

**OVERCOMING US-DRPK HOSTILITY:  
The Missing Link Between a Northeast Asian Comprehensive Security  
Settlement and Ending the Korean War**

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**Denuclearization of Northeast Asia and of the World — Developing a  
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## **Roadmap**

**This paper attempts to define what overcoming US hostility  
might mean to the DPRK in the context of a comprehensive  
security settlement in Northeast Asia.**

**Why is this important?**

## NECESSARY ELEMENTS OF COMPREHENSIVE SECURITY TREATY

1. Termination of state of war
2. Creation of a permanent council on security to monitor, verify compliance, and decide on violations
3. *A mutual declaration of no hostile intent*
4. Provision of nuclear and other energy assistance
5. Termination of sanctions
6. A nuclear weapons-free zone

We know approx. what the five blue items would look like.  
**We have no idea what a declaration of no hostile intent might mean today if we struck agreement with the DPRK tomorrow. If we want a NWFZ, we better find out.**

**“Koreans have a saying: 'Sword to sword: rice cake to rice cake.' It is time to throw away the sword and hold up the rice cake.”**

**“The relations between countries change with changes in the structure of the situation. There are no forever enemies and no forever friends.”**

**Kim Yong Sun, 1993**

**Part 1: proposes that the DPRK has sought a relationship with the United States to offset neighboring great powers since the end of the Cold War. This geostrategic strategy intersected with but is not necessarily the same as attempting to reduce hostility in the relationship.**

## **Important to read what DPRK Says:**

**Part 2: reviews six milestone documents that the DPRK highlighted in a key Ministry of Foreign Affairs statement concerning US-DPRK hostility on March 31, 2012 and reviews whether these were in fact evidence of US (or DPRK) pursuit of non-hostility**

### **“DPRK Terms U.S. Hostile Policy Main Obstacle in Resolving Nuclear Issue,” KCNA, August 31, 2012**

1. DPRK-U.S. Joint Statement, June 11, 1993
2. DPRK-U.S. Agreed Framework, October 21, 1994

*“The great leader Comrade Kim Jong Il said on August 4, 1997 that we did not intend to regard the U.S. as the sworn enemy but wished for the normalization of the DPRK-U.S. relations.”*

3. DPRK-U.S. Joint Communique, October 12, 2000
4. Joint Statement of the Six-Party Talks, September 19, 2005
5. Six-Party Talks Agreements, February 13 and October 3, 2007
6. Feb 29, 2012 Leap Year statement

### 3 phases of “non-hostility” in DPRK line

First phase (1993-2002), US-DPRK joint statements did not revolve around a search for non-hostility at all but instead reflected a North Korean attempt to reposition itself in the regional balance-of-power by changing its relationship with the United States, using nuclear threat;

Second phase initiated by the Bush Administration in 2002, “strategic maneuvering” in and out of 6PTs the DPRK placed a high priority on overcoming hostility but failed;

Third phase, since 2010, the DPRK has substituted a nuclear force for a geo-strategic strategy and for overcoming hostility, an a-strategic posture that prefigures further confrontation based on opportunist search for compellence more than deterrence, aimed at US, China, ROK

Part 3: reviews more concrete, derivative meanings that could guide future engagement from DPRK reference to “non-hostility” in various contexts over the last two decades with particular reference to what they mean by peace regime, peace treaty, and ending the Korean Armistice Agreement.

1. Normalization of political, diplomatic, and economic relations in the region
2. Ending the Korean armistice
3. Realizing a peace treaty between the parties to the Korean war
4. Creating a permanent peace regime on the Korean peninsula
5. Support for the peaceful reunification of Korea
6. Joint efforts for lasting peace and stability in Northeast Asia
7. Removal of the DPRK from US list of states that sponsor terrorism and resulting sanctions, or advancing towards such removal (today, follow-on related items under US and international law)
8. US commitment to not use or threaten to use nuclear (and conventional) weapons against the DPRK
9. Support for DPRK space access and launch services
10. Mutual respect for the sovereignty and non-interference in internal political and other affairs
11. Cooperation on shared insecurity such as the risk of terrorism
12. Removal of US and since 2006, multilateral “US-led” sanctions against the DPRK, both those aimed at de-legitimizing the DPRK leadership (ban on provision of luxury goods to the DPRK), as well as sanctions on dual use WMD related items and on named North Korean individuals and firms.
13. Provision of food and energy aid on a humanitarian basis by the United States or other parties; and DPRK humanitarian steps such as enabling US Missing-in-Action Joint Recovery Teams to operate in the DPRK from 1996 to 2005, and release of arrested Americans in the DPRK.
14. Reduction of exercises near or in the Korean Peninsula involving the US and its allies
15. Reduction or Halt to Mutual Slander, De-legitimation, De-stabilization
16. Sanctions and Nuclear Fuel Cycle Cooperation]
17. Ending the Threat of Nuclear Attack or Pre-Emptive Nuclear Strike

**Part 4: where to construct a comprehensive security settlement in this region, as it relates to the DPRK, especially the creation of a regional treaty framework that includes non-hostility.**

