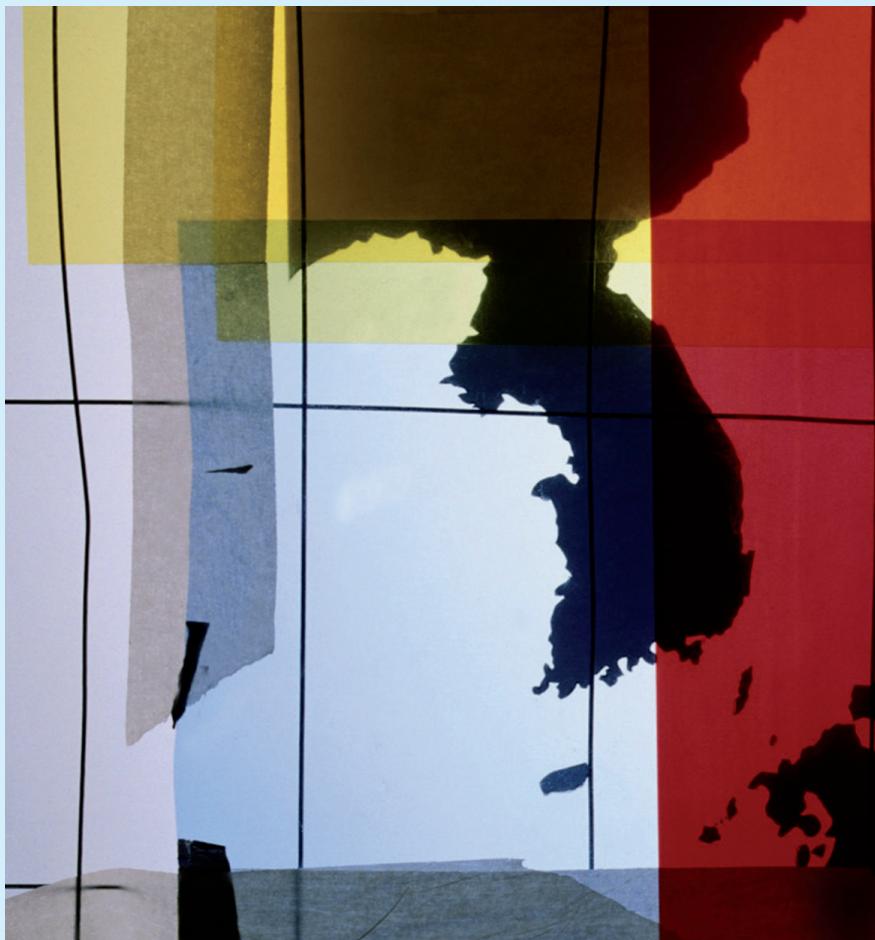


TOOLS FOR BUILDING CONFIDENCE ON THE KOREAN PENINSULA

A report by the Stockholm International Peace Research Institute and
the Center for Security Studies at the Swiss Federal Institute of Technology, Zurich



The **Stockholm International Peace Research Institute (SIPRI)** is an independent international institute for research into problems of peace and conflict, especially those of arms control and disarmament. It was established in 1966 to commemorate Sweden's 150 years of unbroken peace. The Institute is financed mainly by the Swedish parliament. The staff and the Governing Board are international. The Institute also has an Advisory Committee as an international consultative body.

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This report is the result of an original research project, initiated and funded by the Swedish Ministry for Foreign Affairs, the Swiss Federal Department of Foreign Affairs and the Swiss Federal Department of Defence, Civil Protection and Sports. The report was finalized soon after an important international accord, the 13 February 2007 agreement, which at the time of writing is still filling observers with mixed feelings of hope and uncertainty. What has not changed and should not change is the responsibility of the international community in general—including research institutes and think tanks such as those who have worked on this project—to do everything possible both to help the key actors achieve progress, and to create conditions for a more lasting peace on the Korean peninsula and its neighbourhood. The core of this report, a 'toolbox' of possible confidence-building and confidence-enhancing measures tailored to local needs in and around the two Koreas, is offered with all due modesty as a contribution to that end.

TOOLS FOR BUILDING CONFIDENCE ON THE KOREAN PENINSULA

A report by

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Preface

This report is the result of an original research project, initiated and funded by the Swedish Ministry for Foreign Affairs (MFA), and the Swiss Federal Department of Foreign Affairs (FDFA) and Federal Department of Defence, Civil Protection and Sports (DDPS). The project was carried out from January 2006 to March 2007 by a team from the Stockholm International Peace Research Institute (SIPRI)—Zdzislaw Lachowski (project coordinator), Martin Sjögren and Alyson J. K. Bailes with contributions from Shannon N. Kile and John Hart—in collaboration with Simon Mason and Victor Mauer of the Center for Security Studies (CSS) at the Swiss Federal Institute of Technology (ETH) in Zurich. While the Swedish MFA supported and facilitated the work of the SIPRI/CSS drafting team, the Swiss Federal Department of Foreign Affairs has helped coordinate the Swiss contribution to the implementation of the project overall.

Even during the relatively short lifetime of this project, developments on the Korean peninsula and in North-East Asia have seen dramatic ups and downs. The team's research work started just after the achievement of the 19 September 2005 Joint Statement, but then saw a freeze in the Six-Party Talks for more than a year, aggravated by the North Korean missile and nuclear tests during 2006. The present report was finalized soon after another important international accord, the 13 February 2007 agreement, which at the time of writing is still filling observers with mixed feelings of hope and uncertainty. What has not changed and should not change is the responsibility of the international community in general—including research institutes and think tanks such as those that have worked on this project—to do everything possible both to help the key actors achieve progress, and to create conditions for a more lasting peace in the Korean peninsula and its neighbourhood. Building a sustainable détente will take years, maybe decades, and will demand solutions tailored sensitively to the special conditions of this region in the light of experience. Nonetheless, ideas drawn from other parts of the world (in the form of both dos and don'ts) may help to feed the local dialogue and to bring advice, assistance and support for the process of bilateral and regional security building. The core of this report, a 'toolbox' of possible confidence-building measures tailored to local needs in and around the two Koreas, is offered with all due modesty as a contribution to that end.

In preparing this text, SIPRI worked mainly on military security and select civilian confidence-enhancing measures, while the 'Mediation Support Project' at CSS provided expertise on mediation, facilitation and human contacts. The final product is, however, very much a joint one of the two institutes, thanks to almost constant contact and consultation between Stockholm and Zurich. The authors wish to thank all the researchers, diplomats and other experts (listed in appendix A) who added their contribu-

tions during events and interviews held in Stockholm, Zurich, Beijing and Seoul with participants from the People's Republic of China, Japan, the Democratic People's Republic of Korea (North Korea), the Republic of Korea (South Korea), the Russian Federation, Sweden, Switzerland and the United States. SIPRI and CSS, however, take full and sole responsibility for the results presented here. The authors wish to make special mention of the valuable advice and support given by Paul Beijer (Swedish MFA) and Daniel Nord (SIPRI) as well as Pierre Combernaus (FDFA) and Ivo Sieber (Swiss Embassy in Sweden) and the services provided by the SIPRI Library under Nenne Bodell and the SIPRI publications team.

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May 2007

Glossary

ARF	ASEAN Regional Forum
ASEAN	Association of South East Asian Nations
BTWC	Biological and Toxin Weapons Convention
CBM	Confidence-building measure
CBW	Chemical and biological weapons
CEM	Confidence-enhancing measure
CICA	Conference on Interaction and Confidence-building Measures in Asia
CSBM	Confidence- and security-building measure
CSCE	Conference on Security and Co-operation in Europe
CM-CP	Crisis Management/Conflict Prevention (Centre)
CWC	Chemical Weapons Convention
DMZ	Demilitarized Zone
DPRK	Democratic People's Republic of Korea (North Korea)
DwP	Dealing with the Past (working group)
EU	European Union
IAEA	International Atomic Energy Agency
JFC	Joint Fishing Commission
JMC	Joint Military Commission
JNNC	Joint Nuclear Control Commission
LOC	Line of Control
MDL	Military Demarcation Line
NBC	Nuclear, biological and chemical (weapons)
NLL	Northern Limit Line
NNSC	Neutral Nations Supervisory Commission
NNWS	Non-nuclear weapon state
NPT	Nuclear Non-Proliferation Treaty
NWS	Nuclear weapon state
OPCW	Organization for the Prohibition of Chemical Weapons
OSCE	Organization for Security and Co-operation in Europe
ROK	Republic of Korea (South Korea)
SCO	Shanghai Cooperation Organization
STRC	Science and Technology Research Centre
UN	United Nations (Organization)
UNROCA	United Nations Register of Conventional Arms
USFK	United States Forces Korea

Map of the Korean peninsula



Executive summary

The aim of this Report is to examine the potential role of confidence-building measures (CBMs) on the Korean peninsula. CBMs may be seen as a useful test of the parties' sincerity and support their capacity for greater progress in peace on the peninsula once a peace process is seriously ushered in. A genuine peace and security evolution should have a strong confidence-building component based on reciprocity, predictability and openness and a follow-up mechanism. The importance in the North-East Asian and inter-Korean contexts of non-military CBMs, or 'confidence enhancing measures' (CEMs) should be acknowledged, and such measures should be combined with, instead of merely preceding, some progress in 'classic', military-focused CBMs.

CBM proposals for the Korean peninsula must take account of its particular setting: both the proximate nature of local relationships and the contextual nature of the security environment. These factors will critically determine the ways, timeliness, sequence and combination of measures to be applied, and they point especially to the central importance of overcoming the political and attitudinal biases against truly interactive, transformational security solutions.

After the 2006 missile and nuclear tests and the February 2007 agreement (North Korea—Denuclearization Action Plan), it appears more likely than before that the Democratic People's Republic of Korea (DPRK, North Korea) would be interested in making cooperative gestures, assessing its interests in a long-term rather than short-term perspective. This seems the most promising approach for starting a genuine CBM process, also with a stronger military component. The prospects for such development look better, but still require many optimistic assumptions about short-term and consequent DPRK actions, as well as about the other parties maintaining a common front.

The 2005 Joint Statement of the Fourth Round of the Six-Party Talks envisaged that a permanent peace regime on the Korean peninsula would be negotiated 'at an appropriate separate forum'. The February 2007 agreement makes it natural to look to the framework of the Six-Party Talks as the one where a CBMs regime could be initiated and where any relevant obligations would initially be assumed. Since the establishment of basic trust is such a critical requirement, step-by-step approaches seem particularly important. An overall Peace Forum could be imagined which would develop the basic principles and mandate for the security-building component (among others), possibly with the help of expert working groups. A specialized CBM unit could be set up by a Peace Forum to discuss, develop, execute, monitor and assess the more detailed measures. This more executive part of the process should in turn leave room for inter-Korean negotiations on

measures within the peninsula—a bilateral dialogue framework—and for possible ‘variable geometry’ negotiating processes and designs of measures to cover other interested parties in a realistic, flexible way.

Different countries will need to and can play roles in a confidence-building process, moving outwards from the two Koreas to the other four Six-Party Talks participants, and then to others—multilateral institutions and groupings—that could play roles in ‘good offices’ and the provision of models. It should be noted that, aside from the two Koreas—whose central role is clear both as actors and as objects of international support—China, Japan, Russia and the United States are all in their own ways part of the regional security problem and are all states that could be covered by CBMs, as well as being part of the group that would steer the putative peace process.

The main findings of this report can be summarized as follows:

- The most important task for the negotiating parties will be to achieve basic commonality of purpose on the value of a genuine, viable peace and security regime, with the broadest possible network of constructive relationships to overcome the deep-seated mutual suspicions, concerns and fears of the past.
- Confidence-building measures can play a useful auxiliary role during all phases of a peace process on the Korean peninsula.
- The toolbox of CBMs offered in this report is a repository of measures that should be selected and applied flexibly.
- It is not obvious that nuclear disarmament will occur soon. Serious efforts for confidence building are therefore likely to be considered before rather than after the attainment of irreversible nuclear disarmament.
- On this scenario, there may be openings for cooperative steps in other areas including military and civilian CBMs. These, however, will need to meet criteria of reliability and trust, transparency and continuity.
- Building peace will be a gradual and tortuous process of give and take. It will have to start with basic steps and measures to be followed by more advanced ones as the circumstances allow. Frameworks allowing CBMs to be constantly assessed and readjusted would be desirable.

- Drawing on the European and other non-European experiences for application to the Korean peninsula context has its merits but does not mean that the same range, scope, sequence and modalities of CBMs should be applied.
- Aside from the general sensitivity required towards the different culture and practices of the North-East Asian parties, it should be borne in mind that for the DPRK, facing a unique accretion of internal and external risks and problems, the whole survival of its regime is at stake.
- External help and assistance may be of special value and can be offered by third parties individually and in ‘groups of friends’, or by international institutions and forums. Independent (academic, non-governmental organizations) experts might also play a certain role. Third parties using mediation and facilitation techniques can help pave the way towards a mutually satisfactory, win-win outcome.
- The Neutral Nations Supervisory Commission (NNSC) states could potentially play an important support role in a CBM process. Their comparative advantages lie in their long-term relations to the Korean peninsula and the use of a facilitative non-threatening approach.
- The CBM/security process on the Korean peninsula will be a learning exercise for all the parties, hopefully reinforcing the ongoing inter-Korean confidence-enhancement dialogue and having a bearing on the wider issue of this region’s capacity to develop productive multilateralism in the medium to longer term.

PART 1

SUPPORTING A PEACE PROCESS ON THE KOREAN PENINSULA: THE RELEVANCE OF CONFIDENCE-BUILDING MEASURES

1. Introduction

North-East Asia faces a wide range of security challenges, both traditional and non-traditional. Compared with other regions, however, the risks of state-to-state conflict remain relatively high and are perhaps most obvious on the Korean peninsula. The Democratic People's Republic of Korea (DPRK, North Korea) and the Republic of Korea (ROK, South Korea) have lived as separate states since the end of the Korean War in 1953 without a full and formal peace treaty. The Demilitarized Zone (DMZ) between them is one of the world's most tense strategic frontiers, supervised by North Korean troops, on the one hand, and the United Nations Command (primarily United States and South Korean) troops, on the other.¹ Bilateral tension has also often been high between North Korea and the USA, which is not only the military ally of South Korea (and has forces stationed there) but sees Pyongyang as a threat in the context of nuclear proliferation and support for global terrorism, money laundering and crime.

Many serious efforts have been made to overcome these dangers by launching a process that would lead to a durable peace on the Korean peninsula. A seeming breakthrough was made soon after the end of the cold war with the North-South Basic Agreement of 1991 between the two Koreas,² followed by the Agreed Framework of 1994,³ which—with international backing—aimed to stop the North Korean nuclear programme in return for energy assistance. Implementation of this programme was halted in 2002, however, and relations between Pyongyang and the outside world worsened sharply in the following years. The apparently illusory nature of the 1994 bargain had a very negative effect on US opinion and remains a spectre in the background of any further peace attempts.

The latest efforts to reverse this decline and to stabilize the situation have taken the form of the 'Six-Party' Talks launched in 2003 between the two Koreas plus China, Japan, Russia and the USA. These produced a Joint Statement on 19 September 2005⁴ that seemed to offer hope of a renewed deal to halt Pyongyang's nuclear programme and to allow genuine détente both in inter-Korean relations and in the regional context. Serious setbacks followed, however, with a sharpened crisis in US-North Korean relations in the autumn of 2005 and Pyongyang's decision to carry out missile tests in July 2006 and the first-ever test detonation of a nuclear device in October the same year. Rather against expectation, the Six-Party Talks were nevertheless able to resume in late 2006 and—with

1 Korean War Armistice Agreement, Panmunjom, Korea, 27 July 1953. The agreement was signed by military commanders from China and North Korea on one side and the US-led UN Command, on the other.

2 Agreement on Reconciliation, Non-aggression, and Exchanges and Cooperation Between the South and the Korea (Basic Agreement), Seoul, 13 Dec. 1991.

3 Agreed Framework between the United States of America and the Democratic People's Republic of Korea, Geneva, 21 Oct. 1994

4 Joint Statement of the Fourth Round of the Six-Party Talks, Beijing, 19 Sep. 2005.

the help of separate bilateral discussions between the US and North Korean negotiators—the six nations were able to announce a new agreement on 13 February 2007.⁵ This deal supplemented the 2005 Joint Statement with a schedule to freeze and ‘disable’ North Korea’s nuclear weapon programme under international supervision in return for long-term energy assistance and security assurances. The deal has been widely seen as fragile and a hostage to the still fraught atmosphere between Washington and Pyongyang; but at the time of writing this report, it did at least reopen the scenario of a reduction of tension with the consequent question, ‘what next’?

The aim of the SIPRI–CSS–ETH Zurich project has been to address one specific aspect of that last question. What role could be played by ‘confidence-building’ techniques in developing an initial deal on the most burning questions into a broader and lasting security regime for the Korean peninsula and its immediate neighbourhood? The nuclear question is outside the main focus of this study, although it is addressed due to its major impact on the peninsula. As explained in chapter 2 below, confidence-building measures (CBMs) were developed in an especially elaborate form in the European theatre during and after the cold war but have also been used successfully by other sets of nations, including China and Russia in the ‘Shanghai process’ context.⁶ Their key feature is that they do not seek to abolish or quantitatively reduce armed forces but rather to reduce tensions, misunderstandings and the danger of surprise attack through measures of restraint, transparency, and active contact and dialogue. In the Korean context they have been debated before, mainly by academics, notably after a historic meeting in 2000 between the presidents of the two Koreas that refuelled hopes of a kind of local ‘détente’. The disappointment of those hopes and the chastening lessons of the 1994 Agreed Framework have, on the one hand, tended to push the international policy debate towards a hard-headed focus on solving the most imminent (nuclear) dangers; but on the other hand, have encouraged the view that support and involvement by a wider range of actors may be vital to consolidate any local settlement. In particular, it is understood (not least in Washington) that the US–North Korean confrontation is now a central part of the challenge needing to be dealt with, if relaxation within the peninsula is to be either safe or permanent. Overshadowed by the US–DPRK chasm and often underestimated, the inter-Korean dialogue, held for many years, has led to a series of confidence-enhancing arrangements between the two Koreas. There has been much speculation that—in the event of a nuclear breakthrough—the Six-Party Talks might also be used to build a more comprehensive (sub)regional security regime. The Neutral Nations Supervisory Commission (NNSC) of Czechoslovakia, Poland, Sweden and Switzerland established at the time of the Korean

5 US Department of State, ‘North Korea–Denuclearization Action Plan’, Washington, DC, 13 Feb. 2007, <<http://www.state.gov/r/pa/prs/ps/2007/february/80479.htm>>.

6 Trofimov, D., ‘Arms control in Central Asia’, Bailes, A. J. K. et al., *Armament and Disarmament in the Caucasus and Central Asia*, SIPRI Policy Paper no. 3 (SIPRI: Stockholm, July 2003), <<http://www.sipri.org>>.

War armistice was given tasks of monitoring and observation that might, in principle, also be renewed, extended or built on in some way to provide supportive functions for a present-day confidence-building process.⁷ The options for framing a wider security process and the potential roles of the Six-Party participants, the NNSC and other possible international mediators and supporters are taken up in chapter 3 and 5 below.

The nature of this report is neither predictive nor prescriptive. Its underlying idea is to bring existing international experience of confidence-building processes to bear on the Korean and North-East Asian situation, so it analyses the latter (in chapter 3) only to the extent necessary to gauge whether CBMs are relevant at all and if so under what conditions. All experience suggests that the volatile nature of relations among all actors involved, and the particular difficulty of understanding and predicting North Korean actions, make such exercises particularly fraught with risks and challenges. Hopes have too often been dashed in the past, but strategists have also been caught out by sudden breakthroughs.

There are features of CBMs themselves that, at least in this geographical context, militate against trying to lay them out in any too specific ‘road map’. One basic question is whether Korean peninsula CBMs would need to be part of a complex ‘peace process’ including other programmed changes in local relationships and behaviour, or whether they might in some circumstances precede and help promote such a broader advance. Analysts do not even agree on whether a peace process is already occurring on the Korean peninsula. Some tend to see the ‘glass half full’ and stress an accruing ‘rapprochement’ between the two Koreas, never entirely halted since 1991 and bearing fruit in the latest results of the Six-Party Talks. Others emphasize the unpredictable nature of North Korean policy and would describe present conditions as, at best, a ‘cold’ peace. On either assumption, CBMs could be a useful test of the parties’ sincerity and capacity for larger progress in peace, not just in terms of how soon and easily they could be agreed, but of how faithfully they would be implemented.

Moreover, the sequence of elements in stabilization and in any shift towards cooperative relations could be different in Korean circumstances from what has been experienced elsewhere. South Korea has for some time been committed to engaging the North in a ‘sunshine policy’, seeking progress through economic cooperation and aid and through

⁷ Under the Armistice Agreement, the NNSC was mandated to observe and inspect the implementation of the agreement stipulating that no further reinforcing military personnel or heavy armaments be introduced onto the Korean peninsula. In contrast with the Military Armistice Commission (MAC), whose observation and inspection functions were limited to the DMZ, the NNSC was to operate in the areas beyond the DMZ. For this purpose, the NNSC had 20 Neutral Nations’ Inspection Teams, 10 of which would be stationed at designated ports (5 in either Korea) and 10 of which would be mobile and available to inspect any reports of breaches of the armistice. The NNSC was to report its findings to the MAC.

cultural and humanitarian contacts while leaving the more difficult military security issues aside. South Korean and Chinese experts and analysts interviewed in 2006 for this project agreed that the military dimension of détente is most likely to follow and crown steps taken in the political, humanitarian and economic areas. A genuine peace process should have a strong confidence-building component based on reciprocity, predictability and openness and a follow-up mechanism. The present report acknowledges the importance in this environment of non-military CBMs, or ‘confidence-enhancing measures’ (CEMs), such as have been little used (at least under that name) in Europe: but it holds open the option that such measures should be combined with, instead of merely preceding, some progress in ‘classic’ (military-focused) CBMs.

