors.

The following Peacewriter Prize has been especially prepared for the Oslo Forum 2017 and reflects events until mid-May 2017. It was intended to provide a background to guide and inform discussions at the Oslo Forum, and does not represent the positions of the Royal Norwegian Ministry of Foreign Affairs or the Centre for Humanitarian Dialogue.

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The Oslo Forum Peacewriter Prize

In January 2017, the Centre for Humanitarian Dialogue (HD) launched the Oslo Forum Peacewriter Prize, an essay competition seeking bold and innovative responses to today's peacemaking challenges. The winning entry was published as part of the briefing material for participants at the Oslo Forum (see www.osloforum.org). The Oslo Forum is the leading international network of conflict mediation practitioners. Co-hosted by the Centre for Humanitarian Dialogue (HD) and the Royal Norwegian Ministry of Foreign Affairs, the Oslo Forum regularly convenes conflict mediators, peacemakers, high level decision-makers and key peace process actors in a series of informal and discreet retreats. The aim is to improve conflict mediation practice through facilitating open exchange and reflection across institutional and conceptual divides, providing informal networking opportunities, and allowing space for conflict parties to advance their negotiations. Past participants have included John F. Kerry, Federica Mogherini, Kofi Annan, Daw Aung San Suu Kyi, Juan Manuel Santos, Gerry Adams and Fatou Bensouda.

The inaugural Oslo Forum Peacewriter Prize was awarded to Dan Leaf for his essay 'An urgently practical approach to the Korean Peninsula'. The author argues in favour of a 'federated' approach to one of today's most vexing and dangerous security challenges, the crisis between the Republic of South Korea and the Democratic People's Republic of Korea. Such an approach would deal with various contentious issues independently, removing the interdependencies (particularly with regard to denuclearisation) which currently preclude even small successes in the region.

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The Oslo Forum Peacewriter Prize

An urgently practical approach to the Korean Peninsula

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The dynastic Kim family regime in North Korea survives because of the notion that the Democratic People's Republic of Korea (DPRK) stands alone. The simple rationale that guides all the actions of the leaders of the government of North Korea and ensures the servitude of its citizens is that the whole world is out to get them, partly out of jealousy and partly from flawed ideology. Given conditions in the North, that seems ludicrous, even crazy, to outside observers. The North Korean people and leaders have evolved into caricatures because of individual and collective behaviour that is far outside the norm. However, there is a rationale here, not insanity. If Albert Einstein was correct and "insanity is doing the same thing over and over again and expecting different results", then North Korean leaders are anything but insane. They have engaged in a long cycle of provocation, sanction, negotiation, agreement, and regression that, in its repetition, has achieved two key goals: maintaining the myth among their population that the world is against them and only the regime protects the North Korean people, and gaining attention and concessions from the world community. That is not crazy. Insanity would be to expect that the failed approach of holding progress in any area with North Korea hostage to denuclearisation can succeed.

Of all the security challenges facing the world in 2017, it is difficult to find one more complex, vexing and important than the situation in the Korean Peninsula. A remnant of the Cold War, the standoff embodies the complexity of modern conflict. The Republic of Korea's (ROK's) democratic government and the Kim Jong-un regime in the DPRK are, in essence, two sects, with ages-old tensions between them exacerbated by rapid development in the south and equally fast regression north of their tense border. China's increasingly assertive role in regional and global affairs, combined with the unknowns which attend a new US administration's evolving approach to regional security, further complicate matters and take them well beyond a simple Cold War standoff.

On that uncertain footing, events are forcing the Koreas to the front page. In South Korea, President Park Geun-hye was forced from office by scandal and newly-elected Moon Jae-in has indicated he will return to the 'Sunshine Policy' of direct engagement with the North. The DPRK government allegedly assassinated the half-brother of its leader using VX nerve agent. Days later, tensions rose again when the North fired four medium range missiles into the sea within 200 miles of Japan. The US responded by accelerating deployment of the first components of the Terminal High Altitude Area Defense (THAAD) missile system in South Korea. That move was heavily criticised by China, with Foreign Minister Wang Yi saying that "the two sides are like two accelerating trains coming towards each other", and asking whether both are "really ready for a head-on collision?"¹ Reports that a punitive strike is under consideration by the US, coupled with North Korea's words and deeds, seem to validate Wang Yi's assessment.