**Find path of least resistance:**

**Treaty of Amity and Cooperation in Northeast Asia, -- not a Korean peace treaty**

**--Achieve peace by normalizing relations between belligerents;**

**--4 belligerents declare an end the Armistice, endorsed by UNSC**

**--Replace MAC with a UN multinational peacekeeping force? USFK as pivotal deterrent force?**

**Follow SEA-TAC Article 2, 1976 in a NEA-TAC?**

*"In their relations with one another, the High Contracting Parties shall be guided by the following fundamental principles:*

*a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations;*

*b. The right of every State to lead its national existence free from external interference, subversion or coercion;*

*c. Non-interference in the internal affairs of one another;*

*d. Settlement of differences or disputes by peaceful means;*

*e. Renunciation of the threat or use of force;*

*f. Effective cooperation among themselves."*

### **How to get to a NEA-TAC?**

**Whereas SEA-TAC began with general statement of peaceful conflict resolution and renunciation of force situation is more extreme and nuclear issue is in forefront**

**In NEA-TAC, need to reverse the order, put nuclear non-aggression and non-hostility at front, and start with NEA-NWFZ leading to NEA-TAC, not like SEA-TAC that was followed by a SEA-NWFZ**

### **Step Ladder**

**1. Resume the Six Party Talks: although imperfect, the Six Party Talks are now the only rubric that already includes Japan and is already approved by the highest levels of the Chinese and Korean governments. Given historical issues, it is difficult to create a new body which includes Japan and have that body be approved by Beijing and Seoul;**

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**2. At the Six Party Talks, jointly examine closely the pros and cons of various permutations of a NEA-NWFZ, as called for by the UN Secretary General in July 2013, possibly by appointing an expert eminent persons' group to report back in short order; if persuasive to states, commence the drafting a NEA-NWFZ text for review and adoption at the Six Party Talks;**

**3. At the Six Party Talks, have the institutional working group examine in depth the legal, monitoring and verification, and other critical issues in a regional NWFZ that supports the systematic denuclearization and dismantlement of the DPRK's nuclear weapons program;**

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**4. At the Six Party Talks, if sufficient political will emerges, have the regional Nuclear Weapons States declare that negative security assurances with regard to nuclear threat and nuclear attack will be availed to all non-nuclear parties who become compliant with a NEA-NWFZ, contingent upon the extent to which the parties are in accord with their NPT and IAEA obligations;**

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7. At the Six Party Talks, propose that the UN Security Council mandate the convening in Geneva (or some other neutral venue) of a political conference of the four belligerent states (two Koreas, United States, China) to negotiate and to declare the termination of hostilities and ending of the Armistice, and to define the post-Armistice military management mechanisms, including a reconstituted Military Armistice Commission to oversee notification of exercises and major military movements, redeployment and reductions of military forces, and management of peaceful uses of the DMZ, to be submitted back to the UN Security Council for final endorsement.

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**9. For the four parties to define a set of post-Armistice military management arrangements to manage the Demilitarized Zone, to settle the northern limit line dispute (preferably by a joint management scheme as suggested in past dialogues between the DPRK and ROK leaderships), to design the redeployment of conventional forces, limits on offensive conventional forces, and to implement inspection arrangements including activating the inter-Korean Military Commission inspectorate; and a role for a reconstituted Military Armistice Commission including monitoring and verifying compliance on these military measures, and to report violations to the Council of a NEA-TAC if it exists, or to the UN Security Council if it does not.**

[requires // inter-Korean rapprochement or “peace regime”]

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**10. At the Six Party Talks, initiate dialogue on the pros and cons of a NEA-TAC, especially the appropriate non-hostility language modelled closely on the SEA-TAC that five of six parties have already signed in the SEA regional context, and review the design and implementation of a Council that would rule on disputes that cannot be resolved bilaterally arising from a NEA-NWFZ treaty, or from other regional security issues requiring peaceful resolution. If there is sufficient consensus, draft a NEA-TAC text for discussion and review by states and third parties that would likely accede after a NEA-TAC is established by the six "high contracting parties," that is, the two Koreas, China, Japan, Russia and the United States.**

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**11. At some point in the negotiation, the DPRK and the United States would announce their intention to normalize diplomatic relations, contingent upon both parties acceding to the NEA-TAC.**

**“The history of nations, as I have told you before, one of making friends which later become hostile. Now is the time for the US to make a change in our direction. Regardless of the political system and ideas in the US, the latter doesn't matter in relations between countries.”**

**Kim Yong Sun, 1993**

**“If the other side has big guns, you do not want to turn a negotiation into a gunfight.” He continues:**

**The stronger they appear in terms of physical or economic power, the more you benefit by negotiating on the merits. To the extent that they have muscle and you have principle, the larger a role you can establish for principle the better off you are.”**

**Roger Fisher, William Ury, *Getting to Yes, Negotiating an agreement without giving in*, Random House, New York, 1991, p. 54, at:**

**<http://6thfloor.pp.fi/fgv/gettingtoyes.pdf>**

**Conclusion:**

**Unless the leaders of US and DPRK move toward a comprehensive strategy and look beyond narrow calculations of strategic options based only on a realist worldview, neither will be able to envision and take the steps necessary to start a peace process that ends bilateral hostility and creates comprehensive security in Korea and beyond, let alone reduces the threat of war, nuclear war, and further nuclear proliferation**