The main text of this report introduces the concept of CBMs in more detail; reviews the positions and potential involvement of the six parties most directly concerned, and discusses the roles of other potential mediators, supporters and frameworks. It ends with a summary analysis of the challenge and a set of options and recommendations addressed especially to the NNSC nations.

The second part of the project’s findings is attached in the form of a separate ‘toolbox’ of individual CBMs covering the military field (including possible measures for naval and air forces and missiles); the non-military field (CEMs); and measures that might build confidence regarding nuclear, biological and chemical (NBC) threats. It should be noted that this ‘quarry’ of possible measures contains many varieties never used in Europe. It is designed to offer the widest possible range of options and combinations for use in the challenging North-East Asian environment, but its comprehensive nature may also make it an interesting new resource for those seeking to build or extend such processes in other parts of the world.

The project team have also produced extensive background materials, summarizing (*a*) relevant bilateral and regional agreements, and (*b*) international precedents for agreement on confidence and security building measures. This documentation is available for access at a separate website at <http://www.sipri.org/contents/worldsec/nk/agreements.html>.

Chapter 2. Confidence-building measures

Definition

Although confidence-building measures have been developed for possible use worldwide, the concept and development of CBMs as a politico-military instrument of diplomacy are rooted in Europe's environment.⁸ During the cold war period when CBMs (extended in the 1990s into confidence- and security-building measures, CSBMs) were negotiated and launched, a common definition of the term was never agreed. An often-cited definition is that confidence building involves the *communication of credible evidence of the absence of feared threats*. In the cold war period the main rationale behind CBMs was to prevent a sudden, unexpected, large-scale armed attack from either side of the East–West divide—or, in other words, to reinforce stability in the frozen military relationship in Europe. As the 1975 Helsinki Final Act of the Conference on Security and Co-operation in Europe⁹ (CSCE, from 1 January 1995 the Organization for Security and Co-operation in Europe, OSCE) put it, the rationale of CBMs was: '*to contribute to reducing the dangers of armed conflict and of misunderstanding or miscalculation of military activities which could give rise to apprehension, particularly in a situation where states lack clear and timely information*'. Today, the United Nations uses a broader definition, also including non-military measures: '*Actions taken to reduce or eliminate the causes of mistrust, fear, tension and hostility amongst modern states*'.¹⁰

CBMs are often described as *soft* or *operational* arms control, in opposition to hard (structural) arms control. The distinction is that classic arms control processes seek to control military inputs (e.g. limiting manpower, abolishing or limiting weapons) while CBMs place an emphasis on the military output (e.g. monitoring accepted forms of military activity and seeking to avoid the most violent ones).¹¹ Typical functions of CBMs in a given geographical setting are to help eliminate misperceptions and underlying security concerns, to provide reassurance about military intentions, to reduce the danger of inadvertent war (e.g. by providing early-warning indicators), to reduce the range of military options for initiating a surprise attack and to create better conditions for the introduction of arms control and disarmament measures generally.

For the most part, CBMs are flexible, politically binding rather than legally binding tools, but some CBM arrangements can also take on an international legal character. Legally

⁸ For more on the European CBM *acquis* see Lachowski, Z., *Confidence- and Security-Building Measures in the New Europe*, SIPRI Research Report no. 18 (Oxford University Press: Oxford, 2004).

⁹ CSCE Helsinki Final Act (1975), URL <<http://www.osce.org/fsc/22154.html>>.

¹⁰ UN Peacemaker, URL <<http://peacemaker.unlb.org/glossary.php?f=C&d=126>>.

¹¹ Bertram, C., *The Future of Arms Control, Part II, Arms Control and Technological Change: Elements of a New Approach*, Adelphi Paper 146 (International Institute for Strategic Studies: London, 1978), p. 19.

binding accords such as the 1992 Open Skies Treaty¹² in the OSCE area, the CBM agreement between China and Russia plus the Central Asian states ('Russia + 3') reached in 1996,¹³ the 1997 OAS Firearms Convention¹⁴ and the 1999 OAS Transparency Convention¹⁵ in Latin America are illustrative. The legal nature of CBMs, however, does not seem to have much bearing on their efficiency in practice.

The nature of CBMs has not always been accepted and agreed even between the partners implementing them. In the cold war era the Soviet-dominated bloc tended to emphasize the psychological dimension of CBMs, such as communication, perception and intentions (political-declaratory measures), while the West tended to prefer measures with intrusive, quantitative features (a military-technical approach). Both approaches seem legitimate and potentially mutually reinforcing. Although the systems used to categorize CBMs differ, as a rule they cover information, observation, constraints, verification and communication, and declaratory pledges (such as renunciation of the use of force). In the post-cold war period, discussion and elaboration of Vienna Document-type CSBMs¹⁶ and other similar measures in the Euro-Atlantic region have evolved towards considering how the traditional security-building approaches could be adapted to cover both current intra-state forms of violence and trans-state or global functional threats. Such attempts are underpinned by a new political philosophy of cooperative, common and inclusive security building based on partnership, mutual reassurance and transparency.

Non-military confidence-enhancing measures

There have been attempts in various regions to pursue civilian confidence-enhancing measures emulating the success of and possibly complementing military CBMs, or substituting for them. Non-military CEMs are not well defined. They are often understood in a similar manner to 'cooperative security' or 'peace-building' measures, as a loose set of activities supporting confidence and security building between states with antagonistic relations. Compared with the well-defined category of military CBMs, the relative 'fuzziness' of civilian measures can make it hard to distinguish steps that are part of a systematic and verifiable security-building process from ones taken tactically, ad hoc or with a purely non-security motive. Although CEMs help to create a political climate conducive to peace and security, they can also be abused due to lack of safeguards, such as specific criteria and benchmarks. Yet exactly because of their fuzziness CEMs may be used very

12 Treaty on Open Skies, Helsinki, 24 Mar. 1992.

13 Agreement between Russia, Kazakhstan, Kyrgyzstan and Tajikistan (as a Joint Party) and China on confidence building in the military field in the border area (Shanghai Agreement), Shanghai, 26 Apr. 2006.

14 Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (OAS Firearms Convention), Washington, DC, 14 Nov. 1997.

15 Inter-American Convention on Transparency in Conventional Weapons Acquisitions (OAS Transparency Convention), Guatemala City, 7 June 1999.

16 Vienna CSBM Documents (1990, 1992, 1994 and 1999).

early on in a peace process, even in a pre-negotiation phase. This is an advantage of CEMs compared to military CBMs that are used later on in ‘fair weather’ conditions, to consolidate the trust already built.

It is useful to distinguish between CEMs that deal explicitly with conflict issues (e.g. a reconciliation committee) and those that do not but which try to improve the atmosphere in other ways (e.g. joint sporting events). Another important form of categorizing CBMs is according to the phases of a peace process in which they are applied. A peace process can be divided into: (a) a pre-negotiation phase, (b) a negotiation phase, and (c) an implementation and follow-up phase. Measures in the pre-negotiation phase (which is now the case in the inter-Korean context) are often taken unilaterally to show goodwill and seriousness about negotiating.¹⁷ Many of the measures adopted during this phase do not address the more sensitive issues in dispute. During the more formal negotiation process, the parties can agree on non-binding or binding steps that often aim at showing the larger populations the benefits of peace. Any peace accord should include a list of CBMs for the implementation phase. The implementation phase can then have the most far-reaching CBMs (including military ones).

The aim of CBMs (or CEMs) in a pre-negotiation phase is to give a signal that there is goodwill and a real intention to look at things differently. CBMs are not spectacular: their aim is to be discreet, allowing the adversary party to measure them, but not going so far that public opinion perceives them as meaning that one or the other side is giving in. Once negotiations start, informal contacts between the negotiating delegations may enhance confidence (e.g. joint activities, sport, picnics, study tours, etc.). The exchange of information that has some value and that can be verified by both sides can also build reassurance. CBMs in the pre-negotiation and negotiation phase are often of a symbolic nature, even if they involve concrete activities (in contrast to the more binding military CBMs used in the implementation phase). CBMs need to develop between the negotiating parties and make sense to them, rather than to impact on and impress the outside world. The cultural aspect of such symbols and the importance of a local context for the construction of meaning, therefore, cannot be overestimated.¹⁸

Experience of CBMs outside Europe: an overview

Various attempts to use confidence-building measures and relevant security mechanisms in politico-military contexts outside Europe have yielded mixed results. European arms control and confidence building in the military field were often suspected by commu-

17 In the humanitarian area, it can be e.g. the exchange of mail among prisoners and their families, medication allowed into detention centres or re-evaluating certain accusations of those detained.

18 Special thanks to Swiss expert Julian Hottinger for his input for this paragraph.

nist bloc leaders of having subversive intentions and outcomes, and the lesson of those regimes' collapse in 1989–90 may—rightly or wrongly—adversely affect the attitudes of authoritarian or dictatorial governments elsewhere. The latter are more prone to put their trust in military build-ups and procurement, seeing armed forces as the main tool for enhancing state security, and thus to resist anything that would restrain—or expose the details of—those forces. Another major obstacle in pursuing confidence building is the poor accountability that is typical of undemocratic regimes and the associated volatility of domestic and external policies, which feeds mutual misunderstanding and fears.

A short review of confidence-building attempts beyond Europe shows their pertinence, even if the outcomes vary:

- In *South Asia*, the record of CBM implementation and development is uneven. In India–China relations¹⁹ the parties generally comply with a set of agreed mutual military measures, while in India–Pakistan relations²⁰ the military CBM agreement regarding the LOC (Line of Control) is frequently violated. Even such modest arrangements as bus transport across the border in Kashmir have been short-lived. Nevertheless, interest in further confidence building even in the nuclear-related sphere is currently quite high.²¹
- In *South East Asia*—the Association of South East Asian Nations (ASEAN) Regional Forum (ARF)²²—and in *Latin America*²³ military CBMs have been agreed within uncontroversial packages of broader, loose confidence-enhancing steps of both a military and a non-military nature.
- In *Central Asia*, CBM and arms control border agreements were reached between the ‘Shanghai Five’ states (China and Russia + 3) in 1996–97. These were based for the

19 Agreement on the Maintenance of Peace and Tranquility along the Line of Actual Control in the India–China Border Areas, Beijing, 7 Sep. 1993; Agreement between the Government of the Republic of India and the Government of the People's Republic of China on Confidence-Building Measures in the Military Field Along the Line of Actual Control in the India–China Border Areas, New Delhi, 29 Nov. 1996; and Protocol between the Government of the Republic of India and the Government of the People's Republic of China on Modalities for the Implementation of Confidence-Building Measures in the Military Field Along the Line of Actual Control in the India–China Border Areas, New Delhi, 11 Apr. 2005.

20 Agreement between India and Pakistan on the Advance Notice of Military Exercises, New Delhi, 6 Apr. 1991; Agreement between India and Pakistan on Prevention of Air Space Violations and for Permitting Over Flights and Landing by Military Aircraft, New Delhi, 6 Apr. 1991; Agreement between India and Pakistan on the Prohibition of Attack Against Nuclear Installations and Facilities, Islamabad, 31 Dec. 1988; India–Pakistan Joint Declaration on the Complete Prohibition of Chemical Weapons, 19 Aug. 1992, New Delhi, 19 Aug. 1992; and Agreement between the Republic of India and the Islamic Republic of Pakistan on Pre-notification of Flight Testing of Ballistic Missiles, Islamabad, 3 Oct. 2005.

21 India and Pakistan signed in Feb. 2007 a pact to reduce the risk of nuclear war, marking an important step in the ongoing peace process, in spite of terrorist bombings on an Indian train bound for Pakistan a few days earlier.

22 ARF (ASEAN), ‘Distillation of Agreed CBMs from ARF 1-4. ARF5 Chairman's Statement (Annex E: Matrices & Tables, Attachment), 27 July 1998.

23 Buenos Aires Group of Experts. ‘Illustrative list of confidence & security-building measures for countries to consider adopting on the bilateral sub-regional level’, Buenos Aires, 15–18 Mar. 1994; Confidence- and Security-Building Measures—Declaration of Santiago, Santiago de Chile, 10 Nov. 1995; Declaration of San Salvador on Confidence- and Security-Building Measures. San Salvador, 28 Feb. 1998; and Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures: Recommendations to the Summit-Mandated Special Conference on Security. Illustrative List of Confidence- and Security-Building Measures, Miami, 3–4 Feb. 2003.

most part on the European *acquis*, but were supplemented with indigenous solutions. The Kazakh-sponsored Conference on Interaction and Confidence-Building Measures in Asia (CICA) arrangements launched in 1992 are of a very general nature and selective enough not to create much controversy.

- In the *Middle East*, the only successful confidence-building venture was the set of accords reached by Israel with its Arab neighbours in the mid-1970s, including the treaty of 1979 as well as the Israeli-Jordanian peace agreement of 1994;²⁴ other successive attempts in this field have failed.

In general, confidence building is being pursued actively in regions that either already enjoy a sufficiently high degree of stability and political cooperation and dialogue, or which lack major incentives to engage in an arms race. The main role of CBMs in such cases is to consolidate the good political climate and build on successive inter-state and regional accords in the interests of a more effective and lasting rapprochement, sometimes leading even to joint and cooperative military measures (regional peacekeeping).²⁵ In other, conflict-ridden parts of the world such ambitions have hardly progressed beyond ineffective accords and discussions and proposals by analysts and theoreticians. On the Korean peninsula itself, its bilateral North–South CEM record notwithstanding, there is still a long way to go to achieve a sufficient measure of reassurance and cooperation.

General principles and desiderata

Pursuing security on the Korean peninsula is a complex process. As indicated above, it is legitimate to assume that first steps toward a non-confrontational evolution of relations will be rather modest and cautious. In any such effort, there are various general premises and lessons about the role of CBMs, based on experience elsewhere, that deserve to be taken into account. They relate not so much to the question *whether* CBMs could be applied and eventually adapted in the Korean context—there is already enough local history and interest to trigger such consideration at a certain stage—as to a broader range of inquiry about the purpose, place and role of such measures as well as the risks they entail. These premises (and caveats) are as follows.

- CBMs are part of the outcome of a wider cooperative process of reconfiguring inter-state relations; they facilitate and embody the process, rather than creating it.

24 Separation of Forces Agreement between Israel and Egypt. Kilometre 101 on the Cairo–Suez Road, 18 Jan. 1974; Interim Agreement Between Egypt and Israel, Geneva, 4 Sep. 1975; Interim Agreement Between Egypt and Israel, Geneva, 4 Sep. 1975; Separation of Forces between Israel and Syria, Geneva, 31 May 1974; and Treaty of Peace Between the State of Israel and the Hashemite Kingdom of Jordan, Arava/Araba Crossing Point, 26 Oct. 1994.

25 Bailes, A. J. K. and Cottley, A., ‘Regional security cooperation in the early 21st century’, *SIPRI Yearbook 2006: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2006), pp. 195–223.

- A certain degree of stability and predictability are preconditions for confidence since it can hardly be built in a state of crisis or acute conflict.
- A strong overarching goal, such as averting war and building durable peace, needs to be shared by all the parties.
- Subregional and bilateral solutions appear to hold more promise for the pursuit of confidence at the early stages of a CBM process than the introduction of a wider regional regime as an instant ‘package solution’. On the other hand, localized CBMs cannot reach all their goals if the wider regional setting is antagonistic, and some secondary or supplementary involvement of actors outside the boundaries of the core CBM regime is often desirable.
- Confidence cannot be built by purely top-level state-to-state contacts while ignoring internal realities. Populations, as well as governments, with different political and cultural habits and experiences risk mutual misunderstanding and misconceptions about each other. If the CBM regime is of a too superficial, top-down nature it will be only too easy to simply abandon its related pledges at any time. This underlines the importance of designing the measures to promote people-to-people contacts at other levels, and of seeking transparency (to the extent possible) between populations as well as official establishments.
- The psychological moment for launching a CBM process is critical; if it is poorly timed (e.g. at a time of sustained tensions), it may be counterproductive or simply fail. On the other hand, additional incentives and disincentives can be provided by combining the introduction of CBMs with other measures in a multidimensional bilateral or regional ‘bargain’.
- Although quantitative balance is irrelevant for CBMs they do need to be perceived as broadly ‘symmetrical’ (i.e. not designed to give any party an extra advantage). Where the parties have different force sizes, structures and doctrines or different geographic attributes, this can require some delicate balancing of at least the initial package. It should not be so much of a problem for declaratory and transparency measures.
- An organizational framework for developing CBMs and other security-enhancing arrangements will be needed and should include some structure or forum provided with a mandate (aim, principles, modalities, zone of application, etc.), the necessary resources and an agenda. This will help to ensure regular and continuous contact and communication between the parties and, later, enable verification, review, and the improvement and extension of initial measures.
- Support and ‘good offices’ from international institutions and mechanisms (regional, global, such as the EU, the UN and, in the Korean context, the NNSC) and interested powers are useful in order to: (a) give legitimacy to sought-for agreements, (b) alleviate either side’s possible fears about potential exploitation of the measures, and (c) provide know-how and technical assistance. In terms of negotiating process third

parties (states, groups of states, international institutions) acceptable to the conflict parties can serve as brokers, help to break deadlocks and suggest new solutions.

Once a decision has been made to launch a confidence-building process within the above parameters, the design of the *process* itself needs careful attention. Some remarks follow here on the desiderata, and the toolbox presented in part 2 of this report has been designed to fit in with such an approach.

- *Gradualism, or a step-by-step approach.* This strategy was successfully employed in cold war Europe. It started with a few crude measures in the 1970s upon which the edifice of CBMs in Europe was then incrementally built over several decades. Although the North Korean Government may prefer a one-off solution, there are strong arguments that a continuing CBM process would benefit it, too. Stringent agreements are liable to fail over minor issues and lack of room of manoeuvre. Successful implementation of understandings helps further evolution of the political process. The techniques learned can be adapted, in due course, to quite different subject areas if necessary as the common threat perception evolves.
- *Selectiveness.* Trying to impose the maximum conceivable ‘package’ at one time should be avoided because this creates the risk of total collapse in the event of a major disagreement or failure over any one element. The entire security-building process may become hostage to its most sensitive parts, notably in the military sphere. It is therefore wise to keep some formal separation in the negotiation (and the obligations they create) between different ‘baskets’ of issues, even if these—for example, nuclear and conventional armaments, military and non-military cooperation—may in the end proceed in parallel and be mutually supporting.
- *Flexibility.* In the early stages it is advisable not to seek measures in stringent legal form, albeit the DPRK may prefer a top-down, legal approach while the ROK may find it politically difficult to move ahead too rapidly. Given the political culture and structure of the North Korean system of government, however, a strong mutually agreed political declaration of guiding principles (e.g. on non-use of force or security and peace guarantees) will be advisable. Some unilateral gestures (alone or in parallel) are allowable, but they should be made with caution as they are too easily reversible and lack the mutual ‘socialization’ effect of proper CBMs.
- *Mutual interest.* Mutual interest and win-win approaches should be sought and *political will* sustained rather than pursuing the logic of zero-sum games and trade-offs. Sending positive signals is of essential importance for the political climate of negotiations and dialogue. In addition to militarily significant measures, politically symbolic and declaratory measures—such as renunciation of force—can be useful in creating the ‘language’ and norms of a better security relationship.

- *Ownership.* Regardless of how far the measures resemble others elsewhere or are novel, the participants must not feel that they are part of an alien system imposed from outside. The main burden of the execution of the measures must be ‘localized’ and it might be psychologically important to have some parts of the process not fully transparent to outsiders.
- *Continuity and open-endedness.* Arms control, disarmament and confidence building is a continuing process. Once started it cannot merely be stopped at some stage and declared complete. Any measures taken in the process should aim at making the process increasingly irreversible. Even in an advanced regime, the dynamism of international relations calls for its cultivation and further development and adaptation.

Chapter 3. Regional conditions and potential actors in a Korean CBM regime

CBM proposals for the Korean peninsula must take account of its particular setting: both the contextual nature of the security environment and the proximate nature of local relationships. Complications that arise from this closeness include not only the complex relations between the two Koreas, and the differing nature of their respective political systems, but also the far from simple or positive attitude of local players—including North Korea’s neighbours—towards the CBM heritage as such, and towards the current overtones of confidence and security building in the international vocabulary.

This chapter begins by analysing the contextual factors that need to be considered when applying CBMs on the Korean peninsula. Some scenarios are then presented, to indicate the spectrum of possible future developments and how they may affect the application of CBMs. After examining possible frameworks for a peace and CBM process, the focus shifts to relevant proximate factors (i.e. the actors involved, and their interests and positions towards the issues at stake). This chapter ends by examining the role of potential third parties willing to support a peace and CBM process on the Korean peninsula.

Contextual factors affecting a Korean CBM process

Despite apparent rigidities, the North-East Asian security balance has been and remains under dynamic stress. Factors directly relevant to the intra-Korean relationship are the sea change in international relations since the end of the cold war, including the perceived ‘betrayal’ of North Korea by its erstwhile staunch allies, the Soviet Union and then Russia, and China (which are also now formally reconciled with each other); the sharp and direct confrontation between Pyongyang and Washington; and domestic vicissitudes in South and North Korea. As discussed in more detail below, unresolved tensions between China and Japan, China and the USA, Japan and the DPRK, and Japan and South Korea

complicate the prospects for a concerted regional peace strategy. In recent years, attention has also been diverted from the broader challenges of such a strategy as concern has focused on the DPRK's nuclear weapon ambitions and ways to check or reverse them. To have any prospect of a sustainable peace process on the Korean peninsula (with or without change in the independent status of the two Koreas), all interested parties would have to make a considerable effort to overcome the legacy of confrontation and enmity, and also to ensure that the security and humanitarian benefits of détente are demonstrated quickly and convincingly.