These events might seem like a continuation of the decades-long cycle of tension. A recent report on the DPRK missile launch began: "It's that time of year again; North Korea usually registers its displeasure over the annual US-South Korean military exercises with some show of force. . ."² Given that there has not been a major renewal of conflict since the armistice was signed in 1953, is this in fact simply more of the same? Or is there an urgent need to modify the assumptions and approaches associated with achieving lasting peace in the Korean Peninsula?

The answer to both questions is “Yes!” We are witnessing a continuation of the cycle of tension, but with more dangerous implications than in the past. Both the potential for, and the possible consequences of, a renewed conflict involving the Koreans, their neighbours, partners, and allies, are significantly greater than before. Kim Jong-un has proven to be even more unpredictable than his familial predecessors, and the DPRK’s development of nuclear weapons and delivery systems has fundamentally changed casualty calculations. The economies of South Korea, Japan, China and the US would fall victim as well, and the second-order effect on the rest of the Indo-Asia-Pacific would undercut the progress of a region where trends in governance, conflict resolution and stability have been relatively positive. US-China relations would undoubtedly suffer considerably in a new Korean war, with Beijing and Washington (as well as their allies in Seoul and Tokyo) likely to be forced to take sides. The combined effects of a second Korean war would be global and catastrophic.

It is time for a practically, not radically, different approach to the Koreans. Security challenges there have become woven together in a tangled Gordian Knot. In Greek mythology, a peasant farmer named Gordias tied his oxcart to a post with a uniquely intricate knot. The oxcart remained lashed to the post for years, as the knot could not be undone. Alexander the Great is said to have loosed the cart, either by slicing it with a single stroke of his sword or by pulling a pin from the cart’s yoke, exposing both ends of the rope, and allowing him to simply untie it.

The situation in Korea has resembled a Gordian Knot since 1953. The first thread in the knot is the notion that there is ‘one’ Korea that requires reunification after arbitrary division at the end of World War II, a notion reinforced by the armistice agreement following the 1950–1953 Korean war. This agreement, short of a final peace treaty, is another thread. Territorial disputes on land and at sea emerged from the armistice, and have been at the centre of North Korean provocations and other tensions for several decades. The human condition in North Korea, rife with privation and the denial of the most basic human rights, is another strand in the tangle. Finally, the apparently successful pursuit of nuclear weapons by the DPRK has become the yoke pin at the heart of the knot, tightened by the country’s progress in developing delivery systems.

International organisations, alliances and nation states have attempted to address these issues in a manner that ties some or all of these problems together, seeking an *integrated solution*. Since 2003, the Six Party Talks on denuclearisation have been the centrepiece of interaction with North Korea, and thus have tied international engagement to the nuclear issue. Following the DPRK’s withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 2003, South Korea, China, Russia, Japan and the US have sporadically negotiated with the DPRK, but there has been little progress. International attempts to address hunger, especially those involving the US and South Korea, are held contingent on progress in ending North Korean nuclear ambitions. Efforts to replace the 64-year-old armistice flounder as the DPRK refuses to abandon its nuclear programmes in return. The US Ambassador to the United Nations, Nikki R. Haley, illustrated this transactional approach by stating, “we have to see some sort of positive action by North Korea before we can take them seriously”, after a Security Council meeting in New York on the escalating Korea crisis.³ That is a reasonable, but intrinsically flawed, approach.

History tells us that this integrated approach will not work when dealing with North Korea. What is needed is a comprehensive, *federated strategy* which addresses the various threads independently to establish a lasting peace on the peninsula. A stroke from the modern equivalent of Alexander the Great’s sword, for example forceful removal of the DPRK regime, is unlikely to cut the Korean knot. As the yoke pin, nuclear capability must be pulled out to find the ends of the various ropes and begin the process of disentanglement. Transactional diplomacy that binds any progress in other areas to North Korean willingness to relinquish its nuclear programme stymies progress in all areas. There is no evidence indicating that the DPRK is ready to do that in the near term, if ever.

