

Talking Points by Glyn Ford

The Panmunjom Declaration is an important statement of principle affirming future relations between South and North Korea with the commitment to a lasting and stable peace and a non-nuclear Peninsula, further re-affirmed by the outcome of the Singapore Summit. Thus we have the foundation for future Peninsula relationships and the end goal to be achieved. We now have to construct a detailed process for achieving that goal by all the parties concerned which will set out the series of steps that will be shepherded forward and marked as way stations to the final destination.

Much is made of the fact that all previous negotiations have failed. That is, of course, true or we wouldn't be here. But my motto might be 'If at first you don't succeed, try diplomacy'. Nevertheless not all failures are the same failure and we need to learn from that. In the past quarter of a century of all the attempts to arrest the path to nuclearization the only one to partially achieve that goal was the Agreed Framework of 1994. This effectively halted progress by Pyongyang to the development of a nuclear weapon for between six and eight years.

What characterised the Agreed Framework was a set of clear goals and a clear road map, even if the pace of travel was not always all it might have been. Essentially Pyongyang traded its prospects of producing nuclear weapons for interim relief - in the form of heavy fuel oil - improved relations with Washington and the ultimate delivery of two Light Water Reactors to help alleviate the energy supply shortages hamstringing economic development.

What does that mean for today? There have been all shopping lists produced of what demands might be made of the North. Abandon its nuclear programmes, destroy its long and intermediate range missiles, surrender chemical and biological weapons, and deal with a long list of human rights issues etc. What is it reasonable to demand? We are where we are today because the global community has sanctioned the DPRK over two issues and expressed grave concern over a third. These are its development of nuclear weapons and its long-range missile and space programme, plus human rights. Thus for the North to receive relief they should need to come into conformity with these demands and no others. Additional concerns may well remain but this should be dealt with in different contexts. Thus it needs to provide a full inventory of its holding of nuclear materials and its nuclear plants alongside a similar declaration for its ICBM and space programme

What should they realistically expect in return? Security Guarantees with a peace settlement, the lifting of sanctions, normalization of relations and some package of measures both in terms of humanitarian and development assistance. For sanctions it should be a policy of last on, first off. As Pyongyang verifiably rolls the tape of missile and nuclear development backwards so should the global community guided by Seoul and Washington. One of the problems with the Agreed Framework was that the promised Liaison Offices in Washington and Pyongyang were never established. If they had they might have avoided, mitigated and relieved the problems and disputes on both sides that ultimately undermined and collapsed the deal as well as demonstrating a commitment to a deeper engagement in the future. This time around they should be a priority.

Interim relief, if needed, can be energy supplies from the South or elsewhere. More permanent solutions can be more imaginative than before. Small-scale renewable energy will help households and local communities, but with all Pyongyang's ambitions for industrial

development some 'big' energy schemes will be required. The North, like the South, has the potential for large-scale tidal energy schemes. Yet the point needs to be made that states who are members of the NPT and in conformity with its provisions have the right to civil nuclear power programmes.

How does the International Community help? There will be a need for both guarantors and donors. If the North is to feel sufficiently secure in its Security Guarantees and peace settlement this will need to be buttressed by the international community. First there will need to be an announcement as to the end of the war by the Big Four - some have suggested even as early as September in the context of the UN General Assembly in New York - then a negotiated settlement that, should be endorsed by the Security Council. After all it was a UN action in the beginning.

Second like with the Agreed Framework we should envisage the need to share the financial burden. Back then South Korea, the US, Japan and the EU covered between them the overriding majority of costs. We must anticipate a similar model, although it is possible the mix of players might change. The US will inevitably be the lead negotiator on the nuclear and missile deal with the North with South Korea and now China playing key roles, but like the JCPOA, the final deal might get the endorsement of the Security Council. Pyongyang has noticed the difference between the Agreed Framework which was to all intents and purposes unilaterally abrogated by the US - not without its reasons - and the JPCOA where because of its multilateral nature had/has a resilience and strength that the Agreed Framework lacked.

Apart from financial there might also be some political burden sharing. For example back in 2001 the EU established a Human Rights Dialogue with the DPRK which was later suspended. Pyongyang offered in 2014 to restart this Dialogue. Taking up this offer in the context of recent developments might ensure that the focus on the central issues concerning Seoul and Washington is not lost, but that the third issue of concern to the International Community is not overlooked.

The North is looking nothing from the US at the end of the process other than to desist - three 'No's'. No overt threat to the Regime, No covert attempts at Regime change, No veto on sanctions lifting by the UN or membership of the international financial organizations. I believe that Pyongyang is serious about a deal. The two dangers are first not to appreciate that the international community will get only what's 'on the box'. If it's in the deal that will be fine. But there are no two for one offers or free gifts from Pyongyang. What is not covered cannot be unilaterally folded in for free at a later point. Second an ignorance or indifference as to the intrinsically possible. The freedom to maneuver constrains us all.