Generally speaking, compared with Europe as it emerged from the cold war, the Korean peninsula still has to contend with more unsolved historical problems, enmities and rawer national rivalries. Cultural qualities, world outlooks and mentality should not be ignored either. It is a commonplace of analysis to view Asian countries generally as resistant to security measures that intrude domestically or to the international discussion and challenging of their internal regimes. To see how and to what extent such obstacles to classical confidence building may be overcome, it is worth focusing on other, Asian cases where some progress has been made in regional cooperation and stabilization, like the agreements between India and Pakistan and China, respectively, the 'Shanghai Five' agreement and the current work of its successor the Shanghai Cooperation Organization (SCO), and the evolving ASEAN and ARF *acquis*. Latin American endeavours and the record of Israel's disengagement agreements with its neighbours can also be considered. There is also a wealth of scientific literature dealing with the broader comparison between the experience of overcoming the East-West and the inter-German divides (especially at civilian levels, such as humanitarian contacts and other solutions, economic stimuli, etc.), on the one hand, and the inter-Korean division, on the other.

As to the instruments available, the Euro-Atlantic region's CSCE/OSCE repository itself offers a rich variety of measures and mechanisms that have been proposed or introduced, and to some degree tested, over the past 30 years. This European heritage must, however, be treated with caution and tailored to the North-East Asian context, bearing in mind not only the specific difficulties of the region but also the possibility that some measures not thought acceptable or necessary in Europe (e.g. maritime measures) might be more feasible there. As noted, such dynamic for peaceful progress as does exist on and around the Korean peninsula is strongly linked with civilian dimensions of confidence enhancement, such as food and fertilizer aid, energy provision, cooperation in cases of natural disasters, preventive health measures, industrial investments, tourist (thus far, unbalanced) cooperation, sport and cultural joint endeavours and other exchanges. In contrast to any recent European model, however—although there are some parallels with earlier inner-German

relations—the record of effort in this field is uneven and often actually unilateral from the South Korean side.

Broader contextual characteristics of the region that affect the starting conditions for confidence building may be identified as follows:

- *Divided region.* North-East Asia is a relatively divided and diverse region in ideological, political, economic, civilizational and cultural terms. Strongly voiced national interests are the critical factors of security policy making. In the regional context, rivalry and competition occur more naturally than sustained, in-depth dialogue and conciliation.
- *Lack of bipolar structure.* There is no relatively simple bipolar military balance or politico-ideological structure, compared to the cold war pattern in Europe. The two dominant powers in the region—the USA and China—are not capable of holding full sway over their allies on the Korean peninsula, which leaves much leeway for the latter.
- *Lack of strong security institutions.* There is a lack of historical and recent traditions of multilateral dialogue and institution building, with security relations tending more towards bilateralism and towards a ‘hub-and-spoke’ pattern where each significant player sees itself at the hub. However, since larger regional groupings do exist for economic and other non-military purposes, (ARF and ASEAN dialogue groups, APEC, the East Asia Summit) strategic and security agendas are often pursued through national actions in those fields, or in contacts in the margins of such meetings. The main external protagonist, the USA, has distinctly bilateral strategic relationships with South Korea and Japan (and Taiwan) and tends to use multilateral contexts selectively, often as an alternative way of exerting pressure on a ‘problem’ country. Like other ‘closed’ states, the DPRK appears resistant to any more advanced multilateralism. The Six-Party Talks stand out in this setting as the only multilateral group with an explicit security purpose, but their own progress has been and will remain hampered by the lack of a solid and supportive regionalist backdrop.
- *No clear vision on the final status of the Koreas.* There is no clear, or common, vision among the regional powers on the *finalité* for the two Koreas. Specifically, the prospect of an eventual reunification—while thought by many to be likely in the longer run—is not wholly attractive or without problems even for South Korea as an assumed beneficiary, and is actually feared or not desired by the major actors. (In cold war Europe there were similar mixed motives, but at least reunification was the formal goal of the West German Government and its North Atlantic Treaty Organization allies.)

- *Limits to ‘soft’ approaches.* The specific character of the DPRK, as noted, poses cultural and technical obstacles to using ‘softer’, non-legally binding, flexible and progressive approaches to security building. Pyongyang appears to emphasize strict traditional guarantees, preferably rooted in international law.

It is important that regional and non-regional participants seeking to help build a genuine peace process in the Korean context should bear these contextual factors in mind. They will critically determine the ways, timeliness, sequence and combinations of measures to be applied, and they point especially to the central importance of overcoming the political and attitudinal biases against truly interactive, transformational security solutions. While the DPRK, with its long-standing isolation and a population exceptionally exposed to control of information flow by its leaders, presents the most challenging case, it is fair to say that the style and language of US policy aimed at tackling the security threat from Pyongyang have often merely reinforced the North Korean leadership’s world view. For example, personal criticism of Kim Jong Il and his family and calling into question the official ideology of *juche* is almost blasphemous in the eyes of North Koreans. It is also important not to underestimate the sacrifices that the North Korean people may still be ready to endure for what they are led to see as the sake of their country’s survival and independence. Nationalism is a strong factor, often controlled with difficulty, in all countries of the North-East Asian region, and it may contribute to a genuine sense of moral superiority over the West in wider circles of these societies.

CBM prospects in the North-East Asian setting: some scenarios

The document adopted by the Six-Party Talks on 19 September 2005 envisaged negotiations on ‘a permanent peace regime on the Korean peninsula’ in the context of the ‘verifiable denuclearization of the Korean peninsula in a peaceful manner’. The February 2007 accord offers a further opportunity to address this wider challenge. All its signatories display ambiguities (discussed below) in their approach. However, the most uncertain aspect of the agreement in the eyes of the international community is how North Korea will react to it: will even its most immediate terms be complied with and, if they are, is there hope that this could lead to actions in a more positive and far-reaching spirit?

While this report does not attempt to make predictions, it may be helpful to set the prospects for CBMs as such against the background of a few alternative scenarios for DPRK development that are *prima facie* relevant at all times, not just in the context of follow-up to the 13 February agreement. They are: (a) an abrupt collapse of the North Korean system raising *inter alia* the question of sudden ‘reunification’; (b) a new political course in Pyongyang; (c) collaborative overtures made by the DPRK for defensive reasons; (d) the DPRK playing off the interested powers against each other; and (e) a ‘freeze’ in regional

relations. Some of these would make the use of CBMs impossible while others could give scope for at least the experimental and gradual introduction of such tools. One must bear in mind that the conduct of the other actors, especially the USA and Japan, will be critical for determining the likelihood of the different developments. The toolbox of CBMs provided in part 2 of this report is designed to allow measures to be selected to meet the criteria appropriate for such scenarios.

Scenario 1: A sudden *collapse* of the present North Korean system would at worst almost certainly result in a period of chaos and disorder, with unpredictable consequences and possible external intervention. In the best case, a collapse would switch the focus to a ‘new build’ led by South Korea as a unifying actor, with limited supervision from other partners or multilateral institutions. Such a development would leave a very limited or no role for military CBMs, but it would require a broad set of civilian ‘reconciliation’ measures and arrangements.

Scenario 2: A positive *opening* for swifter development of CBMs in the light of a new political attitude in Pyongyang. Possibly, the new attitude would reflect a generational change in political leadership and would include a willingness to make modest détente gestures towards the ROK, possibly the USA and the rest of the outside world. The active building of détente *inter alia* by means of basic CBMs would then be in order. This is a ‘post-Stalinist’ transition scenario (with a precedent in Europe’s ‘Geneva spirit’ of the latter half of the 1950s where there was a thawing of East-West relations after the 1955 Geneva Conference), but *prima facie* one of the least likely.

Scenario 3: The DPRK may be motivated to make *cooperative gestures* for tactical considerations. This might reflect a combination of several factors such as increased pressure from neighbouring states, a stronger international common front threatening substantial damage to the DPRK and its leaders, the availability of positive inducements of keen interest to the leadership (for which CBMs would be part of the trade-off), and further calamities within the DPRK requiring urgent outside help for the sake of survival. This scenario seems the most promising for starting a genuine CBM process, also with a stronger military component.

Scenario 4: Pursuing the *status quo*, North Korea will continue to seek to play off the interested powers against each other, and make the fewest possible concessions in return for essential aid (e.g. family reunions for South Koreans or trial runs of trains across the border). The chances for durable deals to build the sense of trust and security will remain uncertain. There is a risk that if other participants go too far in playing a North Korean game of asymmetrical concessions, the situation could be further destabilized as

and when Pyongyang chooses not to keep its side of the bargain. Any CBMs agreed during such a process would be equally vulnerable and, at worst, counter-productive for all actors' security interests.

Scenario 5: At the other extreme, a '*freeze*' or even aggravation of regional security relations could take place as a response to growing international pressure or due to domestic drivers within the DPRK (e.g. increased internal disagreement, economic crisis), further DPRK actions in the nuclear or other security fields that both threaten and divide regional players, or some other independent crisis among the latter. The pursuit and implementation of CBMs would become extremely difficult.

After the 2006 North Korean missile and nuclear tests and the February 2007 agreement, it appears less likely that the other players would accept scenario 4. The prospects for scenario 3 look at least temporarily better, but still require a lot of optimistic assumptions about short-term and consequent DPRK actions, as well as about the other parties maintaining a common front. The extreme scenarios 1 and 5 can never be wholly ruled out.

Possible frameworks for a confidence-building process

Everything said so far makes clear that CBMs for the Korean peninsula are not likely to be introduced in isolation. Even leaving aside the substantial and bargaining linkages that may exist between CBMs and other elements in the development of relations, they require some kind of *politico-military framework* of both a conceptual and material nature. First, there has to be an agreed understanding and statement of the purpose(s) the measures serve, preferably expressed in terms that echo existing and widely accepted international norms of security building. Second, a forum and mechanism are needed, first to select, design and negotiate the CBMs (and settle generic issues such as their legally binding or non-binding character) and then to exercise, or allocate, responsibilities for pursuing, implementing and monitoring them. All durable CBM regimes have been institutionalized or quasi-institutionalized in this way (with periodical reviews),²⁶ and the forum/mechanism often becomes quite an important confidence-building feature in its own right by demonstrating the will for, and creating a culture of, cooperation among security elites.

26 CBM and other arms control-related multilateral regimes in Europe have developed fairly similar institutions for military security measures: the Forum for Security Cooperation, with its annual implementation assessment meetings, and other mechanisms (the OSCE), the Joint Consultative Group (CFE Treaty), the Open Skies Consultative Commission (Open Skies Treaty), the Joint Consultative Commission (Vienna CSBM Agreement for Bosnia and Herzegovina), etc. All of them are or were of a politico-military nature. Most of the operating bilateral CSBM accords in Europe have monitoring mechanisms (yearly implementation assessments). Outside Europe, in Central Asia and South Asia, special implementation mechanisms monitor the operation of relevant CBM agreements—e.g. the Joint Control Group for the 'Shanghai Five' (China–Russia + 3) arms reduction agreement of 1997; and the Joint Working Group on Boundary Issues between India and China.

When imagining the form this framework might take in the Korean case, an important variable is *what countries (or institutions) will be involved* and in what way. No such scheme will make sense without the participation of both Koreas (e.g. there would be little sense in a purely US–DPRK arrangement for military confidence building despite the salience of that relationship), but there are many options for other players to help administer or supervise the scheme, or actually to be covered themselves by some of the measures. On the other hand, a very wide arrangement such as the Central Asia-based CICA framework can be ruled out as ineffective and too complicated. These variants are raised again in the next chapter about national roles, and in relevant parts of the toolbox.

In the Korean peninsula context, the multinational involvement created by the terms of the original armistice has been referred to. A new arms control-related structure was envisaged in the 1991 Basic Agreement in the form of a South–North Joint Military Commission, which has since then remained dormant. (Equally non-active has been a South–North Military Sub-Committee under the South–North High-Level Negotiations, which was to discuss concrete measures with regard to a non-aggression agreement.) The 2005 Six-Party Talks’ Joint Statement envisaged that the parties concerned would negotiate a permanent peace regime on the peninsula ‘*at an appropriate separate forum*’.

In present circumstances, the February 2007 agreement makes it natural to look to the framework of the Six-Party Talks as the forum in which a CBMs regime could at least be initiated and where any relevant obligations would initially be assumed (although without necessarily excluding further ‘helpers’ or an expansion of the geographical range in due course). The February agreement gives no guidance as to what shape, mandate and agenda the so-called ‘Peace Forum’ might take on, although it does provide for bi- or multilateral working groups for the immediate follow-up. The agreement envisages five working groups within the Six-Party format on: denuclearization; US–North Korea relations; Japan–North Korea relations; economic cooperation; and ‘peace and security mechanisms’ in North-East Asia. These groups are likely to shape the agenda for the future framework.

Such a forum could in principle tackle all issues of common interest except for nuclear disarmament problems. It could divide military and non-military measures into separate ‘baskets’, while allowing for tactical linkages and quid pro quos designed basically to induce the actors to make security progress in return for gains elsewhere. Economic measures would, of course, also serve a strategic purpose of their own in helping to draw the denuclearized North Korea out of its self-isolation and re-establish its ties with the international community. A body of the same kind as the Korean Peninsula Energy Devel-

opment Organization, intended to carry out the 1994 settlement (although this time, with multilateral involvement), could play a part in this.

The layering and phased introduction of such a system also need reflection. The European example showed how CBMs activity can start off in one place and on one scale, and later develop in different substantial and structural directions. In the Korean case—where learning and the establishment of basic trust is such a crucial requirement—step-by-step and bottom-up approaches would seem particularly important. As a structural model offering such flexibility, an overall Peace Forum (by whatever name) comprising all relevant parties could develop the basic principles and mandate for the security-building component (among others), possibly with the help of expert working groups. A specialized CBM unit could be set up by the Peace Forum to develop, execute, monitor, document and assess the more detailed measures. This more executive part of the process should in turn leave room for inter-Korean negotiations on measures within the peninsula—a *bilateral dialogue framework*, and for possible ‘variable geometry’ negotiating processes and designs of measures to cover other interested parties in a realistic but flexible way. For example, the relevance of CBMs to the US military presence in South Korea must certainly be addressed, and China (and Russia) would be involved as a minimum on the ROK border with the DPRK, while the development of naval CBMs would raise questions about other powers deploying in the area and so on. None of this would supersede the military bodies associated with the armistice, whose members might, however, be given some more or less explicit roles as facilitators and advisers for those working in the new framework (see also chapter 5 on NNSC roles).

It is particularly important to create a dynamic element of feedback in the process. A CBM unit (and any subsets of negotiators working on national measures) should be mandated to refer back regularly to the Peace Forum and assess the progress made. Decisions on expanding the process in various ways should be made procedurally simple. Previous experience shows the importance of the confidence-building subject not disappearing into purely technical groups and mechanisms but maintaining regular scrutiny over it from the highest available political level.

Actors involved: the Six-Party grouping and other ‘helpers’

This section discusses the roles that different nations would need to and could play in a confidence-building process, moving outwards from the two Koreas to the other four participants of the Six-Party Talks, and then to others that could play roles in mediation, facilitation and the provision of models. It should be noted at the start that, aside from the two Koreas whose central role is clear both as actors and as objects of international support, it is hard to assign one role tidily to one nation. China, Japan, Russia and the

USA are all at least in theory states that could be covered by (various forms of) CBMs, as well as being part of the group that would steer the putative peace process. They are all in their own ways part of the regional security *problem*, but at the other extreme China—at least—could be viewed as a potential *mediator*. These complexities are discussed below, so far as space allows, on the basis *inter alia* of the direct meetings and interviews conducted with representatives of these countries by the project team.

The Six-Party grouping

North Korea

A key fear of North Korea is that efforts are being undertaken by the international community to change the regime coercively. Any use of CBMs, therefore, requires as a precondition clear signals that the objective is a positive evolution of the DPRK system rather than forced regime change through methods of blackmail or subversion. Internal developments and external outlook have reinforced North Korea's pursuit of self-isolation as the 'cast-iron' guarantee of survival. The ideology of *juche*, which places a high premium on independence, national pride, (unfulfilled) total self-reliance and the associated closed-society model, remains the backbone of North Korea's *Weltanschauung* and system. The DPRK's overwhelming security concerns and massive military spending (in proportion to its size) have thus far hampered any major attempt at reform and change, both internally and externally, while damaging civilian welfare and the underperforming economy.²⁷ Hopes held by many in the outside world for a creeping generational (and consequently political) change within the party and military leadership, that could *inter alia* trigger a Chinese- or Vietnamese-style economic reform, have so far not been fully vindicated. Externally, North Korea has resorted more often to military threats and confrontation than to seeking trust and assurance, a style of behaviour that runs counter to any durable, reciprocal peace and security process.

North Korea for its part feels surrounded and threatened in different ways by all other parties to the Six-Party Talks. The strength and prosperity of a democratic ROK are a constant challenge and cause Seoul's 'sunshine' policy also to be seen with suspicion by Pyongyang as a form of infiltration. The DPRK's existential fear of the US superpower, born at the time of the Korean War, has been kept alive by the US strategic commitment to North Korea's neighbours (with resulting troop presence) and was rekindled by US President George W. Bush's 2002 'axis of evil' speech and subsequent campaign against nuclear proliferators. Many analysts would regard this as the one key driver for Pyongyang's decision to move forward to an openly demonstrated nuclear weapon cap-

27 North Korea is estimated to have some 1 106 000 under arms (army 950 000, navy 46 000 and air force 110 000) plus 4 700 000 in reserve. South Korea has 687 000 military personnel (army 560 000, navy 63 000, air force 64 000) plus 4 500 000 in reserve. The US forces stationed in South Korea are as follows: army 20 088, navy 294, air force 9 000. International Institute for Strategic Studies (IISS), *The Military Balance 2007* (Routledge: London, Jan. 2007), pp. 357–61.

bility, seen—in the light of Iraqi and other experience—paradoxically as the one sure way of keeping a US attack at bay. At the same time, Pyongyang resents the way that both Russia and China have reduced and conditioned their support for its government since the end of the cold war. For the time being, the DPRK appreciates economic aid and cooperation with its Chinese neighbour; in the long term, however, it remains acutely aware of the risk of domination by China's huge economic strength. Last but not least, the very fact of these other powers 'ganging up' in the Six-Party Talks is uncongenial to the North Koreans, who see themselves as the intended victims of a coercive and unbalanced deal. Their insistence on bilateral discussions with Washington—finally granted in early 2007—is just one symptom of their instinct to revert whenever possible to bilateral channels in order to make the best of North Korea's inferior position.

The nuclear test of 2006 by North Korea, whatever its motives, initially seemed to have been a miscalculation for several reasons. It deepened Pyongyang's international isolation by visibly alienating China and leading to the fairly rapid adoption of a unanimous UN Security Council Resolution on sanctions. Although Russia and China still managed to moderate the impact of the latter, and South Korea after careful thought decided to continue at least some parts of its 'sunshine policy', the overall effect on regional security was to drive all the other actors to greater solidarity with each other at least on the need to contain the nuclear threat. For the longer term, there is a more disturbing possibility that other states might contemplate a nuclear weapon programme (already openly mooted in Japan, although turned down by Prime Minister Shinzo Abe's government), which would neither help North Korea's nor any other state's chances of survival.

The USA's—not uncontroversial—decision in early 2007 to invest heavily in diplomacy has thrown a lifeline to the North Korean leadership. Whether it will prompt an adequate response from the North Korean side, especially in terms of fully disclosing its nuclear programme and facilities, is too early to say. As noted, Pyongyang's track record has led many to express serious doubts in this regard.

South Korea

Long dismissed by the DPRK as a 'US lackey', the ROK today feels sufficiently confident to seek a more independent stance in the regional environment. South Korea has a lively internal debate on attitudes to its northern adversary-cum-partner, ranging from strong adversarial and anti-communist schools of thought to those who like to see more use made of 'soft penetration', and perhaps even some who see ultimate common interests between both Koreas caught in the midst of great powers. Even the political/governmental elite is not unified in its strategy. The country faces a genuinely difficult dilemma in balancing the desire for peaceful coexistence and long-term reunification, on the one

hand, with protection against the militant ideological adversary and the possible economic collapse of the DPRK, on the other. In recent years, Seoul's multidimensional policy of engagement with its northern neighbour had seemed to be yielding some tangible, if partial and uncertain, fruits in terms of relaxation and improvement especially of human relations. It was dealt a hard blow by the October 2006 North Korean nuclear test, which precipitated a tough popular and political debate but up to now has left the core balance in Seoul's policy unchanged. Meanwhile, at a more strategic level, the announced transfer of wartime operational control from the USA to the South Korean military by 2012 and the relocation of US troops southward, recasting them in a different more 'supportive' role, are potentially shifting the logic of inter-Korean relations and of the ROK's place in regional balance generally, in a way that has implications also for a future peace dialogue.

South Korea (except for some sceptical military circles) is generally an ardent supporter of confidence and security building. It will certainly be the most active proponent of developing a rich network of measures and mechanisms or institutions aimed at promoting peace and security on the peninsula.

The USA

The United States is by far the strongest outside actor shaping the strategic game in the region, although in the last few years the alienation of all local actors from various different aspects of its policy has led to some shifts in its attributes of power. As regards the DPRK, the incoming Administration of George W. Bush deliberately broke with the previous administration's tradition of negotiation to brand Pyongyang as a 'rogue' power and part of the 'axis of evil'. From 2002 to 2006, any substantial dialogue with the DPRK was accordingly stalled and made contingent on prior action by the latter to abandon its nuclear weapon programmes. This US stance reflected profound scepticism not only about North Korea's trustworthiness, but also about the utility of traditional tools of arms control in general for tackling proliferation dangers. It has rightly been noted that the Six-Party Talks were long treated by the USA as a crisis-management (or 'containment') mechanism rather than a vehicle for substantive negotiations and confidence building, a position in stark contrast to the hopes of other participants.²⁸ Nevertheless, after the outcome of the USA's November 2006 congressional election, stronger arguments have

²⁸ Snyder, S., 'CBMs and other security mechanisms pertinent to the Korean peninsula following the start of a peace process: an American view', Paper presented at the SIPRI seminar on CBMs and other security mechanisms/structures adapted and relevant to the Korean Peninsula during a peace process, Stockholm, 16–17 May 2006. It has been claimed that before the breakthrough in early 2007, for the USA the Six-Party Talks were 'a venue for promoting coordination of coercive measures designed to force North Korea to give up its nuclear weapons programmes' rather than a forum in which to put forward concrete and constructive proposals. Snyder, S., Cossa, R. A. and Gosselman, B., Pacific Forum Center for Strategic & International Studies, Honolulu, Hawaii, 'Whither the Six-Party Talks?', *PacNet Newsletter*, no. 22 (18 May 2006), URL <<http://www.csis.org/pacfor>>.

presented themselves in favour of dialogue with the DPRK. The Bush Administration faces Democratic dominance in Congress, is distracted both in terms of attention and resources by the closer-to-home cases of Iraq, Iran and Afghanistan, and more recently has run into new turbulence over Russia and Europe. The consequent reassessment of US policy vis-à-vis Pyongyang at the end of 2006 and in the beginning of 2007 potentially opens a peace avenue in the region.