The revised strategy must be grounded in understanding the rationale and motivation of the DPRK leadership outlined earlier. Any action or policy that facilitates the North Korean myth of 'us against the world' is bound to fail and be counterproductive. The dynastic rulers of the DPRK have made self-reliance (the Juche philosophy) something of a religion. The notion is built on the idea that North Korea is alone, and faces existential threats from non-believers, outsiders and especially the ROK-US alliance.

That is not to suggest that nations and international organisations should stop pushing for denuclearisation. It should remain a pivotal priority which should be pursued aggressively, but *not* at the expense of progress in all other areas. A federated approach to Korean security could pull that pin out of the yoke, and unravel the various knotted threads: the armistice, provocations, territory and the human condition.

How might this be done, and what are the chances for success? Identifying areas of potential progress and tackling them in a pragmatic manner is essential. Mutual benefit has to be at the heart of the effort as the zero-sum model of the past has failed. The odds that all, or even most, of these proposed efforts could succeed are as low as the potential for the North Korean government to behave in accordance with international norms, negotiate in good faith, and adhere to any agreements into which it may enter. However, the proposed approach to the various issues would remove the interdependencies which currently preclude even small successes, and fundamentally shift the Korean paradigm. This cannot be a US-only effort, but the United States should lead the pursuit of paradigm-shifting initiatives through a comprehensive approach to the threads of the Korean knot:

Denuclearisation: Continued pursuit of denuclearisation on a bilateral and multilateral basis should continue, but not in a way in which it is interdependent with all of the other threads.

The armistice: "Still technically at war. . ." is a phrase that opens many reports on the Koreas. The 1953 armistice left the two sides in that precarious state. The sides are as important as the situation. North Korea and China were on one side, and South Korea and the United Nations on the other. How can real progress be made when the DPRK and China, now members of the UN, are technically at war with that very body? The United Nations should seek a lasting peace treaty that addresses the issues of the Korean War in relative isolation. It should be expected that the DPRK will claim such an agreement as a victory, but that is not as important as removing this fundamental disconnection from normalcy. Recognising their shared interests, both the US and China should support this effort.

Reconciliation: The situation in relation to North Korea is unique in American history, in that the US has made no attempt at post-war reconciliation. Some of the strongest ties the United States has are with former enemies such as Great Britain, Germany, Japan and even Vietnam. The US should enlist the support of the Vietnamese government and the experience of more than 20 years of hard work with that country to find ways to build a constructive connection with the DPRK.

Territorial claims: Territorial disputes are not unique to the Koreas, but resolving them could be key to real progress. The United States has viewed the Permanent Court of Arbitration ruling on the Philippines case against China favourably, and parties who applaud that case should demonstrate their commitment to the principles of maritime law with regard to North Korea. The ROK, with American support, should ask the United Nations to seek a non-binding, advisory ruling from the Permanent Court of Arbitration normalising Korean territorial waters in a manner consistent with the ruling on the South China Sea. North Korea would no doubt benefit from the outcome, but so would the ROK as it would significantly improve the South's ability to regulate fishing in their remaining waters. Normal demarcation of this region would reinforce the rule of law in maritime disputes and directly counter the Juche rationale. Ideally, in support of this effort, the ROK and Japan could submit their dispute regarding the island of Dokdo/Takeshima to the Court for adjudication. This is a centuries-old dispute, and resolution is admittedly unlikely, but it would further reinforce the rule of law.

Major power influence: China and the United States must continue to move from disagreement to partnership in promoting Korean peace and normalcy. China's opposition to the THAAD deployment in South Korea because of concerns that the capability could be used to spy on their country are unreasonable. The deployment is an operational necessity because of the very real DPRK missile threat, which far outweighs the supposed risk to China. To facilitate Chinese support, the US and the ROK should consider extraordinary measures of transparency with regard to both the deployment and operation of this advanced system. Openness and information sharing will be required to overcome China's long-standing opposition.