It is unlikely, even so, that Washington will agree to a legally binding agreement with Pyongyang. At the same time the USA has by far the richest experience, among the Six-Party participants, of confidence and security building in the military field. If Washington was ready for the experiment of accepting North Korea as a partner in a political and military settlement, it should not face any purely cultural or practical difficulties in envisaging a set of transparency and openness measures in the regional context. This is important because US forces in South Korea would have to be addressed when negotiating any relevant CBMs and other security arrangements, even if only to exclude them (partly or fully) from some of the provisions. The USA's reduction and relocation of its troops southward in South Korea (referred to above) under the 2004 force realignment scheme should in principle facilitate the start of a confidence-building dialogue, even if China has other reasons to be suspicious about the new deployment. This repositioning will be followed over the next years by handing over more ownership of its own security to the South Korean ally, and further downgrading the offensive role of US troops on the peninsula.

It appears unlikely that the US naval forces operating close to the region (the 7th Fleet) could be subjected to an advanced naval CBM regime, apart from some non-intrusive arrangements such as an incidents hotline, a maritime consultative agreement or an agreement on contacts and visits, such as the USA already engages in with China. The USA has as a rule taken a firm stand, notably in the CSCE/OSCE context, against any constraints on its navy's operational freedom.²⁹ However, the USA should not object to being part of a future regime for CBMs involving land forces on the peninsula, possibly with CSCE-like very limited naval elements.³⁰ Here the European CSCE/CBM precedents as well as additional measures (see toolbox) would be applicable.

China

The other big actor on the North-East Asian scene is China, the prime engine behind the Six-Party Talks. Despite its earlier reluctance (shared with the USA) to create an

29 The USA has one naval base in Chinhae, South Korea.

30 The 1983 CSCE Madrid Document envisaged the coverage of Europe's adjoining sea and ocean areas and air space if military activities affected security in Europe.

enhanced security framework, China has gained practical experience and confidence in multilateralism through the Shanghai process and the SCO, and now seems interested in the long-term conversion of the Six-Party Talks into a regional security forum that would both enhance Beijing's arbiter role and tie the hands of the USA. Beijing is North Korea's chief advocate and partner, albeit not blind to and increasingly exasperated by the latter's volatile qualities. Even if China has far greater familiarity with and leverage over Pyongyang than any other Six-Party actor, the limits of its influence have been highlighted yet again by the nuclear test. Nevertheless, Beijing has a vital interest in maintaining the DPRK's sovereign control of its territory for as long as possible to stave off the vision of a unified Korea under US dominance—a fear deliberately played on by Pyongyang. China especially does not want to press North Korea so hard (or allow others to do so) that the system suddenly collapses, first and foremost sending a huge influx of hungry North Korean refugees across the Chinese border. It follows that a gradual, controlled, peaceful process of transformation is the obvious preference for Beijing and that any process tending to gain time has virtue in itself from the Chinese viewpoint.

China would probably define its own preferred *finalité* for the peninsula as a denuclearized 'two-Koreas status quo', with an economically reformed DPRK friendly to China. While China seeks to avoid US dominance in a unified Korea, it also has no interest in a rift between South Korea and the USA (or even, *à la limite*, the closing of the US nuclear umbrella over Seoul and Tokyo), as this could also be destabilizing. Faced with the prospect of a nuclear DPRK, China has other obvious concerns about its own strategic mastery of the relationship and about the effect of the proliferation dynamic on other neighbours.

China has experience of implementing CBMs on its borders with Russia and the three adjacent Central Asian republics, and with India. It participates in ARF activities where certain CBMs are tried and tested. Such Asian approaches may turn out to be more attractive for North Korea than the European and other far-reaching models. Apart from China's possible border confidence-building agreement with North Korea, it may share its experience with the DPRK through advice and training of North Korean officers on the CBM *acquis*. The long tradition of military-to-military contacts of China and North Korea should be instrumental in pursuing possible CBM-related arrangements.

*China's mediation role:*³¹ as noted, China can have an additional role as *mediator* that is not really open in the same way to any other Six-Party participant. It has indeed played

31. *Mediation* is a way of supporting negotiation and transforming conflicts with the support of an acceptable third party. Generally, mediators work in teams, where the team structures and guides the process, facilitates communication between the conflict parties, empowers the parties to express and realize their interests and needs, and reflects and shows up common ground between the conflict parties. Various mediation styles can be applied, varying in their degree of assertiveness:

that role in regard to the Six-Party talks process itself, notably in 2006–2007. China's ongoing preference for diplomacy over other means to exert its powers, and its material interest in stability on the Korean peninsula, indicate that it will continue to include the 'mediator' role in its overall posture on the issue of the Koreas; and it is very likely that the DPRK and the USA will make use of it. In China, mediation is often closer to 'manipulative mediation' than 'facilitative mediation', and the mediator generally follows the 'insider/partial' model more than the 'outsider/neutral' mediator model adhered to in the West.³² This partly helps to explain why from the Chinese viewpoint there is no contradiction in being a conflict party and a mediator and a user of coercive pressure, all at the same time.³³ The closeness of China's positions with both North Korea and South Korea, as well as their economic ties, gives China the necessary leverage to also play a facilitative role regarding new measures of détente, and possibly confidence building, between the DPRK and the ROK. China's foreign policy's focus on peaceful coexistence, respect for sovereignty, territorial integrity, non-interference in internal affairs, and equality and mutual benefit provide it with a relevant 'language' to articulate its mediator role in a North-East Asian setting. Its greatest handicap, as noted, is the declining influence it has on the DPRK and perhaps also the USA. The Chinese realization that 'the more you press, the more it resists'³⁴ is realistic and may even help create trust. However, it narrows the potential for mixing dialogue and pressure in such a way as to make the parties move. The failure of the Six-Party Talks to keep the DPRK nuclear free has partially damaged China's role and mediator legitimacy. Other regional issues where China's interests diverge from its Six-Party partners may also somewhat weaken its credibility as a mediator.

On balance, China's interests in the region and its strengths as a mediator should outweigh its weaknesses, and the indications are that it *is and will remain the main de facto mediator/facilitator* in this conflict, notably between the USA and the DPRK. Due to the North Korean preference for bilateral settings, China's role in this respect is likely to be played more behind the scenes, influencing one or the other party before and during talks.

facilitative (minimal influence on content, focus on process, support of communication), *formulative* (focus on coordination and proposing solutions) and *manipulative* (creating incentives and disincentives, greater use of pressure). Facilitative mediation is more effective in long-term tension reduction; manipulative mediation is more effective in reaching an agreement. Beardsley, K. C., Quinn, D. M., Biswas, B. and Wilkenfeld, J., 'Mediation style and crisis outcomes', *Journal of Conflict Resolution*, vol. 50, no. 1 (2006), pp. 58–86. *Facilitation* is similar to mediation, especially facilitative mediation, yet less directive. Unlike mediation, understood as third party-assisted negotiation, facilitation does not focus on decision making, but rather on enhancing mutual understanding of perceptions, interests and needs. A typical example of facilitation is a dialogue process between non-official representatives of the conflict parties, focusing on confidence enhancing or preparing joint action. For more on this see Mason, S., *From Conflict to Cooperation in the Nile Basin* (ETH Center for Security Studies: Zurich, 2004), URL <<http://www.isn.ethz.ch/pubs/ph/details.cfm?lNg=en&id=7387>>.

³² Wall, J. and Blum, M., 'Community mediation in the People's Republic of China', *Journal of Conflict Resolution*, vol. 35, no. 1 (1991), pp. 3–20; and Beck, P. and Reader, N., 'China and North Korea', *Korea and World Affairs*, Part I, spring 2006, pp. 47–78, and Part II, summer 2006, pp. 201–37.

³³ Wit, J. S., Poneman, D. B. and Gallucci, R. L., *Going Critical: the First North Korean Nuclear Crisis* (Brookings Institution Press: Washington, DC, 2004).

³⁴ Senior Chinese official, Crisis Group Interview July 2005, quoted in Beck and Reader (note 32), p. 211.

Also China could play an indirect role in its individual contacts with the North and South Koreans, respectively.

The other two participants of the Six-Party process, Japan and Russia, have more limited leverage on the outcome and also less chance or need to be covered by a confidence-building regime as such (except for Japan's strong interest in CBMs in the missile control field). However, both have a potentially reinforcing and legitimizing impact on the confidence- and security-building process—while conversely, if either of them took a blocking stance (as Japan has been inclined to at times due to its own national bones of contention with Pyongyang) the prospects would be seriously affected. Together with a wider range of international partners and institutions, Japan and Russia could also be imagined playing a part in the facilitation of non-military intercourse and cooperation between the two Koreas and, in the long term, even in their peaceful integration (which would affect their strategic interests less than Beijing's, at least if carried out on a denuclearized basis).

Japan

Japan has put a low priority on military security for decades due to its post-war policies and constitutional constraints as well as the US alliance. The Japan-US relationship remains the centerpiece of the US strategic role in the region. Vis-à-vis the Korean peninsula, Japan is restrained by its lack of diplomatic relations with North Korea and also by persisting atmospheric difficulties with Seoul. In recent years Tokyo has stressed solving the issue of abductions of Japanese citizens by North Korea as a prerequisite for its readiness to support and play a stronger role in a peace process. The nuclear test by the DPRK led not only to a total ban by Tokyo on trade with North Korea, but also to a certain Japanese rapprochement with China and South Korea over the issue. Overall, given the complexity of Japan's ties with the various players and also the evolving state of Tokyo's own policies (where moves are being made towards a more active national defence stance), Japan's role under specific confidence-building scenarios remains something of an imponderable. The North Korean missile launches may have heightened its potential interest in more transparency and other measures in this field. Certainly, Japanese experts have so far been unready to address options for the involvement of their own (naval and air) forces in any wider confidence-building and transparency regime.³⁵

Russia

Having lost its clout vis-à-vis the former North Korean ally in the wake of the end of communism and the dissolution of the Soviet Union and the Warsaw Treaty Organization (Warsaw Pact), Russia no longer plays a primary role in the Korean context. It is

³⁵ It needs to be borne in mind here that the unresolved territorial issues between Japan and Russia have led to periodic maritime clashes between these two powers.

interested in developing economic relations and investments with both Korean states but does not have much political leverage to influence the situation and policies there.³⁶ Nor is Korea prominent on its foreign policy agenda: even Russian military deliveries to the DPRK have been minimal in recent years. Like China, with which it has an increasingly systematic if still uneasy partnership, Russia strives to limit the USA's influence and politico-military posture in North-East Asia and it might thus have some marginal interest in seeing US forces brought under a system of 'soft' constraints. Moscow's role in both the Six-Party Talks process and the wider peace process context will depend on its ability to supply—and potentially, comply with—concrete, practical proposals to help in the negotiations. It cannot be expected to play a prominent mediator/facilitator role, but it is also unlikely to stand in the way of emerging progress including even a fairly extended confidence-building regime.

Further steps: third party assistance

In addition to institutionalization of the local security dialogue, it is worth considering options for using the 'good offices' of informal Groups of Friends. In other cases, such informal groups of about four to six states have been able to bring added leverage over the parties, and equilibrium and legitimacy to the confidence-building process. They can make resources and assistance available and help to coordinate their own and other outside actors' inputs. They are informally consulted and informed and used for various facilitation, mediation, capacity building and support initiatives. These groups are generally made up of non-aligned states that have an interest in the peaceful resolution of the conflict but no major stakes of their own in the issues at hand. One of their motivations for getting involved is the domestic kudos and foreign policy leverage they may gain by being associated with such 'good offices'. Groups of Friends seem to work best when they are structured around a clearly accepted lead mediator and are addressing conflicts within the middle ranks of international attention, as they are then not so likely to be overshadowed (or manipulated) by major powers.³⁷

With the start of a peace process various opportunities will open for the international community to help and influence its pace and shape. The DPRK will be offered chances to intensify or re-establish contacts and cooperation and develop security relations with various groupings, both globally and regionally. The range of possible actors involved is

36 It was quite telling that the Russian Korea specialist consulted by the project team concentrated his analysis regarding CBMs almost exclusively on the economic dimension of a possible peace process. Zhebin, A., 'CBMs and other security mechanisms pertinent to the Korean peninsula following the start of a peace process: a Russian view', Paper presented at the SIPRI seminar on CBMs and other security mechanisms/structures adapted and relevant to the Korean Peninsula during a peace process, Stockholm, 16–17 May 2006.

37 Whitfield, T., 'A crowded field: Groups of Friends, the United Nations and the resolution of conflict', Center on International Cooperation, New York University, Occasional Paper, Studies in Security Institutions, vol. 1, June 2005, URL <<http://www.cppf.ssrc.org/documents/A%20Crowded%20Field.pdf>>.

wide—from global authorities like the UN, through outsiders with vested interests, such as the European Union, to regional institutions, especially those in North-East Asia’s vicinity. The specific national role of China has already been noted.

The ASEAN Regional Forum

If a broader regional forum to promote and support a Korean confidence-building process is sought, the ARF with its broad agenda of building confidence and its membership including both Koreas and the other prominent North-East Asian actors appears to be the most obvious choice. It serves as a venue for multilateral and bilateral dialogue and the establishment of principles for cooperation, featuring decision making by consensus, non-interference and incremental progress. Within its framework confidence is gradually built by cooperative activities in such areas as preventive diplomacy, conflict resolution projects and maritime cooperation against smuggling and piracy. Transparency is promoted by such ARF measures as the exchange of information relating to defence policy (Annual Security Outlook) and the publication of defence White Papers. Moreover, a network has developed among national security, defence and military officials of ARF participating states. The ARF’s ‘track 2’ (non-official) activities could also allow North Korea and its elites to more effectively engage in a broad spectrum of military and non-military confidence-building projects. The ARF’s main weakness (which, admittedly, could also be seen as an advantage by North Korea) is that it continues to develop ‘at a pace comfortable to all participants’, seeking agreement on the lowest common denominator and avoiding mutual interference in internal affairs. No-one can expect the ARF to achieve a significant early movement in the ‘harder’ areas of traditional security policy, such as the prevention of military build-ups, either in the Korean context or elsewhere. However, once a confidence-building process has been initiated in its vicinity, the ARF can serve as an important follow-on actor, adding momentum and possibly new dimensions to the process.

The Organization for Security and Co-operation in Europe

A peace process should help renew the involvement of the OSCE in regional security affairs. This would be mutually beneficial as the OSCE is currently going through something of a crisis of fatigue and political disunity, and one of its rather few remaining consensual *raisons d’être* is the enhancement of its extra-European outreach programmes. Accepting, at some stage, the DPRK as an OSCE Partner for Co-operation could help to accelerate Pyongyang’s insights into (‘socialization’ with) and better absorption of the European CSBM and cooperative security-sharing *acquis* and culture. The OSCE has a considerable record of experience in its ties and exchanges with South Korea on CSBMs, dating from the early years of this decade.

The European Union

Given its world standing, rich experience, resources, record of assistance and aid to North Korea, and the absence of a ‘bloc image’ as well as its ‘soft security’ capabilities—including negotiation, mediation, and the like—the EU could play a significant role in promoting the security process in the region. This would call for a well-elaborated support programme for North Korea, presumably including support for any Group of Friends and the input of technical and financial resources. However, it would not be realistic to expect the EU to play an operational or even a significant mediating role, given its other engagements in the Balkans, Iran and elsewhere. It is also worth noting that the EU, as a peace project in its own right, is a natural choice for promoting the confidence-building culture as such. The EU has not elaborated a conventional arms control platform parallel to its 2003 Weapons of Mass Destruction Strategy, despite its forays into some areas of interest (e.g. small arms and light weapons and arms export controls). Wider EU security policies do, however, now envisage ‘disarmament’ and security sector reform tasks becoming part of the European Security and Defence Policy (ESDP), and the EU can provide support for post-conflict disarmament, demobilization and reintegration (DDR) and security sector reform (SSR) processes: so involvement in a Korean peace initiative might be seen constructively as part of a European learning curve.

The United Nations

A first glance at the UN’s role in the Korean War points to its limitations in any mediation/facilitation effort. The United Nations Command (Korea) was the military command structure for the armed forces supporting South Korea during and after the Korean War, and both US influence in the organization and the recent sanctions imposed on Pyongyang made the UN look biased in the eyes of the DPRK. The UN Secretary-General Ban Ki-moon, a South Korean, has placed the Korea question high on the UN agenda and is personally disposed towards a ‘good offices’ approach (vide the Secretary-General’s intention of appointing a UN special envoy on North Korea). If a serious peace process could be launched through other political dynamics, the UN, if accepted by all parties, has ample resources to take on a role in supporting or supervising its implementation.

Third countries/Neutral Nations Supervisory Commission

The NNSC, set up to monitor the implementation of the armistice agreement by the two belligerent parties (supervision, observation, inspection and investigation), became limited in practice—after the rather active first years of its work—to symbolic functions demonstrating that the armistice was still in force.³⁸ If the NNSC as such were to play a

³⁸ Under the Armistice Agreement, the NNSC was mandated to observe and inspect the provisions of the agreement stipulating that no further reinforcing military personnel or heavy armaments be introduced on to the Korean peninsula. In contrast

role in helping to build confidence during the first stages of a future inter-Korean peace process, its mandate would have to be changed and expanded (on this see also the final recommendations of this report). Non-aligned states such as Sweden and Switzerland do not have a political agenda in the Korean conflict, but they have a wealth of NNSC experience and links to the ROK. Furthermore, Sweden enjoys respect in North Korea due to its long presence and engagement there. Since these states have no political leverage, their role is limited to facilitation or facilitative mediation rather than any kind of manipulative mediation, which gives them the natural profile of members of a Group of Friends. The NNSC states could create such a format as a ‘post-NNSC’ forum, to coordinate facilitative efforts and to act as a quarry of goodwill and capacity. Any initiatives from the small states, such as capacity building, track 2 exercises or the hosting of any talks, would of course need to be coordinated with and transparent for the lead conflict parties and national mediators (i.e. the Six-Party group). Individual NNSC states should also explore where they have comparative advantages as regards the transfer of expertise and the facilitation of useful contacts.

Chapter 4. Conclusions

This report has discussed from several sides the relevance of confidence-building and confidence-enhancing measures, and other related mechanisms, to creating and supporting a peace process on the Korean peninsula. Even if the near-term prospects for such a process remain uncertain, and there is no place for false hopes, the international community also has a certain duty to be prepared by laying the groundwork for a possible, more sustained breakthrough. The report’s main findings can be resumed as follows.

- The most important task for the negotiating parties will be to achieve basic commonality of purpose on the value of a genuine, viable peace and security regime, with the broadest possible network of constructive relationships to overcome the deep-seated mutual suspicions, concerns and fears of the past. Particularly important is to overcome the suspicion that any such system will be one-sided, coercive or posited on ‘regime change’ (as implied by the undertones in some US statements). This could be reaffirmed either in a formal peace treaty or, more realistically, in a series of summit political declarations laying down the basic principles to guide relations among the actors. Positive evolution of the DPRK system should be encouraged and rewarded politically and diplomatically, rather than forced by methods of blackmail or subver-

with the Military Armistice Commission (MAC), whose observation and inspection functions were limited to the DMZ, the NNSC was to operate in the areas beyond the DMZ. For this purpose, under the agreement the NNSC had 20 Neutral Nations Inspection Teams, 10 of which were to be stationed at designated ports (5 in either Korea) and 10 of which were to be mobile and available to inspect any reports of breaches of the armistice. The NNSC was to report its findings to the MAC.

sion—although clearly the basic conditionality inherent in the 13 February agreement (or any successor) must be respected and enforced. Participation in goodwill by all the six parties is a prerequisite for legitimating the process.

- Confidence-building measures cannot be considered a cure-all for the overall situation on the Korean peninsula and in the North-East Asian region. However, they can play a useful auxiliary role during all phases of a peace process there. While focused primarily on the Korean peninsula, their implementation should benefit all the interested parties.
- The toolbox of CBMs in part 2 of this report cannot be treated as a binding agenda, but rather as a repository of measures that should be selected and applied flexibly (individually or in combinations, in parallel or successively) within some kind of agreed framework, depending on the parties' interests and the course of developments.
- The main complicating factor in the implementation of CBMs is the uncertainty resulting from the DPRK's deliberately unpredictable policies and its taste for *faits accomplis* in the field of military security. It is not obvious that genuine nuclear disarmament will occur soon, and it is easy to suspect that Pyongyang would prefer in the long term to follow the example of India and Pakistan rather than that of South Africa or even Libya. This means *inter alia* that actors interested in a minimum of regional stability may at some point have to consider serious efforts for confidence building before rather than after the attainment of irreversible nuclear disarmament.
- Even in the context of persistent tense relations and a degree of nuclear uncertainty, there may be openings for cooperative steps in other areas including military and further civilian CBMs. These, however, will need to meet concrete criteria of reliability and trust, transparency, and continuity in order to build confidence and be resistant to political ups and downs. Further civilian confidence-enhancing steps and assistance should continue playing an additional motivating and reassuring role.
- Building peace will be a gradual and tortuous process of give-and-take. With suspicions lingering on all sides, it will have to start with basic steps and measures to be followed by more advanced ones as the circumstances allow. There is no point in enforcing a pre-made blueprint. Frameworks allowing CBMs to be constantly assessed and readjusted will be much more appropriate.
- Applying European and other non-European experience to the Korean peninsula context has its merits but does not mean that the same range, scope, sequence and modalities of CBMs should be applied. A negotiated balance between 'Western' and 'Eastern' varieties of proposals/decisions will be needed, and both the strict 'Cartesian' attributes and the inherently intrusive aspects of the Western tradition may risk turning out counterproductive in the North-East Asian environment.
- Aside from the general sensitivity required towards the different culture, practices and mentality of the North-East Asian parties, the specific challenge inherent in North

Korea's position will be ever-present for the international community and for individual states wishing to help. It should never be forgotten that for Pyongyang, facing a unique (if largely self-created) accretion of internal and external risks and problems, the whole survival of its system is at stake.