Military exercises: As previously noted, the ROK and US military exercises have fuelled North Korean rhetoric and provocation. The exercises are defensive in nature, and a key element of deterring an attack, but the alliance could shift the perception of these exercises through changes in orientation and transparency. Both allies should shift the focus of all major exercises in South Korea to humanitarian assistance and disaster response, both north and south of the demilitarised zone. The potential for natural disaster in the Korean Peninsula is at least as likely as the potential for military conflict, and this shift will weaken, but not eliminate, objections from North Korea. Importantly, increased constructive engagement, particularly inviting Chinese observation of the exercises, could change the world's view of the objectives of these exercises and mute North Korean objections.

Regional response: US policy has underutilised two potentially key players in its engagement with the DPRK: the Association of Southeast Asian Nations (ASEAN) and Mongolia. The assassination of Kim Jong-nam in Malaysia, an ASEAN member state, should be used as a vehicle for direct ASEAN engagement with the DPRK. This could be done to encourage, not demand, North Korean behaviour more consistent with international norms, in the 'ASEAN way', approaching peacemaking in a cooperative and non-confrontational manner. As for Mongolia, it has a long-standing and special relationship with the DPRK which troubles the US in particular, because of the potential for this relationship to undermine the Six Party Talks and other denuclearisation initiatives. Yet this relationship has enabled substantive engagement between Japan and North Korea on the difficult issue of Japanese citizens abducted by the DPRK. The US and others should appreciate and encourage this unique role, rather than oppose it.

Hunger and human rights: Efforts to address hunger and, at times, starvation in North Korea have been restricted by two factors: the links between aid and denuclearisation, and expectations of principled behaviour and adherence by the DPRK government to conditions attached to the aid. Both are unrealistic. The United Nations and World Food Programme should lead an all-out effort to address the endemic, enduring privation of the average North Korean. While hunger in North Korea is not the worst in the world, and although its effects are not as catastrophic as in other areas such as South Sudan and other parts of Africa, it is severe. Taking an altruistic approach to the human condition could help counter the foundational myth of the value of self-reliance and isolation. As for human rights in North Korea, the UN and international community should continue to hold the government accountable, but in a careful and thoughtful manner, recognising that progress will not be made as long as the government can hold sway over the population through that myth.

Sanctions: Although justified, existing sanctions on the DPRK have not been effective. Any additional efforts to further isolate perhaps the most isolated nation state on earth will fuel its sense of victimhood and notion of the need for self-reliance. Current restrictions should remain in place and be enforced where possible, but not expanded. Instead, actions by the DPRK's principal benefactor, China, such as restricting imports of coal from, and exports of refined petroleum to, North Korea is the most viable approach.

Reunification: Despite shared ethnicity and history, the creation of a single Korea must be held in abeyance for the foreseeable future. North and South have evolved in opposite directions, and are more different than they are similar. The struggles of defectors and refugees from the DPRK to integrate into

modern societies in the ROK and elsewhere provide a glimpse of the extraordinary difficulty of merging the two Korean populations.

These suggestions are not offered with naiveté. Some will fail, and none will, in their own right, deliver real progress. All will be viewed suspiciously by North Korea, and the government will attempt to twist words, deeds, and outcomes to support its fundamental premise. It would, however, be insane to expect the long-standing, interwoven and failed approach to peace to succeed. This is a moment of as much opportunity as there is risk, and an imaginative, federated approach to the issues on the Korean Peninsula is needed to seize this opportunity to change a very dangerous paradigm.

Endnotes

- 1 Ben Wescott, 'US and North Korea set for 'head-on collision', China warns', *CNN*, 8 March 2017, available at <http://www.cnn.com/2017/03/08/asia/china-north-korea-wang-yi/>
- 2 Margaret Hartmann, 'North Korea Fires Ballistic Missiles Into Japanese Waters', *New York Magazine*, 6 March 2017, available at <http://nymag.com/daily/intelligencer/2017/03/north-korea-fires-ballistic-missiles-into-japanese-waters.html>
- 3 Chris Buckley and Somini Sengupta, 'US and South Korea Rebuff China's Proposal to Defuse Korea Tensions', *New York Times*, 8 March 2017, available at https://www.nytimes.com/2017/03/08/world/asia/china-north-korea-thaad-nuclear.html?_r=0

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