- For much the same reasons, external help, aid and assistance may be of special value and can be offered by third parties individually and in Groups of Friends, or by international institutions and forums which may be trusted by all sides due to their record of good offices, impartiality and trustworthiness. Independent (academic and non-governmental organizations) experts might also have a certain role. Third parties using mediation and facilitation techniques can help pave the way towards a mutually satisfactory, win-win outcome.
- The CBM/security process on the Korean peninsula will be a learning exercise for all the parties. Hopefully this process will reinforce and be reinforced by the ongoing inter-Korean confidence-enhancement dialogue. It should help to develop cooperative attitudes and behaviour among all of them, and thus have a bearing on the wider issue of this (sub)region's capacity to develop productive multilateralism in the medium to longer term.

Chapter 5. Roles and options for the NNSC states

The Neutral Nations Supervisory Commission states could potentially play an important supporting role in a CBM process. Their comparative advantages lie in their long-term relations to the Korean peninsula and the use of a facilitative non-threatening approach. As a first step, the NNSC states should enter into a consultative dialogue with the stakeholders to see if there is any interest in such support. Any efforts, even if they do not deal with the nuclear question, should be closely coordinated with the states of the Six-Party Talks. The NNSC states could offer help in setting up a Group of Friends to a peace and CBM process, organize CBM training workshops, and support processes seeking to implement specific CBMs. The following are some roles that they could undertake, either on their own or in cooperation with other interested states or organizations. Although reference is made primarily here to Sweden and Switzerland as the sponsors of the present research project, there is no *prima facie* reason why Poland should not share in some or all of the measures. (It is assumed that all such roles would need the consent or at least awareness and acceptance of the most directly concerned powers, i.e. those in the Six-Party group, but the challenge for the NNSC states' diplomacy of how to arrive at such acceptance is not addressed here.) A consultation process has to be initiated, in which the NNSC states ask the involved parties what kind of assistance they would like. There are signals that the USA is assessing a future role for the NNSC as the new command structures in the ROK

evolve in the light of the scheduled transfer of wartime operational command to an ROK war-fighting command by 2012.

CBM capacity building

This is likely to be the area where the NNSC participating states could play the greatest role at the early stages of a peace process. The following activities could be considered.

Training programmes

As described in the attached toolbox, North and South Korean government and military officials could be invited to participate in training programmes organized by the NNSC participating states. These events could be held in Sweden and Switzerland, and could include the following elements.

- Lectures and workshops on CBMs, their purpose and implementation. Besides the European experience, the use of CBMs in other areas and peace processes would be very pertinent. The lectures could be delivered by researchers from SIPRI, the Center for Security Studies, ETH Zurich, the Geneva Centre for Security Policy, the Swedish National Defence College, the Swedish Defence Research Agency, as well as representatives from the Swedish and Swiss governments and military establishments. OSCE officials and researchers from other OSCE participating states may also be invited to join.
- Lectures and workshops on the implementation of specific CBMs, especially those that may play a role on the Korean peninsula. These would be more operationally and technically oriented than the first set of lectures and workshops. Equal weight should be given to military and non-military CBMs, structured according to their use in the pre-negotiation, negotiation and implementation phase of a peace process.
- Demonstrations of implementation of CBMs, including the following.
- Visits to other conflict regions and exchange with people from these areas on how CBMs were used in this context, specifically non-military CBMs early on in a peace process.
- A demonstration of the implementation of the Open Skies Treaty through a flight by a Swedish observation aircraft over Swiss territory. North and South Korean officials would be allowed on board the aircraft.
- A demonstration of the prior notification of a military exercise through the reporting of an imaginary exercise.
- A demonstration of the possible format of port-visits could be made by a mock visit by a Finnish vessel to a Swedish port.

Guest researchers

North and South Korean government officials and military officers are and ought to continue to be invited to stay for longer periods as guest researchers at Swedish and Swiss research institutes that are familiar with CBM processes. Such guest research fellowships, lasting preferably between three and six months, allow the participants to gain a deeper knowledge about CBM processes: knowledge that could then be passed on to colleagues in their home countries upon their return.

Organization of exchanges between academics, officials and experts

Similarly, Sweden and Switzerland may invite North and South Korean scholars and government officials to participate in track 2 events with suitable non-governmental hosts. These could include seminars and workshops designed to encourage exchange of views between North and South Koreans on various security related topics. One can also consider other forums (e.g. gathering youth or parliamentarians from both countries).

Contribution to an international observation force

If such a force were agreed by the relevant parties, Sweden and Switzerland could, together with other interested states, participate in an international observation force stationed in the DMZ. Such participation would build first and foremost on the experience of the two countries in the early NNSC activities, but would also draw on Swedish experiences of peacekeeping and observation in the Middle East and Cyprus. Possible roles for such an international observation force are outlined in the attached toolbox.

A ‘Dealing with the Past’ working group on the pre-Korean War period

Violence and grievances rooted in the past—perceived differently by the involved actors—hinder the development of sustainable peace. As neutral nations, Sweden and Switzerland could focus on facilitating a regional ‘Dealing with the Past’ group, with human, financial and political resources. An outline of such a working group is given under measure 35 in the toolbox in part 2 of this report.

Support in the facilitation of multitrack dialogue processes

Once a peace process is ongoing and if a framework for dialogue between state and non-state actors develops, various conflict issues need to be addressed by a more inclusive stakeholder group. This can help to create legitimacy and support for the inter-state peace process. It is important that such a process is well structured, so as to support the exchange of perceptions and mutual understanding, but also to move beyond ‘talk’ towards developing concrete actions (e.g. legal recommendations, joint history books, etc.) that are supported by all the involved stakeholders. The NNSC states could be well

positioned to support such a process, as their focus on facilitation and lack of ‘leverage’ means they would not be perceived as threatening.

A Group of Friends for the Korean confidence-building and peace process

The former and current NNSC states could form a Group of Friends as a post-NNSC forum, in close collaboration with the Six-Party Talks participants or another specific mediator, to contribute to supporting the peace process in a coordinated manner. Such a group would provide a possible framework for any or all of the measures listed in part 2, plus other functions possibly requested by the direct parties. Such a measure, if accepted, should not interfere with the ongoing inter-Korean process.

Financial, material and technical assistance

Sweden and Switzerland could contribute by providing financial, material and technical assistance to the implementation of various CBM arrangements, including financial, material or technical support for International Atomic Energy Agency (IAEA) operations.

- An unarmed observation aircraft could be provided, which could be used both by North and South Korea for cooperative aerial monitoring.
- Technical assistance could be provided in case of a withdrawal of forces from the areas surrounding the DMZ. Such assistance may be required for the purposes of mine clearing and the removal of unexploded ordnance (UXO).
- North Korea would also be likely to require financial assistance for the implementation of a withdrawal of forces from the areas surrounding the DMZ, possibly including the construction of new accommodation.

PART 2

**A TOOLBOX OF MEASURES
TO ENHANCE SECURITY
ON THE KOREAN PENINSULA**

Introduction

A number of confidence-building measures may be identified that would be generally applicable within all—military and non-military—sectors. These include both measures that could be implemented at the initial stages of a peace process and those that could become relevant at later stages.

As developed in the European and most other theatres, CBMs have centred on ground forces and their equipment. More recently, the use of non-military confidence-enhancing measures, or CEMs, in nearly all peace processes worldwide indicate their relevance. In Europe, arms control measures have been taken for the cooperative handling of matters related to new threats such as constraints on terrorist-relevant weapons, the control and elimination of potentially dangerous stockpiles of arms, ammunition and toxic fuel, and so on. Another element in the European record has been the development of an agreed politico-military Code of Conduct which tends both to discipline and to harmonize the way that states conduct their defence and security business internally, thus overlapping with other endeavours that have aimed to promote common standards of security sector reform and good governance throughout the region.

As noted in the analytical part of this report, while this European *acquis* is uniquely broad it does not exhaust the full range of possible measures—including some that have actually been adopted in other regions. The specificities of a non-European region and the nature of today’s security agenda both make it necessary to look not only at the applicability of OSCE-style categories of measures, but also at other questions such as naval and air forces CBMs, civilian CEMs and CBMs addressing weapons of mass destruction (WMD). It is extremely important that the choice of which CBM is used, as well as considerations on how it is implemented, be taken by the parties directly involved (i.e. North Korea and South Korea—and, secondly, also China, Japan, Russia and the USA). A third party or parties can become involved in facilitating this process in a consultative manner but must leave the ownership in the hands of the conflict parties.

The toolbox is structured in sections, and within each section CBMs are listed roughly according to the phases of a peace process in which they could be used. *Section A* looks at general capacity-building steps, both of a military and a non-military nature. Such steps may be the first before any of the other CBMs can be applied. *Section B* examines general military CBMs, focusing on some of the tougher CBM issues that have to be addressed in order to move ahead. A CBM package involving the confirmation or expansion of demilitarized or disengagement zones is also presented. *Section C* considers CBMs for land forces, the traditional type of CBMs familiar in the European context. *Section D* addresses naval and maritime CBMs that have an impact not just on the two Korean

states, but also on the other states that share the adjoining waters. *Section E* deals with specific aerial and space CBMs, including further or different uses of aerial observation and includes a subsection on missiles, *section F* focuses on CEMs and on measures with mixed military–civilian applications, including measures of a more purely humanitarian and socio-economic nature such as those that already are a part of the inter-Korean agenda (e.g. border crossings, reunification of families, joint industrial and infrastructure projects, tourism, etc.). Finally, *section G* considers certain measures that could be taken in the field of WMD.

A. Capacity building

Both North and South Korea could benefit from learning more about the purposes, forms, functions and implementation of CBMs. The amount of learning required is, however, very different between the two states. A lot of theoretical information exists in South Korea, stemming largely from the large number of academic studies that have been carried out on the topic. South Korea has also gained considerably in this regard from its observer ('partnership') status at the OSCE. Furthermore, South Korea has some experience in the practical implementation of CBMs, since it participates in two broad regional and global arrangements, namely the United Nations Register of Conventional Arms (UNROCA) and the Association of South East Asian Nations Regional Forum. Within the latter, it has regularly taken part in the work of the so-called Intersessional Support Groups on CBMs and high-level defence contacts, sent observers to and notified military exercises, submitted and exchanged annual defence statements and White Papers, and so on. As opposed to South Korea, North Korea arguably lacks both an up-to-date frame of reference and practical knowledge and experience of CBMs, making the task much more complicated. It is therefore evident that a good deal of work would have to be done in this regard.

MEASURE 1

TRAINING PROGRAMMES

South and North Koreans would be invited to participate in training programmes on various aspects of CBMs. Such training programmes could initially be carried out outside the Korean peninsula. If possible, it would be of great value if North and South Korean officials could participate jointly. However, if this is not possible, separate programmes could initially be organized. A number of actors could carry out such programmes, most notably the OSCE and its participating states. China may also play an important role in this regard, given its experience with confidence building within the Shanghai

Five framework and bilaterally with India. At the initial stages, the main target groups of such programmes would be North and South Korean government officials and high-ranking military personnel. The programmes would involve instruction on the history of CBMs in Europe and other areas, the contents of the major CBMs accords, the purposes and value of the individual measures, and practical aspects of implementation and compliance.

With regard to the last of these, if North Korea could be admitted to the OSCE's Partners for Co-operation group, it could start attending the working sessions of the annual implementation assessment mechanism.

One specific type of CBM training programme could deal with mediation, peace processes and CEMs. This could help contextualize CBMs as tools of a multidimensional peace process. The potential and limits of military and non-military CBMs could be explored, and specific communication, facilitation and process tools to help their implementation could be illustrated. Subsequent training programmes could address more technical aspects of the implementation of specific CBMs, and would preferably involve lower-level government officials and military personnel. These could take place on the Korean peninsula, in order to reach as large a number of personnel as possible. The following are examples of topics that could be included in these training programmes:

- training in the various aspects of a comprehensive approach to peace processes
- the format and procedures for the prior notification of military exercises
- the production of defence White Papers (for North Korea only)
- reporting on military holdings and acquisitions
- cooperative aerial monitoring (Open Skies)

MEASURE 2

GUEST RESEARCHERS AT FOREIGN RESEARCH INSTITUTES

Several European research institutes have hosted North and South Korean scholars and government officials for shorter periods of time in order to study various security-related topics. This experience could be built on after the start of a peace process. The target group of such guest scholars would be the same as for the training programmes. Researchers, government officials, and military officers could be invited to spend a certain amount of time (up to 6 months) studying CBM processes and gaining broader expertise in the security policies and thinking of other regions.

MEASURE 3

OBSERVATION OF CBM IMPLEMENTATION

North and South Korean military officers could be invited to observe specific CBMs being implemented in Europe or elsewhere. Such observations could be organized

as part of the training programmes mentioned above, or they could be carried out separately. Initially, high-ranking officers could be invited, but progressively the visits would target lower ranking officers who are actually involved in the implementation of the various CBMs.

One special activity that North and South Koreans could benefit from observing in this manner is the implementation of the Treaty on Open Skies in the OSCE area. The officers could be invited to participate in the observation flights and to see for themselves how the equipment on the aircraft functions, as well as how information is reported and shared after the flight.

B. General military confidence building

B1. Enhancing inter-Korean military communication

To date, a number of agreements have been made to install direct communication links, or ‘hotlines’, between the South and North Korean militaries. The first such attempt was included in the 1972 Joint Communiqué, which decided that a direct telephone line would be installed between Seoul and Pyongyang. Similarly, the 1991 Basic Agreement provided for the installation and operation of a direct telephone line between the respective military authorities. However, these hotlines were never installed or operated. Other hotlines have been installed since the 2000 summit meeting of the presidents of the two Koreas. In 2002 a hotline was established specifically for the reconnection of railroads and roads across the border, and in 2004 a naval hotline was installed and tested in order to avert repetitions of the naval clashes of 1999 and 2002 along the UN Command’s Northern Limit Line (NLL).

The general purpose of such hotlines is to help defuse moments of heightened tension and avoid misunderstandings by allowing speedy communication with the other side in unusual circumstances. The hotlines have been installed in other regions and contexts, with varying success and implementation. Following the 1962 Cuban missile crisis, a hotline was installed between Moscow and Washington and it has proved successful ever since. A series of hotlines have also been installed at different levels of governmental authority between India and Pakistan. These have, however, fallen in and out of use depending on the positions of those currently in power in the two states.

The following measures could be implemented in order to enhance inter-Korean military communication:

MEASURE 4

REINSTALLING THE TELEPHONE LINE ENVISIONED IN THE 1991 BASIC AGREEMENT

A direct telephone line between the military authorities should be established and operated, as envisioned in the Basic Agreement for use at times of heightened tension; as a means to gain clarification of unusual events, such as large-scale troop movements or misdirected missile tests; or for use in the case of natural disasters. The installation of a hotline between military authorities rather than political authorities is advisable as the militaries will be in a better position to provide information quickly. The telephone link could later be supplemented by a fax link.

Establishing the hotline would require the following:

- Resolving technical issues related to laying a telephone line across the DMZ.
- Establishing standard operating procedures for the hotline.
- Testing of the hotline. Following the initial tests, this could be done on a monthly basis in order to ensure the continued operability of the hotline.
- The operation of the hotline should be subject to periodic review within a bilateral North–South dialogue framework.

MEASURE 5

ESTABLISHING HOTLINES AT OTHER LEVELS

Once the main telephone link between military authorities is established and tested, hotlines can be established at different levels within the military. These could be modelled on the at least partly successful hotlines established for the reconnection of railroads and roads in 2002 and for the West Sea navies in 2004. These telephone links could be used to resolve smaller and local incidents, such as accidental shooting into the DMZ and unexpected or emergency entries into the DMZ. The links would connect local commanders facing each other at various points across the DMZ. This would require much the same technical preparations as for the main hotline, and should also be subject to regular testing and operational review within the bilateral dialogue framework. If such matters cannot be resolved at the local level, they could be referred to the main hotline between military authorities.

MEASURE 6

ESTABLISHING A CRISIS MANAGEMENT/CONFLICT PREVENTION CENTRE

Such a centre would be part of the bilateral dialogue framework. The main purpose of the centre would be to assist the established political body/bodies in reducing the risk of conflict. It would deal with the implementation of such CBMs as exchange of military information, cooperation regarding unusual activities and hazardous incidents of a military nature, intrusions into the DMZ and communications issues of general character.

B2. Initiating military contacts and exchanges

The 1991 Basic Agreement mandated the Joint Military Commission (JMC), established under the agreement, to discuss exchanges of military personnel. However, the JMC never came into existence and such discussions did not take place, in other negotiation frameworks either, so no contacts have ever ensued. Initiating various military contacts and exchanges following the start of a peace process could contribute significantly to enhancing confidence and trust, as it would accustom force personnel on each side to each other and could help break down negative images. Such exchanges could also lay the groundwork for more substantial cooperation at later stages of the peace process.

There are several precedents from other regions and contexts of such exchanges and contacts successfully being employed as CBMs. In Europe, the successive Vienna CSBM Documents have included chapters on military contacts and exchanges, with a mix of voluntary and obligatory measures. Other CBM agreements in non-European regions have also mandated such exchanges and contacts, such as the 1996 Shanghai Agreement on Confidence-Building in the Military Field in the Border Area between China and Russia plus three Central Asian republics (China–Russia + 3).

On the Korean peninsula, it would be advisable to arrange voluntary (and possibly obligatory) measures in this field. It would probably be more acceptable at the early stages if such contacts and exchanges took place between non-combat personnel of the military services. These exchanges could then be extended to combat personnel as the peace process matures. The following forms of contact and exchange could be considered for the Korean peninsula following the start of a peace process.

MEASURE 7

MUTUAL VISITS BY HIGH-RANKING MILITARY OFFICERS

At the early stages of a peace process, agreement could be reached on promoting exchange visits of high-ranking officers. These events would most likely be more formal events than the exchanges of academics. The initial exchanges need not involve substantial discussions, but rather formal exchanges of courtesies.

MEASURE 8

EXCHANGES BETWEEN ACADEMICS AND EXPERTS

Academics and experts on various aspects of security could exchange visits to each others' respective institutions in order to exchange ideas on different aspects of the security situation on the Korean peninsula and in the North-East Asian region. Such

exchanges would ideally involve professors or researchers at the respective military academies, but could also involve representatives from defence research institutes (in the case of South Korea) or from the Institute of Disarmament and Peace of the DPRK's Foreign Ministry.

If it proves difficult to agree on such exchanges taking place within the Korean peninsula, meetings and exchanges could be arranged in a third country. For example, meetings could take place in China or in a country outside the North-East Asian region. Such contacts and exchanges could build on the experiences gained from the CBM training programmes, as suggested above. Once sufficient confidence has been developed, the activities could be moved to the Korean peninsula.

MEASURE 9

EXCHANGES AND VISITS BETWEEN LOWER-RANKING COMBAT PERSONNEL

As in Europe and Central Asia, exchanges and visits could gradually also involve lower-rank military personnel. The following are some suggestions for the forms such exchanges could take.

- Reciprocal invitations could be extended for celebrations of national holidays or other festivities. If this proves controversial, a special North–South ‘reconciliation’ day could be designated, and celebrated annually with military ceremonies. Such ceremonies could build on the exchanges that have already been made to celebrate anniversaries of the 2000 summit meeting.
- Sporting events could be organized on a regular basis for members of the respective armed forces. These could be held alternately at locations in North and South Korea.

MEASURE 10

JOINT RESPONSE IN EMERGENCIES

Once the peace process has progressed sufficiently, military exchanges and contacts could take more substantive forms, such as planning and training for a joint response to emergencies.

This is a measure that has been agreed to in Latin America within the Organization of American States framework, while, the OSCE's Vienna CSBM Document provides for voluntary joint exercises and training ‘to work on tasks of mutual concern’. There are several types of emergencies that could be planned for. Initially, planning could be made for a joint response to relatively minor incidents, such as joint search-and-rescue activities following accidents at sea. Later, more large-scale cooperation plans could be made. For example, a plan could be worked out for a joint response to natural disasters, such as the flooding that occurs frequently on the Korean peninsula.

The following steps could be taken in order to implement this measure:

- Open communication channels between the respective authorities responsible for search and rescue at sea, especially the respective coast guards; and
- Exchange of current plans and procedures for search and rescue activities at sea. These plans would then have to be compared in order to identify points of similarity and difference.
- Observers could be exchanged to observe training for search and rescue at sea.
- Initiating work on a plan for joint search and rescue at sea. This could be done in a subgroup established within the bilateral dialogue framework and would involve representatives of the relevant authorities.
- Planning for joint training. One potential venue is Jeju Island in South Korea, a former military base on an island off the southern coast of South Korea and now a centre for peace-promoting activities. Alternatively, training could take place at a suitable location in North Korea.

Following successful cooperation in joint search and rescue at sea, similar steps could be taken for preparation of cooperation in case of other emergencies, such as natural disasters.

B3. Enhancing military transparency

A number of measures could be implemented in order to enhance military transparency between North and South Korea. Sharing of military information not only helps reduce the risk of misunderstandings, but may itself contribute to building an atmosphere of cooperation and goodwill. As is the case with most things regarding North Korea, limited information is publicly available about the North Korean military and its activities. Estimates have been made about the total number and composition of the armed forces, and about deployment and activities of the forces. Some information is also available (although not from North Korean sources) on the annual North Korean military training programme. (This begins around December and finishes around October of the following year. The larger exercises—at regimental, brigade, division and corps level—are conducted around August–October.) However, this information must be considered at best unreliable. Analysts have, indeed, questioned whether major exercises are still being conducted by North Korea at all, in view of chronic shortages. Information is also lacking on the North Korean arms industry, which in the past was thought to be rather considerable. Today it is suspected to be greatly reduced, as has been the case with other North Korean heavy industries.

Largely due to the secrecy of the North Korean Government and the lack of a stable peace regime, South Korea has traditionally also been reluctant to make public information about its military and its activities. This has positively changed in recent years, most notably owing to the producing and publishing of defence White Papers. Information is today also available on the annual US–South Korean joint military exercises. These exercises include the ‘Foal Eagle’ and ‘Reception, Staging, Onward Movement and Integration’ (RSOI) exercises carried out annually in March–April. The exercises are normally branded by North Korea as preparations for an attack on the North. Military matters do, nevertheless, remain highly secret in South Korea, as is evidenced by the continued poor availability of information on South Korean arms production (Surry).

Enhancing military transparency has been an important aspect of CBM regimes in other regions. In Europe, the (voluntary) prior notification of and basic information on large-scale land military exercises and movements were among the first CBMs agreed to under the 1975 Helsinki Final Act. These measures have also been copied and adapted to other regions. The 1991 Agreement on Advance Notice of Military Exercises between India and Pakistan provides for prior notification of land, naval and air exercises. Agreements between India and China (1996) and in Central Asia (1996) have also provided for the advance notification of military exercises.

Under the Basic Agreement, the Joint Military Commission was mandated to discuss the mutual notification of large-scale military exercises and movements. Since the JMC was never convened, such discussions never began and have not figured in the bilateral discussions since.

The following measures could be implemented in order to enhance military transparency on the Korean peninsula following the start of a peace process.

MEASURE 11

PRIOR NOTIFICATION OF LARGE-SCALE MILITARY EXERCISES

Such a measure has been an important part of CBM regimes in other regions. The first step that would be needed in order to implement a similar regime on the Korean peninsula would be for the two parties to agree on the following issues within the bilateral framework.

- The definition of what would constitute a ‘major’ exercise for land forces. This has varied between regions. For land exercises, examples range from the Helsinki Final Act, which set the limit at 25 000 personnel, to the 1996 China–India agreement,

which set the limit at 5000 personnel in border areas. Elsewhere, a limit of 12 000 personnel has been suggested for the Korean peninsula (see Vannoni et al.). Agreements in other regions have also included criteria relating to numbers of weapons, such as the 1986 Stockholm Document, which included exercises where, for example, 300 or more battle tanks participated.

- Similar definitions would have to be made for air exercises. The Stockholm Document and the successive CSBM accords defined major air exercises in terms of number of sorties, placing the limit at 200. Other agreements have chosen to focus on the number of aircraft participating in the exercise, such as the 1991 agreement between India and Pakistan, which placed the limit at the level of Regional Command. One source has suggested a limit of 36 aircraft participating for the Korean peninsula (Vannoni et al.).

- Definitions would also have to be made for naval exercises. Examples here include the 1991 India–Pakistan agreement, which suggested the participation of six or more ships of destroyer/frigate size. A limit of 6 naval vessels participating has been suggested for the Korean peninsula (Vannoni et al.).

- The area of application needs to be decided on. In some regions (e.g. Europe), exercises conducted anywhere on the territory of the participating states have been notifiable. In other regions, exercises have only become notifiable if conducted within a certain distance of the mutual border (e.g. the India–Pakistan agreement set the limit at 75 km from the border for land exercises).

- It seems rather obvious that the area of CBM application should cover the whole of the Korean peninsula given its relatively small size and the security significance for each Korean state of exercises conducted also in rear areas of the other country. However, the fact that in the north the DPRK adjoins two other countries: China and Russia, creates the sensitive issue of whether those border areas should be subject to a CBM zone on both sides, something that Moscow and Beijing might or might not accept (especially if they felt that no comparable restraints had been laid on US or Japanese activities). If necessary in this context, a northern border strip could be excluded from the area of application. An alternative would be for North Korea and its two northern neighbours to reach border CBM or disengagement agreements separately between themselves. Likewise, the area of application may cover adjoining sea areas, and consequently the naval forces stationed and operating there. Extending constraints beyond the forces of the two Koreas themselves could, however, be a very controversial issue due to the US position, in particular.

- The time in advance that exercises have to be notified has to be agreed upon. In the 1975 Helsinki Final Act, the limit was set at 21 days in advance. This was extended to 42 days in the 1986 Stockholm Document. The 1991 India–Pakistan

agreement set the amount of time in advance according to the size of the exercise (30 days for divisional level exercises; 60 days for corps level; 90 days above corps level). For the Korean peninsula, the time limit should be as long as possible, but at least 21 days in advance. Some regions (e.g. Europe) have also chosen to report annually on the planned notifiable exercises for the coming years.

- An agreed format for the notifications needs to be defined, as well as the information that should be included in the notifications. In other regions, agreements have called for notifications to include information on the purpose, type of exercise, number of forces participating, the general geographical area and duration (*vide India–Pakistan, India–China and China–Russia + 3*). Similar information ought to be included in an agreement on the Korean peninsula.
- Agreement needs to be reached on where the notifications will be made. On the Korean peninsula, it would preferably be made within the bilateral dialogue framework.
- Finally, consideration needs to be given to whether the information exchanged about exercises would be publicly available, as in Europe, or whether it would be confidential, as is the case with the information exchanged between Russia and China. In the case of the Korean peninsula, the latter would probably be more acceptable for both North Korea and South Korea, at least at the initial stages.

MEASURE 12

EXCHANGES OF OTHER MILITARY INFORMATION

The regular exchange of other military information, in addition to the prior notification of military exercises, has played an important role in CBM regimes in other regions. In the case of India and China, their agreement included provisions for the exchange of data on the number of forces and armaments deployed along their mutual border, as well as on the number by which forces would be reduced. The same provision was included in the Shanghai Agreement. Within the ARF and OAS frameworks, member states have been encouraged to produce and share defence White Papers (although not all member states of these organizations have done so) as well as participate in UNROCA.

The following measures could be considered at some stage for the exchange of military information:

- As a UN member, North Korea could begin participating in the military information exchange regimes of the United Nations. Under UNROCA, participating states are required to annually submit information on their international arms transfers, their holdings and procurement through national production of armaments in the following categories: battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles and missile launchers. South

Korea already participates in this arrangement. Information submitted to the UN could also be exchanged bilaterally between North and South Korea.

- The DPRK could begin participating in the military information exchanges of the ARF, of which North Korea has been a member since 2000. One important CBM under this arrangement is the production and exchange of defence White Papers among ARF participants, in which South Korea already participates. Defence White Papers could be exchanged bilaterally between North and South Korea, in addition to among the other members of the ARF. If North Korea goes along with such an arrangement, it is likely to require some outside methodological assistance with producing its own defence White Paper. This could be included in the capacity-building programmes mentioned above, and special instruction on the subject could be given by European or Asian states.
- North and South Korea could regularly exchange, within the bilateral dialogue framework and in accordance with an agreed format, information on the following:
 - ~ Military infrastructure and fortifications, including mine fields, within the DMZ. Both North and South Korea have a number of installations within the DMZ, such as bunkers and guard towers.
 - ~ Total number of armed forces, preferably including more detailed information on the number of forces designated to the different branches of the armed forces (land, sea, air force).
 - ~ Size and deployment of major military units, especially those close to the DMZ.
 - ~ Holdings of certain categories of heavy armaments, particularly those stationed close to the DMZ. The following categories should be included: battle tanks, armoured vehicles, artillery, aircraft and battle ships.
 - ~ Information on the respective missile programmes of the two states.
 - ~ Information on respective military expenditures. This would require agreement on a common methodology regarding what to include when compiling the total of military expenditure. The OSCE states use the UN Instrument for Standardized International Reporting of Military Expenditure as the basis. The OAS member states have been working on developing such a common methodology.
 - ~ Acquisitions of agreed categories of armaments, both from international arms transfers and from national production.

Given the degree of difficulty and intrusiveness of most such exchanges, it is likely that many of the options (such as reporting on military spending) could only be introduced at later stages of the evolving confidence-building process.

MEASURE 13

INVITATION OF INSPECTION TEAMS

In order to verify certain categories of the information exchanged, North and South Korea could mutually agree to exchange observers and evaluating teams. Such mutual exchanges of inspectors, especially to military exercises, have been an important part of CBM regimes in other regions. In Europe, voluntary exchanges of observers of military exercises were one of the original CBMs included in the Helsinki Final Act. Under the Stockholm Document, the invitation of observers was made obligatory for exercises involving more than 17 000 troops or 5 000 amphibious or airborne forces. Similarly, the Shanghai Agreement called for the invitation of observers to military exercises, conducted in the border area, involving more than 35 000 troops (obligatory), 25 000 troops (mutual basis) or 13 000 troops and 300 battle tanks (voluntary and on a mutual basis). Such observation missions could be used to verify the following information on the Korean peninsula:

- The size of manoeuvres conducted during military exercises. Apart from verifying the information exchanged, the mutual invitation of observers to military exercises may serve as a CBM in its own right.
- The evaluation of installations and fortifications reported within the DMZ. This could then form the basis for possible dismantling of such infrastructure (see measure 17).
- Deployment of forces and armaments in areas close to the DMZ. This could then form the basis for the disengagement of forces close to the DMZ (see measure 18).

An alternative to the mutual exchange of observers and evaluators would be to create international observation/evaluation teams that could conduct the above-mentioned inspections, in whole or in part. These international teams would then provide regular reports on their findings to the Pyongyang and Seoul authorities, possibly through the bilateral dialogue framework or the conflict management/conflict prevention centre. Such an arrangement could build on the experience of the NNSC as mandated under the Armistice Agreement (see chapter 5). Inspection teams could also be composed of both Korean and international personnel.

In order to establish an inspection regime, the following would need to be decided:

- The number of observations/evaluations each state has to accept per year.
- The parameters for when the invitation of observers/evaluators becomes obligatory (cf. the above examples from other regions).
- The composition of the inspection teams.
- Practical issues, such as arrival, exit and travel of observers/evaluators across the DMZ, accommodation, as well as freedom of movement of the observers.

C. Specific measures for land forces

Alongside the above-mentioned measures applying to all branches of the armed forces, a number of CBMs could be envisioned that would apply specifically to the land forces of the two sides. In many respects, the threat posed by conventional land armed forces and armaments has been the most serious and central issue on the peninsula since the Korean War ended. The following CBMs may be considered for ground forces following the start of a peace process.

C1. CBMs for the Demilitarized Zone

The demilitarized zone was created by the Armistice Agreement at the end of the Korean War as a buffer zone between the armed forces of North Korea (and the Chinese ‘volunteers’) and the US-led UN forces. It extends for 2 km either side of the Military Demarcation Line (MDL), and runs from coast to coast.

Although the DMZ is supposed to be completely demilitarized, a number of fortifications and military installations exist within it on both sides of the MDL. They include bunkers and guard towers, as well as tunnels dug by North Korea. Both sides of the DMZ are heavily mined, a legacy of both the Korean War and the subsequent confrontation. Furthermore, incidents occur within and along the DMZ. Although these incidents are usually relatively minor, they serve to maintain a relatively high level of tension across the DMZ.

Not much has been done so far to reduce this tension. An agreement reached at General-level Talks in 2004 led to the cessation of the propaganda activity across the DMZ by both sides, including the near complete removal of relevant equipment, such as loudspeakers and billboards.

The following measures could be implemented to increase predictability and confidence within and along the DMZ.

MEASURE 14

ESTABLISHMENT OF A CODE OF CONDUCT FOR ACTIVITIES WITHIN THE DMZ

In order to increase predictability and avoid incidents arising out of misunderstandings, a code of conduct for activities within the DMZ could be established. Such a code of conduct would include the following (Vannoni et al.):

- Establishment of a certain number of fixed entry and exit points. Entry and exit to and from the DMZ should only be permitted through these points.

- Patrols inside the DMZ should take place according to an agreed fixed schedule and along previously agreed routes. Deviation from the fixed schedule or routes should only be permitted after obtaining prior agreement from the other side.
- There should be an agreed procedure for dealing with breaches of the code of conduct. As a first step, this should include communication using the various bilateral hotlines discussed above.

The implementation of the code of conduct, including breaches and their lessons, should be regularly reviewed within the bilateral dialogue framework. Further provisions to be added to the code of conduct should also be discussed and adopted within that framework.

MEASURE 15

INTERNATIONAL OBSERVATION OF THE DMZ

Another CBM could be to establish a mission of international observers within the DMZ. These international observers could either perform their functions side-by-side with the North and South Koreans, or play an independent role in monitoring within the DMZ.

There are several precedents for such arrangements from other regions. The annex to the 1975 Interim Agreement between Israel and Egypt established an early warning system to be located within the demilitarized zone. This was to be manned by US civilian personnel. Under the 1979 Peace Treaty between Israel and Egypt, monitoring of the demilitarized zone established on the Sinai peninsula was entrusted to UN peacekeepers. The UN force was to operate checkpoints, carry out patrols and man observation posts both along the borders of the demilitarized zone and within it. Likewise, UN observers were mandated to observe and monitor the demilitarized zone established on the Golan Heights under the 1974 Syrian–Israeli Disengagement Agreement, and UN peacekeepers are still monitoring the demilitarized zone between North and South Cyprus.

An international force stationed in the DMZ should have the status of observers rather than peacekeepers (at least at early stages of the peace process), and its functions would be limited to observing and reporting on activities within the DMZ, not enforcing it. Unlike in the examples cited above, where the UN has played a major role in such missions, the role of the UN in the Korean War—and the continued designation of the US forces in South Korea as being under ‘UN Command’—would probably inhibit the UN from heading such an observation mission. Instead, it would be feasible to use the experience gained by the member states of the NNSC for this task, even though the body as such, by virtue of its association with the Armistice Agreement,

could be difficult for the DPRK to accept. The international observation of the DMZ could be combined with the verification observations carried out in the context of the information exchanges (see measure 12). The international observers could perform the following functions.

- Manning of observation towers both within and along the borders of the DMZ. This could either be done in cooperation with North and South Korea, or solely by the international observers.
- Carrying out patrols within the DMZ.
- Establishing and operating an early warning system within the DMZ. Such a system could be based on sensors, set up along the borders of the DMZ.
- Monitoring and reporting any breaches of the DMZ, submitting their reports to both North and South Korea.

MEASURE 16

JOINT MONITORING OF THE DMZ BY NORTH AND SOUTH KOREA

Once a certain level of trust and confidence has been built between North and South Korea, some tentative forms of joint monitoring of the DMZ could be implemented. Such joint monitoring could take place on a bilateral basis, or in cooperation with international observers. The following may be considered as options for cooperative monitoring.

- The joint manning of select guard towers by North and South Korean observers in the DMZ.
- Another option that has been suggested is to install unattended sensors within the DMZ, and thereby remove or reduce the need for patrols (Vannoni et al.). Information gathered from the use of the sensors could then be shared between the two parties within the bilateral dialogue framework.

C2. Further military disengagement

The forward deployment of forces on both sides of the DMZ is currently the greatest threat to peace on the Korean peninsula. On the North Korean side, it has been estimated that around 70 per cent of the armed forces are deployed south of the Pyongyang–Wonsan line. Along with this massive manpower, much of North Korea's heavy offensive armaments are also deployed in these areas. In particular, North Korea is estimated to have stationed large amounts of long-range artillery along the northern border of the DMZ, some of which are capable of reaching Seoul. A similar forward deployment is evident on the South Korean side. The USA still has 'tripwire' forces forward deployed close to the DMZ. As part of the overall realignment of US forces in South Korea, these forces

are currently being redeployed to bases further south in the ROK. This may be interpreted as a unilateral CBM by the USA if accompanied by relevant security assurances. In the absence of such assurances, the DPRK may well interpret the move as destabilizing. The following steps may be taken in order to further the disengagement of armed forces on the Korean peninsula.

MEASURE 17

REMOVAL OF MILITARY INSTALLATIONS WITHIN THE DMZ

As noted above, military installations and fortifications are maintained on both sides of the MDL within the DMZ. In addition, mine fields exist on both sides. A schedule could be set for the removal of all these installations and mine fields in the DMZ. This could be done according to a fixed schedule, and could be continuously verified through the exchange of inspectors, or alternatively by the international observation mission (see measure 15). Some of the guard towers could also be dismantled.

MEASURE 18

CREATION OF ZONES OF LIMITED DEPLOYMENT BEYOND THE DMZ

An agreement could be reached on the creation of zones of limited deployment on either side of the DMZ. This measure would build on the model developed in the 1979 Peace Treaty between Israel and Egypt, which resulted in a demilitarized zone on the Sinai peninsula. Further zones were created beyond the demilitarized zone, and limits were placed on the number of troops and armaments that could be deployed in these zones.

Furthermore, the number of military installations and fortifications were not to exceed the necessities of the limited number of troops stationed in the zones. A similar arrangement was implemented between Syria and Israel under their 1974 Agreement on Disengagement.

Implementing such an arrangement on the Korean peninsula would build on the declarations and verifications of the number of troops and armaments stationed along the DMZ by each side. The following issues will also need to be agreed on within the bilateral dialogue framework:

- The size of the zones of limited deployment. Some analysts have suggested that these zones be asymmetrical, extending further on the northern side than on the southern, due to the vulnerable location of Seoul only 50 km from the DMZ. One such proposal suggests that the zone extend 10–20 km on the southern side and 30–40 km on the northern side (Yong-Sup Han; Møller).

- The limits on forces and armaments deployed within the zones of limited deployment. The following categories of armaments would be limited under the agreement: battle tanks, armoured combat vehicles and artillery.

Following agreement on the above issues, a schedule should be set for the withdrawal of forces and armaments. This can be done in several stages. In the Israel–Egypt Peace Treaty, the timeframe for the full implementation of the agreement was three years, and it was to be completed in two stages. On the Korean peninsula, given the amount of time that the forces have been fortified on each side, the timeframe should probably be longer than this, possibly five to seven years.

- Verification of the withdrawals. This could be done either through further exchanges of inspections, or by the international observation mission.

There are two issues that would have to be taken into account in connection with such a withdrawal process.

First, the importance of geography has already been noted. The forward deployment of North Korean forces close to the DMZ must primarily be understood in terms of North Korea's military and political strategy, but probably has much to do also with the largely mountainous character of the country further north. It may be the case that North Korea would have major difficulty to redeploy large parts of its armed forces to these areas, particularly its heavy armaments.

Second, the financial costs of such a venture should be addressed, preferably in an international setting. Since North Korea would most probably not be able to finance a significant dismantlement and relocation programme on its own, financial assistance from outside donors would be necessary. The European precedent was German aid and assistance in redeploying the Soviet/Russian troops and equipment back home in the early 1990s. Moreover, it is possible that North Korea would require some form of technical assistance in relation to the redeployment of its forces.

D. Specific naval and maritime confidence-building measures

Although neither North nor South Korea possesses very large naval forces, several incidents have occurred between them on the seas. The main source of tension is the disputed maritime boundary between the two states in the West Sea (Yellow Sea). North Korea does not recognize the UN Command's Northern Limit Line (NLL), arguing that it was not included in the Armistice Agreement. It instead wants a line to be drawn south of the NLL, something that South Korea and the UN Command are not prepared to accept. At

the root of the disputed maritime border is the very profitable crab fishing in the area. Clashes between the two navies took place in 1999 and 2002 during the crab fishing season. Since these clashes, naval CBMs have figured prominently in the bilateral dialogue between North and South Korea. Some agreements have also been reached. The 2004 General-level Talks resulted in an agreement to establish a naval hotline as well as other means of communication, such as signalling. Although the naval hotline has not been effectively implemented, it has been tested and could be employed once the necessary political conditions exist.

At various bilateral meetings during 2004–2005, the two sides have also agreed to a number of CEMs in an effort to enhance maritime cooperation. In June 2004, a maritime agreement was signed that among other things regulates maritime transport in these territorial waters of the two Koreas. Furthermore, in bilateral working-level talks, agreements have been reached on cooperating against illegal fishing by third countries in their territorial waters as well as a joint fishing zone in the East Sea (Sea of Japan). An agreement in July 2005 established a fisheries cooperation committee ‘for peace and joint interests of fishermen of the two Koreas in the West Sea’. However, this committee has still to deliver any concrete results.

A number of additional measures may be envisioned to further enhance naval and maritime confidence building between the two Koreas.

MEASURE 19

A BILATERAL INCIDENTS AT SEA AGREEMENT

In order to avoid accidental clashes between the naval forces of North and South Korea, an agreement similar to the 1972 Incidents At Sea Agreement signed between the USA and the Soviet Union, which could be agreed between the two Koreas. The 1972 agreement includes a number of CBMs for naval forces.

For example, ships are to take precautions to avoid collisions and not simulate attacks against ships of the other party. Advance notice is to be given of dangerous activities on the high seas. Signalling and other forms of communication are to be used to convey intentions. Finally, the parties meet once a year to review the implementation of the agreement. The 1973 protocol to the 1972 agreement stipulated that the provisions also apply in relation to non-military ships. A plan to establish a military hotline between the air and navy forces of China and South Korea to handle unforeseen situations in the West Sea was reported in spring 2007. As described above, many of these functions are already served by existing North–South agreements. However, an

'incidents at sea' agreement could be beneficial, and could incorporate all the already existing agreements. Such an agreement would, however, have to be adapted to the specific context of the Korean peninsula.

Unlike the US–Soviet agreement, which was designed to apply on international waters and have global applicability, a bilateral agreement between North and South Korea would have to apply primarily in the waters surrounding the peninsula, including both international and territorial waters. Rather than discussing incidents at yearly meetings, these should be taken up as soon as possible due to the potential for escalation. This could be done within the bilateral dialogue framework, or in a subcommittee thereof.

MEASURE 20

MUTUAL VISITS TO PORTS

A further measure to enhance contacts between the navies of the two states would be to promote visits of their respective navies to ports. An example of such an arrangement is that agreed between Finland and Russia in 2002, according to which the navies of the two states biannually visit each other's naval bases/ports. Similar arrangements were also included in the 2002 document on naval CBMs in the Black Sea region signed by Bulgaria, Georgia, Romania, Russia, Turkey and Ukraine.

Such a measure would build on the 2004 agreement regulating civilian maritime transport, under which civilian vessels would be treated equally within each other's ports. In the military sphere, an agreement could be reached for military ships of each side to make one or more visits per year to military ports of the other side. In South Korea, several military ports could host such visits, such as the deep-water port in Busan. North Korea has a number of naval bases on both the east and west coasts. The West Sea fleet has its headquarters at Nampo, while the East Sea fleet has its headquarters at Toejo-dong. These bases would probably be capable of hosting visits from the South Korean navy.

MEASURE 21

ESTABLISHING A JOINT FISHING ZONE AND A JOINT FISHING VENTURE IN THE WEST SEA

A Joint Fishing Zone could be established in the West Sea along the disputed NLL, where naval clashes have taken place in the last few years. This has been a topic of discussion at bilateral talks between the two states, although an agreement has not yet been reached. A Joint Fishing Zone in the West Sea is another CBM/CEM that has been studied by researchers both in South Korea and abroad.

One such proposal (Vannoni et al.) envisions the following two possible cases for a Joint Fishing Zone in the West Sea:

- Between the NLL and South Korea's 'red line' (drawn unilaterally by South Korea approximately 5.6 km south of the NLL, beyond which vessels are not allowed in order to prevent incidents from occurring).
- 3 km either side of the NLL.

In addition, the proposal suggests the following features of the Joint Fishing Zone:

- The boundaries of the zone would be marker buoys equipped with flashing lights, radar reflectors as well as Global Positioning System (GPS) capabilities.
- Designated vessels from each side would cooperatively patrol the joint zone. These designated vessels should be clearly marked and should be jointly manned by North and South Korean inspectors.
- No military vessels would be allowed to enter the Joint Fishing Zone.
- The designated patrol vessels would be able to detain foreign vessels fishing within the zone.

The proposal also envisions a Joint Fishing Venture within the Joint Fishing Zone:

- A joint fish processing facility would be designated, possibly in North Korea.
- Only registered fishermen from each side would be permitted to fish within the zone, and would deliver their catch to the processing facility.
- The processed fish would be sold locally and internationally, and the profits would be split equally between North and South Korea.
- The Joint Fishing Venture would be monitored and managed by a Joint Fishing Commission (JFC). The JFC, which would meet regularly, would also handle vessel registrations and monitor catch quotas.

E. Aerial and space confidence-building measures

This section is divided into a general part on aerial and space CBMs, and a second part on missiles, due to their pertinence in the Korean context.

E1. General aerial and space measures

In comparison with the tension created on the Korean peninsula by the forward deployment of land forces and the occasional clashes of naval forces in the West Sea, there have been surprisingly few incidents involving the respective air forces. Both parties have sought to avoid aerial incidents and have largely respected the terms of the Armistice Agreement, which prohibited military aircraft from flying over the DMZ.

A few isolated aerial incidents have, however, occurred in the past. For instance, a crisis was sparked in 1969 when a US helicopter was shot down by North Korean forces after having crossed into North Korean airspace. As this incident demonstrates, any CBM accord regulating the activities of air forces would have to cover US aircraft as well. The USA currently deploys the 7th Air Force as part of United States Forces Korea (USFK), with the headquarters at Osan Airbase, located 60 km south of Seoul. The following CBM could be envisioned for air forces.

MEASURE 22

EXTENSION OF THE NO-FLY ZONE

In order to further reduce the risk of incidents involving the air forces, the no-fly zone over the DMZ could be extended. Such an agreement could be based on the 1991 Agreement on the Prevention of Air Space Violation between India and Pakistan. Under this agreement, the respective combat aircraft were prohibited from flying within 10 km of each other's air space.

The following would need to be agreed on in order to extend the no-fly zone:

- The distance the no-fly zone would extend on either side of the DMZ. A distance of 5 km could be suggested.
- Establishing procedures for handling possible breaches of the no-fly zones. Such procedures could involve:
 - ~ Making contact using the communications hotline.
 - ~ Referring the matter to the bilateral dialogue framework/crisis-management/conflict prevention centre.

E1.1. Cooperative aerial and space monitoring

In order to further enhance military transparency on the Korean peninsula, the two Koreas could agree to a regime of cooperative aerial monitoring. Such an arrangement could be based on the Open Skies Treaty in Europe. Under this treaty, each participating state is permitted to make a certain number of unarmed overflights of other participating states in order to observe military forces and activities. Each state is obliged to accept a certain number of such overflights by other member states. Precedents for cooperative aerial monitoring also exist in the Middle East. In particular, the disengagement agreements between Israel and Egypt and Syria of 1974–75 provided for observation flights to be carried out by the UN observer missions stationed there.

At the later stages of the confidence-building process the idea of extending the open skies regime to other states of the region could be considered and promoted.

The following options could be considered to implement cooperative aerial monitoring on the Korean peninsula.

MEASURE 23

OBSERVATION FLIGHTS CLOSE TO MUTUAL BORDER

Building on experience in the Middle East (Krepon; Constable), an agreement could be reached permitting unarmed observation flights by each side within the DMZ, but on their own side of the MDL. This would allow for both aerial observation of the DMZ and, depending on the level of technical equipment on-board the flights, observation of activities in the areas adjoining the DMZ. Agreement would have to be reached on the technical level of the equipment permitted on-board the flights.

MEASURE 24

BILATERAL OPEN SKIES AGREEMENT

Another option would be for the two Koreas to agree to a bilateral version of the Treaty on Open Skies. The following issues would have to be addressed within the bilateral dialogue framework:

- Number of flights that can be conducted per year. Under the Open Skies Treaty, each state is obliged to receive up to three overflights per year. In the context of the Korean peninsula, it may be possible to agree to more flights. For instance, mutual overflights could be carried out on a monthly basis, according to a fixed schedule.
- The level of resolution for images of ground objects of the observation equipment on-board the aircraft. This is restricted under the Open Skies Treaty. Similar restrictions could be made on equipment in the Korean context.
- Composition of the flight crews. The Open Skies Treaty permits representatives from the host state to be present during observation flights. This would also be advisable in the Korean context.
- Availability of the data collected. As under the Open Skies Treaty, all the data collected during observation flights should be shared between both parties.
- The issue of sharing the costs of implementation (the measure is very expensive) should be addressed, including the possibility of external assistance.
- Assistance from the NNSC countries with regard to both financial aspects and demonstrations is advisable (see chapter 5).

MEASURE 25

AERIAL OBSERVATION BY INTERNATIONAL OBSERVERS

Another option would be for aerial observation flights to be carried out by international

observers. This would build on the experience of the disengagement agreements signed by Israel with Egypt and Syria in 1974–75. Under these agreements, observation aircraft were based in the respective demilitarized zones and were operated by the UN peace-keepers and observers, with significant assistance from the USA. These observation flights provided a complement to the on-site inspections carried out by the UN forces.

MEASURE 26

SHARING SATELLITE INTELLIGENCE

A unilateral CBM could be offered by the USA to share with North Korea low-resolution satellite intelligence of the border area between North and South Korea. Furthermore, help for North Korea to acquire commercial satellite photography with satisfactory resolution of imagery could be considered. (Google Earth is already available.)

E2. Specific measures for missile tests

In recent years, both North and South Korea have developed medium-range missiles capable of reaching the entirety of the other side's territory, as well as the territory of most of the states in North-East Asia. Tests of these missiles have the potential to increase both inter-Korean and regional tension. This was most recently demonstrated by the missile tests carried out by North Korea in July 2006. Security Council Resolution 1695 (15 July 2006) called for suspension of all North Korean ballistic missile-related programmes. Once the DPRK's denuclearization is advanced or completed, North Korean missile tests could be more internationally acceptable under certain conditions. Such arrangements would not be limited to the two Koreas only, but should preferably be extended to other actors in the region (e.g. Japan). The following measure may be considered in order to reduce the tension caused by missile tests on the Korean peninsula.

MEASURE 27

PRIOR NOTIFICATION OF MISSILE TESTS

An agreement on the prior notification of missile tests could serve to reduce the tensions caused by missile tests carried out by either of the two Koreas. Notification is important in order not to endanger civil aviation and shipping. Such an agreement could be modelled on the 2005 Agreement on Pre-Notification of Missile Tests signed by India and Pakistan.

The following issues would need to be addressed in an inter-Korean agreement on missile tests:

- Timing of advance notice. In the India–Pakistan agreement, this is set at 72 hours in advance. A similar or, preferably, longer amount of time could be adopted to for an inter-Korean agreement.
- Which missiles would be covered by the agreement. The India–Pakistan agreement is limited to tests of ballistic missiles. In the inter-Korean case, given the proximity of strategically significant locations close to the border on both sides (most notably Seoul in South Korea), it would be advisable that pre-notification be agreed for all types of ballistic missiles.

E2.1. Constraints on missile launches

In addition to pre-notifications of missile tests, the two Koreas could also agree on placing constraints on the extent, nature and timing of such launches. Such an arrangement could again make use of the model developed by the 2005 India–Pakistan agreement.

MEASURE 28

CONSTRAINTS ON MISSILE FLIGHT PATHS

Under the India–Pakistan agreement, missiles were not allowed to fly within 40 km of the mutual border. A similar distance could be agreed between the two Koreas for tests of ballistic missiles. A shorter distance could be agreed for tests of shorter-range missiles.

MEASURE 29

CONSTRAINTS ON LANDING SITES OF MISSILES

Under the India–Pakistan agreement, missiles were not to land closer than 70 km to the mutual border. A similar distance could be agreed between the two Koreas.

MEASURE 30

EXCHANGE OF INFORMATION ON MISSILE PROGRAMMES

The two Koreas could exchange information on their respective missile programmes. The following information should be included in such an exchange:

- The types of missiles that have been developed, as well as the number of missiles currently in stock.
- The range of the various types of missiles.

MEASURE 31

MUTUAL AGREEMENT NOT TO CARRY OUT TEST DURING PEAK SEASONS

Interested states could agree not to conduct missiles tests during the peak seasons (tourist, harvest, etc.). It can build on Greece–Turkey CBMs for aircraft flights.

F. Strengthening confidence through non-military measures

In contrast to the low levels of progress achieved with military confidence-building in the past, a number of cooperative projects have been pursued and implemented between North and South Korea in the non-military field. Although controversial, progress has been seen in the field of economics, people-to-people contacts and the establishment of frameworks for political and economic dialogue. This section gives an overview of the ongoing efforts and then lists further possible CBMs of a non-military nature.

F1. Pursuit of confidence enhancement: a balance sheet

The 1991 Basic Agreement included a chapter on ‘Exchanges and cooperation’ that emphasized economic exchanges and cooperation, such as increased trade and the establishment of joint ventures. Exchanges and cooperation were to take place in the field of science and technology, education, literature, sports, the environment and media. In addition, there would be free travel, contact and correspondence among people of the two states, and severed roads and railroads would be reconnected.

Unlike the ‘Non-aggression’ chapter of the Basic Agreement, which has seen almost no progress, the chapter on ‘Exchanges and cooperation’ has seen significant progress in implementation. This has largely been the result of the ‘sunshine policy’ adopted by then South Korean President Kim Dae-Jung (1998–2003). The essence of this policy, dubbed as the ‘separation of economy from politics’, was the use of private-sector led economic interaction to gain entry to North Korea and start building a basis for political trust and cooperation. The general direction of this policy has been maintained by the current South Korean President Roh Moo-Hyun under the name ‘Policy for Peace and Prosperity’.

Although some progress was seen in the late 1990s, most advances in the non-military field have been made since the inter-Korean summit of June 2000, where it was agreed to organize reunions of separated families and to promote economic cooperation and exchanges in the civic, cultural, sports, health and environmental fields. Indeed, the very different North–South relations of today, compared to only 10 or even five years ago, can largely be attributed to these non-military achievements.

Nevertheless, many of these measures have been criticized on several counts. Firstly, critics point to the apparent lack of reciprocity of most of these measures, emphasizing that 99 per cent of the cross-border visits that have been made so far have been made by South Koreans.

Second, those North Koreans who have visited the South have been carefully selected by the North Korean Government from certain sectors of society. Even the contacts that do take place, for example the family reunions, are strictly controlled by the DPRK authorities. The paragraph in the Basic Agreement calling for open and free travel and exchanges among ordinary citizens remains far from being implemented.

Third, North Korea usually demands large sums of money for contacts and exchanges to take place, which might suggest that Pyongyang is more interested in the financial profits than in genuine confidence-building.

Finally, criticism has been directed at the apparent lack of a connection between the non-military efforts and progress in the military sphere. The belief that non-military achievements would naturally spill over into the military sphere has not materialized, leading critics of the sunshine policy to suggest that tougher conditions should be attached to these efforts by the South Korean Government.

This criticism swelled again after the missile and nuclear tests carried out by North Korea during 2006. It has come from the USA, which has been trying to limit progress in the economic cooperation projects in an effort to further isolate North Korea, as well as from South Korea's own political opposition. President Roh has, however, stated that the economic cooperation projects will continue to develop.

In the wake of the 2000 Summit, the following accomplishments may be seen as CEMs.

F1.1. Frameworks for dialogue and cooperation

A number of frameworks for inter-Korean dialogue have been established. Foremost among these are the Ministerial Talks set up to implement the agreements made at the 2000 Summit. Although these meetings are organized on an ad hoc basis, and a number of the sessions have failed to reach results and collapsed, the fact that 19 such meetings have been held since 2000 suggests that this framework is now at least semi-institutionalized. The main focus of the discussions has been on economic cooperation, as well cultural and sporting exchanges. The concrete results of these discussions are discussed below.

Within the general framework of the Ministerial Talks, a series of subcommittees have been established in order to discuss specific issues, such as the Committee for the Promotion of Inter-Korean Economic Cooperation and the Inter-Korean Agricultural Cooperation Committee. Proposals have been made for establishing a committee on Inter-Korean Social and Cultural Cooperation. In addition, a number of working-level meetings have been held between representatives of the two states to work out the specific details of implementation of the various measures agreed.

F1.2. Economic cooperation projects

Three major economic cooperation projects have resulted from the Ministerial Talks, two of which are being implemented and have seen significant expansion since they began.

Kaesong Industrial Complex. Begun in 2003, the Kaesong Industrial Park was developed in the private sector jointly by Hyundai Asan and the Asia Pacific Peace Committee, and aims to combine cheap North Korean labour and land with South Korean capital and technology. The project can potentially serve some significant confidence-building functions. First, it is hoped that people-to-people contacts may be furthered over time by North and South Koreans working side by side (although under present conditions, the impact of this is dubious and likely to be very slow at best). Second, the industrial complex has security implications since Kaesong is located along one of the main invasion routes used during the Korean War, and North Korean artillery has had to be relocated from the area. Third, since the South Korean workers commute daily to Kaesong and most of the products produced there are transported back to South Korea, the complex has necessitated the opening up of transportation routes through the DMZ.

Mount Kumgang tourism. Another economic cooperation project has been the development of tourist tours that take South Koreans to visit Mount Kumgang, located just north of the DMZ, where a resort has been established. These tours were begun in 1998 with the tourists travelling by boat from the South to the North. Since September 2003, however, the trip had been made by land along roads that cross the DMZ. Over one million South Korean tourists have made the trip so far. This project also originated in the private sector, with Hyundai being the main benefactor.

These tours are conducted under strictly controlled conditions. The South Koreans are not permitted to have any contact with North Koreans not working at the resort, only take pictures of designated areas, and are not allowed to say anything negative about North Korea. Although the large number of tourists testifies to the success of the project, it has been the victim of similar criticism as the Kaesong Industrial Complex: that the project helps to prop up the North Korean system financially.

Just as with Kaesong, the Mount Kumgang project plausibly serves confidence-enhancing functions. It involves people-to-people contacts, although under strictly controlled conditions, through daily interactions between the North Korean workers at the resort and the South Korean tourists. Furthermore, the resort is located along the other main invasion route used during the Korean War, thus creating a relevant if rather flimsy obstacle to future armed conflict.

Reconnecting railroads and roads. The third economic project has been to reconnect severed railroads and roads across the DMZ in order to facilitate commercial transactions between North and South Korea. The two railroads designated for reconnection are the Kyungui line in the West, connecting Seoul and Pyongyang, and the Donghae line in the East, which would provide increased access to Mount Kumgang. Of the three projects, this is the one with the least success so far. Construction on the roads, which run alongside the railroad tracks, was completed in 2004. Although the reconnection of the railroads was completed in 2005, test runs with trains scheduled for October 2005 failed to materialize, as did the planned test runs in March 2006. The main problem has been the failure to reach agreement on military guarantees for the trains passing through the DMZ. The reconnection of the railroads and roads has required substantial cooperation between the militaries of the two sides, most significantly in de-mining parts of the DMZ but also in allowing construction workers to operate inside the DMZ. The completion and operation of the project would significantly increase the prospects for inter-Korean contacts and cooperation, especially in the economic field.

Interpersonal contacts. Apart from the people-to-people contacts that take place in Kaesong and at the resort in Mount Kumgang, such contacts have also been promoted through successive rounds of reunions of family members separated since the Korean War. The first such reunion was carried out in 1985. Since the 2000 Summit 10 such reunions have taken place and at least 10 000 family members have participated. The reunions have taken place alternatively at locations in the DPRK and in the ROK. A number of video reunions have also been organized since 2005.

Cultural and sporting exchanges. Since 2000, a number of cultural and sporting exchanges have also taken place between North and South Korea. In the cultural arena, the national orchestras of the two states have performed in the capitals of the other state and books have been published jointly by North and South Korean academics. In sports, the respective Taekwondo exhibition teams have made exchange performances, a North–South football match has been held, the North and South Korean squads entered the opening ceremony of the 2000 Sydney Olympics together, and North Korea sent a sizeable squad to participate at the 2002 Asian Games held in Pusan, South Korea (Jonsson).

F2. Options for further confidence-enhancing arrangements

The first part of this subsection lists measures dealing specifically with conflict issues. These are often more sensitive than CEMs not addressing a conflict issue, yet, if implemented, they have a far greater impact in supporting the peace process, as they actually work on the issues at stake. CEMs not addressing conflict issues are listed in the second part of the subsection. They may be undertaken if no movement is possible on the sensitive issues.

F2.1. Measures dealing with conflict issues

MEASURE 32

WILDLIFE SANCTUARIES

The isolation of the DMZ over several decades has made it into a unique wildlife reserve, serving as a home to several endangered species. Several proposals have been made for a wildlife sanctuary to be established in all or part of the DMZ to preserve the habitat and allow biological research in the area. Proposals have also been made to designate the DMZ as a UNESCO World Heritage Site. Creating wildlife sanctuaries in the DMZ would require the following:

- Suitable sectors of the DMZ would have to be identified, taking into account both the perspective of natural preservation and mutual security concerns.
- A North–South agreement would have to be signed guaranteeing the safety of researchers and workers operating inside the DMZ to establish the sanctuaries, as well as providing military escorts for them.
- The respective militaries would have to cooperate with de-mining of the designated areas, as well as the removal of unexploded ordnance.
- The sanctuaries would have to be clearly marked in order to avoid incidents with researchers stepping outside the areas.

Following these preparatory steps, a Joint DMZ Research Board could be established, composed of researchers from both Koreas in order to cooperate in the research.

MEASURE 33

REUNION CENTRE FOR SEPARATED FAMILIES

The construction of a permanent Family Reunion Centre has been a topic of discussion in the bilateral negotiation frameworks between North and South Korea. At the 15th Inter-Korean Ministerial Talks, which took place in Seoul in June 2005, it was agreed to hold a ceremony for the construction of such a centre at Mount Kumgang, as well as to carry out land and geological surveys for the centre. The idea is for the centre to serve

as a location where family reunions can take place, rather than holding them at ad hoc locations, as has been the case until now. Although Mount Kumgang is the location considered up to now, such a centre could also be located within the DMZ.

MEASURE 34

ESTABLISHING A ‘PEACE MARKET’/‘PEACE CITY’

Another proposal that has not figured in inter-Korean discussions but has been raised in academic circles is to establish a ‘peace market’ inside the DMZ. This would serve as a location for the exchange of goods between the two states and their respective populations. If agreement for the construction of such a peace market in the DMZ cannot be reached, its location could be considered within the Kaesong Industrial Complex. In an extended form, a ‘peace city’ concept could be considered with various regional convention centres, peace and security research and training centres, and so on, under UN auspices.

MEASURE 35

‘DEALING WITH THE PAST’ WORKING GROUP

Early in a peace process, a working group could be established to identify outstanding issues and possible common initiatives related to a process of Dealing with the Past (DwP). The working group could begin with the Japanese colonial period, for which a common North and South Korean interest exists, but would eventually also include the Korean War and the period up to the 1991 North–South Joint Agreement on Reconciliation, Non-aggression, and Cooperation and Exchange. The working group would identify DwP issues to be addressed and propose a process on how to do so. A useful conceptual framework for the working group on DwP is provided by the ‘Joint principles’, which were developed to combat impunity by Louis Joinet in his capacity as UN Special Rapporteur to the Sub-Commission on the Protection and Promotion of Human Rights. The ‘Joint principles’ identify four key areas which a working group of this nature would need to address: (a) the right to know; (b) the right to justice; (c) the right to reparations; and (d) the guarantee of non-repetition. Dealing with the past is a politically sensitive undertaking, but also an extremely important conflict-prevention measure. The political and social dimension of DwP is essential and should bring different kinds of actors (government and non-governmental organizations) together in a broader process of consultation. The governments of Sweden and Switzerland could play a facilitative role. Switzerland has experience of numerous peace processes of this kind.*

* Special thanks to Jonathan Sisson (Swisspeace) for his input to this section. (Bleeker, M. and Sisson, J.)

MEASURE 36

JOINT NORTH-SOUTH KOREAN NEGOTIATION/MEDIATION/FACILITATION WORKSHOPS

Capacity building workshops to broaden North Korean negotiation capabilities have already been carried out by CASIN, Geneva. They could be taken further by the NNSC countries. To be a CEM, such workshops would need to be carried out jointly with North Koreans, also teaching additional skills such as mediation and facilitation. Since such workshops would not work on the substance of disputed issues, they should not be too sensitive and might be held early on during a peace process. Experts that have gone through the training could then be used to support talks between the North and South on various tracks. In the long term, such workshops are more sustainable if developed into ‘training of trainers’ programmes, where North and South Koreans would pass on the learned competencies to their compatriots.

MEASURE 37

TRACKS 1.5 AND 2 DIALOGUE PROCESS

Besides the formal negotiations on track 1 (inter-governmental), other non-governmental actors (track 2) or officials acting in their personal capacity (track 1.5) can be involved in a process that aims at exchanging perceptions and preparing joint action. The issues to be addressed should be identified by the respective parties. Third parties can help in facilitating such a process (e.g. the Geneva Initiative in the Israeli-Palestinian context). It is likely, however, that such a process aiming at concrete action and not just the exchange of information could only be initiated once there is more flexibility from the top level. Thus, it would be difficult early on in a process. Later on it could be important to support the track 1 process and to link the governmental level with the wider civil society.

F2.2. Measures not directly dealing with conflict issues

MEASURE 38

ELABORATION OF A JOINT DICTIONARY OF THE KOREAN LANGUAGE

The separation of the two Koreas, state control of the language in North Korea and, by contrast, considerable foreign influences on the language in South Korea, uneven access to and development in the terminologies in various fields of human activity, and so on, have resulted in the growing problems in communication between the peoples of the two halves of the Korean peninsula. A joint commission established to work out a joint Korean dictionary would be a tangible contribution to the cause of reconciliation

and mutual understanding (including in the literal sense). This would be followed later by publication of books, periodicals and so on in the Korean *koine*. At a later stage, taking advantage of the success of the Korean dictionary, further joint commissions dealing with such things as technical manuals (such as agricultural extension literature for farmers) and history textbooks could be considered, although endeavours in that category are bound to be controversial due to many hard-to-reconcile views on both sides.

MEASURE 39

INSTITUTIONALIZATION OF CULTURAL AND SPORTING CONTACTS

As outlined above, a number of cultural and sporting exchanges have taken place between North and South Korea, especially since the 2000 Summit. However, their impact on confidence building has been limited as these are usually isolated events without follow-up. Efforts should be made to regularize these contacts and make them more frequent and numerous, in order for their confidence-enhancement potential to be realized. The following are suggestions for how this could be done.

Centre for cultural exchange and cooperation. Such a centre could preferably be constructed in the DMZ but other locations could be considered as well, such as Mount Kumgang or Kaesong. This centre could have permanent exhibitions, initially focusing on such issues as the natural landscapes of the Korean peninsula or ancient Korean history. Politically sensitive exhibitions, such as the recent histories of the two states, should be avoided, but could be considered at later stages. The centre would also serve as the venue for cultural events, such as concerts. A monthly schedule of events could be agreed upon. Construction of such a centre would require similar steps as for the reunion centre and peace market (see measures 33 and 34), and could be constructed at the same location as these.

Regular sporting exchanges. The sporting exchanges that have taken place to date have been one-off events, such as the 2002 North–South football match held in Seoul and the exchanges of Taekwondo exhibition teams. Agreements could be reached to make these annual events, taking place alternately in South and North Korea. Such regular sporting exchanges would not have to be limited to the national teams, but could, for example, include youth football tournaments. Such events could initially involve only North and South Korean teams, but might later be extended to invited teams from other countries in the region.

MEASURE 40

FLOOD PREVENTION ON THE IMJIN RIVER

Preventing floods on the Imjin River, which flows through the DMZ, has been a subject of discussion at the inter-Korean talks. The river repeatedly floods during the rainy

season, causing damage on both sides of the border. Working-level meetings have been held on the issue, and in 2004 an agreement was reached to carry out a survey of the river basin. The North provided documents on weather and floodgates, while the South provided materials and equipment needed for the survey.

MEASURE 41

FURTHER FACILITATING INTER-KOREAN TRANSPORT—INTRODUCTION OF ELECTRONIC SENSORS

In order to make the transport of goods along the newly reconnected railways and roads as effective as possible, measures could be implemented to expedite the crossings at the border. Such a measure has been proposed by the Cooperative Monitoring Center (CMC). The measure envisages an electronic customs procedure based on a prototype developed for the USA–Mexico border. This would involve customs officials sealing each shipment at the factory of origin and placing on it an electronic seal. The customs form would be sent to the border via a secure Internet link, and the unbroken seal would allow border officials to pass the shipments without actually opening them.

MEASURE 42

JOINT DEVELOPMENT OF NATURAL RESOURCES

There are significant mineral resources (e.g. graphite, iron ore, gold and coal) in North Korea. (There already exist Chinese–North Korean mining projects, such as the Musan iron ore mine on the border with China.) A possible cooperative economic project that could be pursued following the start of a peace process is for the South and the North to cooperate in developing these resources. This is a topic that has been discussed in the inter-Korean dialogue frameworks. At the 18th round of Ministerial Talks, held at Pyongyang in April 2006, the two sides agreed that further discussions would be held in the Inter-Korean Economic Cooperation Promotion Committee ‘to discuss issues of extracting construction materials at the estuary of the Han River and jointly developing national resources’. In 2003, South Korea’s Mining Promotion Corporation and North Korea’s Samcheoli Company reached an agreement on joint investment in the development of graphite deposits in North Korea, and plans were also considered for similar cooperation in developing other mineral resources.

Such cooperative projects could be developed following the start of a peace process. The following steps could be envisioned:

- Establishment of a Joint Mining Commission to administer the different projects.
- A number of agreements would have to be made, especially regarding the security of South Koreans working in North Korea.

- The example of the Kaesong Industrial Complex could be used, using inexpensive North Korean labour and South Korean technical skill and capital.
- Some minerals, such as coal, could be used in North Korea, while others, such as gold, could be exported through South Korean channels and the profits shared equally between them.

MEASURE 43

JOINT ENERGY PROJECTS

Gas pipeline from Russia. Another possible economic cooperation project would be the construction of a natural gas pipeline from gas fields in Russia, passing through north-east China and both Koreas. Both Koreas have shown interest in such a project. There is a need for external guarantees and financing within a broader regional institutional and political framework. There are three possible sources for Russian gas to be supplied to the Korean peninsula: the Kovyktinskoye field in the Irkutsk region, the Chayandinskoye field in Sakha Republic and the gas fields in Sakhalin. A feasibility study for pipeline was completed in 2003. This is a very big project which would take several years to complete. A number of issues would also have to be resolved:

- Regional cooperation would be necessary between the two Koreas, Russia and China, and possibly also Japan, which has shown interest in extending gas pipelines to the Japanese mainland. A regional consortium could be established for this purpose.
- Private sector investors would need to be convinced of the worth of constructing a pipeline through North Korea, rather than along a sea route directly to South Korea.
- Other issues regarding the route of the pipeline would have to be resolved, such as whether it would pass through Mongolia.
- Unless the Kovyktinskoye field is chosen, feasibility studies would be required.

If it could be implemented despite these obstacles, the project could serve as a significant CEM between North and South Korea, necessitating considerable cooperation between the two states. In substance, it would serve both to alleviate the energy shortages in North Korea and help satisfy the increasing South Korean demand for energy.

Joint offshore oil exploration. During the 1990s, a number of foreign companies were given contracts to explore the potential oil reserves both onshore and offshore in the West Sea off North Korea. Reports from these explorations suggest that significant oil reserves may exist. However, none of these explorations has been sufficiently comprehensive to determine the real scale of North Korea's offshore oil potential. A joint project could be initiated involving the DPRK, the ROK and China to explore and develop the potential oil reserves. A joint effort could help to ease the maritime boundary disputes between the three states.

G. Confidence-building measures in the nuclear, biological and chemical fields

An important challenge for any future inter-Korean peace process will be how to deal with the DPRK's emergence as a de facto nuclear weapon state in a way that does not permit Pyongyang to retain its nuclear arsenal in perpetuity. Another key challenge will be to address any chemical and biological weapon (CBW) projects in the DPRK and, ultimately, to confirm that any CBWs are verifiably destroyed and that the infrastructure used to support offensive CBW programme activities is dismantled or converted to peaceful purposes.

The overarching political goal will be to achieve these objectives in a cooperative manner. The peaceful denuclearization of the Korean peninsula, in particular, remains a political touchstone for both North and South and is one of the principles guiding the Six-Party Talks, as set out in the September 2005 Joint Statement and reaffirmed in the February 2007 Denuclearization Action Plan. This in turn will require finding a diplomatic formula to put the North Korean nuclear 'genie' back into the bottle: that is, to formulate a viable and acceptable combination of incentives and disincentives that would persuade the DPRK to dismantle and eliminate its nuclear weapon programme in a verifiable way. This would involve the DPRK's rejoining the 1968 Nuclear Non-proliferation Treaty (NPT) as a non-nuclear weapon state (NNWS) party and fully implementing a comprehensive safeguards agreement with the International Atomic Energy Agency (IAEA), including an Additional Protocol. To address international concerns about its suspected CBW programmes, the country should also join the 1993 Chemical Weapons Convention (CWC) and take steps to show that it is a member in good standing of the 1972 Biological and Toxin Weapons Convention (BTWC), *inter alia* by actively participating in BTWC meetings. However, given the linkage of North Korean nuclear, biological and chemical programmes with wider security policy issues in the region, these goals are likely to be achievable only when these security issues have been addressed.

In the meantime, it is worth considering how to reinforce and advance an emergent peace process on the peninsula through a modest series of measures aimed at reducing NBC-related tensions and concerns. In the initial phase, these measures would seek to build confidence primarily in the context of bilateral relations between North and South Korea. At a later stage they could be expanded to draw in other regional powers.

G1. Building a nuclear CBM regime on the Korean peninsula

In principle, the basis for a nuclear CSBM regime in Korea already exists in the form of the 1992 North-South Joint Declaration on the Denuclearization of the Korean Peninsula.

Pursuant to the implementation of the Declaration, Seoul and Pyongyang established a Joint Nuclear Control Commission (JNCC) through which they would conduct inspections of agreed sites chosen by each party on the other's territory. However, the negotiations in the JNCC on a reciprocal inspection regime quickly stalled over disputes about the frequency of inspections and number of sites to be visited, as well as over North Korea's insistence that it be allowed to inspect US military bases in the South to verify the withdrawal of US tactical nuclear weapons. The impasse highlights the difficulties involved in implementing ambitious, top-down declaratory agreements when the basic relationship between the parties is characterized by deep-rooted suspicion and mistrust.

Characteristics of a notional nuclear CBM regime on the Korean peninsula:

- Incremental bottom-up approach in which progress in implementing modest steps builds confidence and stimulates follow-on measures;
- Building confidence through cooperation on nuclear safety and security issues;
- Consideration of experiences of other regions in reducing nuclear tension and promoting non-proliferation goals;
- Non-recognition or non-legitimization of DPRK's status as a de facto nuclear weapon state; and
- International political acceptance of civilian nuclear activities in the DPRK, which may follow if North Korea rejoins the NPT and accepts IAEA full-scope safeguards.

The following measures could contribute, however modestly, to reducing nuclear-related tensions at the earliest stages of an emergent inter-Korean peace process. They could also help to address new proliferation risks and challenges arising from the DPRK's implementation of its commitment to verifiably abandon its nuclear weapon programme and all associated infrastructure.

MEASURE 44

CAPACITY-BUILDING AND TRAINING VISITS FOR DPRK NUCLEAR OFFICIALS

This measure is based on a broad definition of confidence building and would seek to promote the DPRK's compliance with international standards and practices in the civil nuclear industry for handling, storing and disposing of nuclear material. There is a direct precedent for this effort: North Korea participated with South Korea in IAEA-sponsored regional safeguards and physical protection training courses in 2000 and 2002. A country like Sweden, which has an advanced commercial nuclear power industry and also has amicable relations with the DPRK, could be instrumental in arranging capacity-building and training visits for North Korean nuclear scientists and administrators.

North Korean nuclear specialists would also benefit from study visits at the European Atomic Energy Community (EURATOM) and the European Commission's Joint Research Centre in Luxembourg. These would be especially useful in circumstances where the DPRK persisted in limiting the IAEA's role in the country for political reasons.

MEASURE 45

NORTH-SOUTH NUCLEAR SCIENTIST-TO-SCIENTIST CONTACTS AND COLLABORATION

This measure is modelled on the US Department of Energy's laboratory-to-laboratory programme, which brings scientists and technicians from the USA's national laboratories together with their counterparts in Russia and elsewhere in the former Soviet Union to collaborate on improving fissile material control and accounting at nuclear facilities. The programme grew out of informal cooperation between a US and a Russian laboratory in the early 1990s, when the respective governments were reluctant to talk about their nuclear complexes and capabilities. It ended up serving as a major trust-building exercise between them and became an important element in the wider mix of cooperative threat reduction activities aimed at improving the safety and custodial security of sensitive materials in the former Soviet Union's nuclear weapon complex.

In the Korean context, the logical partners for initiating a similar programme would be the South's Korean Atomic Energy Research Institute (KAERI) at Daejon and the North's Nuclear Research Centre at Yoongbyon. Although the latter is involved in military nuclear research and development activities as part of the DPRK's General Department of Atomic Energy, it also has a number of subsidiary research institutes focusing on basic research, and nuclear safety issues. In the initial phase, North-South scientific and technical cooperation could focus on fundamental research, safety procedures and risk assessments, and programmes involving medical isotopes and radioactive sources used in non-nuclear industry and agriculture. The programme could also serve as a foundation for collaboration on activities at the back-end of the fuel cycle, specifically, the storage and disposal of radioactive waste, where the North and South face common problems.

MEASURE 46

ESTABLISHING A NORTH-SOUTH SCIENCE AND TECHNOLOGY RESEARCH CENTRE

As trust was built over time, a Korean lab-to-lab initiative could move into a second, more formalized phase. This would involve the establishment of science and technology research centre (STRC) jointly staffed and operated by North and South Korea. The STRC would be structured in a manner that would allow for political and technical interaction on projects of mutual interest and which would have the flexibility to develop to better meet future political expectations and interests of the two states. Such a frame-

work would incorporate mechanisms and procedures whereby Korean facilities and individual researchers could propose joint projects in a given area according to agreed guidelines and procedures. The proposed projects would then be subject to a process of peer review prior to approval. Such a framework could also be structured in a manner that would allow the participation of other states with special technical expertise, including those having little or no regional political influence or expectations.

An important benefit of a joint STRC is that it would create a framework within which North Korean nuclear scientists and engineers would be offered new projects and research topics to occupy their skills in non-military areas.

This would be important for facilitating the long-term transition towards a denuclearized Korean peninsula. It would also reduce the temptation for North Korean scientists to transfer nuclear weapon-relevant knowledge to third parties, and thereby reduce the threat of future proliferation.

G2. Activities in the biological and chemical fields

Activities including scientific collaboration in biological and chemical fields will probably provide the earliest basis for a joint STRC, before nuclear-related ones. This could include projects to improve surveillance and response for diseases that occur in the region, as well as projects to address other health risks, including food and animal safety concerns. Projects could also be implemented to promote bio-safety or bio-security measures, including: physical security upgrades, the adoption and effective implementation of national regulations on pathogen strain transfers and the adoption of good laboratory practice (GLP).

G2.1. Military-related CBMs

MEASURE 47

HOSTING OF RECIPROCAL SITE VISITS OF CHEMICAL WEAPON-RELEVANT FACILITY

The DPRK and the ROK could agree to host reciprocal site visits to chemical weapon-relevant facilities on a managed access basis to serve as a confidence-building measure. This option partly depends on whether chemical weapon stockpiles still exist at the time of consideration of this option. This option could be partly based on the experience of the Soviet Union hosting selected foreign observers to the Shikhany military installation to view examples of Soviet munitions and technology for their destruction. The visit was partly designed to serve as a confidence-building measure to assist with

CWC negotiations by the Conference on Disarmament in Geneva. If either party possesses chemical weapon destruction technology and equipment, it may wish to demonstrate them to the other party according to an agreed programme. Such site visits could eventually be made on a more regular basis.

MEASURE 48

ESTABLISHING A DPRK-ROK WORKING GROUP ON DEFENCE PLANT CONVERSION

Such a working group could provide a mechanism for the provision of defence plant conversion assistance and the sharing of best practices and lessons learned.

MEASURE 49

ESTABLISHING A KOREAN PENINSULA MEMORANDUM OF UNDERSTANDING ON CBW

Such a Memorandum of Understanding (MOU), taking into consideration the experience of the Soviet-US 1989 MOU, could be based on two phases. The first would consist of an exchange of general data on relevant CBW holdings or capabilities. It could include visits to relevant civil and military facilities chosen by the host state in consultation with the visiting state. The second phase would entail formalization of data exchange and site visit procedures.

MEASURE 50

ESTABLISHING A JOINTLY OPERATED KOREAN OPCW ANALYTICAL LABORATORY

Parties to the CWC could nominate a laboratory to become officially designated to analyze samples taken by OPCW inspectors, including during challenge inspections. To be designated, a laboratory must be accredited by the OPCW. To retain its accreditation, the laboratory must participate in a proficiency testing programme at least once a year. The ROK has a designated laboratory. Following the DPRK's accession to the CWC, a special joint laboratory could, in principle, be established and nominated to become part of the OPCW laboratory network.

MEASURE 51

JOINT DPRK-ROK NATIONAL IMPLEMENTATION OF THE BTWC WORKING GROUP

The working group would identify the main types of provisions that should be incorporated into the national implementation of BTWC including: (a) adoption of national legislation, including penal legislation, which encompasses the full scope of BTWC prohibitions; (b) effective regulations or legislation to control and monitor transfers of relevant dual-use technologies; and (c) effective implementation and enforcement to prevent violations and to sanction breaches. This measure (and measure 52) will be difficult to adopt at the early stages of a peace process and is likely to be addressed

once headway has been made in institution building and governance programmes have progressed.

MEASURE 52

JOINT DPRK-ROK NATIONAL IMPLEMENTATION OF THE CWC WORKING GROUP

The working group would identify the main types of provisions that should be incorporated into the national implementation of CWC including: (a) adoption of national legislation, including penal legislation, which encompasses the full scope of CWC prohibitions; (b) effective regulations or legislation to control and monitor transfers of relevant dual-use technologies; and (c) effective implementation and enforcement to prevent violations and to sanction breaches.

G2.2. Confidence-enhancing measures

MEASURE 53

DPRK-ROK WORKING GROUP ON FOOD SAFETY

Food safety is an essential public health function. Better monitoring and surveillance to prevent food-borne disease overlaps with public health and animal health objectives. The working group could develop a risk analysis of the food chain on the Korean peninsula from production to consumption. The findings of the working group could facilitate broader cooperation on disease surveillance and response. Such a working group would facilitate the expansion of trade between the North and the South partly by addressing technical issues of food safety of joint concern.

MEASURE 54

DPRK-ROK FOOD-BORNE DISEASE OUTBREAK AND RESPONSE SURVEILLANCE UNIT

A provisional food-borne disease outbreak and response surveillance unit could be established to assist the investigation of suspected food-borne disease outbreaks on the Korean peninsula. The findings of the unit could provide the technical assessment for identifying and preventing a given food-borne illness in a given region.

MEASURE 55

JOINT DPRK-ROK WORKING GROUP ON PANDEMIC DISEASE OUTBREAK PREPAREDNESS

A working group could be established to determine the possibility of a pandemic disease outbreak on the Korean peninsula, and the possibilities of reducing the impact of

such an outbreak. The working group could develop a preparedness plan and monitor its implementation. Cross-sectoral cooperation and consultation among relevant ministries would have to be identified and agreed.

MEASURE 56

DPRK-ROK WORKING GROUP ON IMPLEMENTATION OF LABORATORY BIO-SAFETY

A working group on laboratory bio-safety could be established with a mandate to assess laboratory bio-safety practice on the Korean peninsula, develop best practice guidelines and issue periodic lessons-learned analyses. The working group could develop representative lists of pathogen strains and the corresponding bio-safety level at which they should be handled. It could also agree guidelines on laboratory equipment, transport of infectious substances, laboratory contingency plans and emergency procedures, safety organization and training, and appropriate personnel security measures.

MEASURE 57

DPRK-ROK WORKING GROUP ON BIOLOGICAL FORENSICS FOR THE INVESTIGATION OF CRIME

A biological forensics working group could be established to consider examples of DNA uses for forensic identification where a civil criminal offence has been committed and to develop joint guidelines on best practices. DNA uses for forensic identification include: identifying potential suspects whose DNA may match that contained in evidence left at the crime scene, identifying victims of a crime or natural disaster, identifying family relationships, and detecting and characterizing pathogens that present a health threat.

APPENDIX A

Researchers and other analysts involved in the project

Outside participants at the Stockholm seminar, May 2006

- Paul Beijer, Ambassador, Asia and the Pacific Department, Ministry for Foreign Affairs, Sweden
- Dr Chen Xulong, Deputy Director, Department of World Politics, China Institute of International Studies (CIIS)
- Professor Choi Kang, Department of American Studies, Institute of Foreign Affairs and National Security (IFANS)
- Maria Gärtner, Asia and Pacific Department, Ministry for Foreign Affairs, Sweden
- Dr Masako Ikegami, Professor, Director, Center for Pacific Asia Studies (CPAS), Stockholm University
- Dr Gabriel Jonsson, Researcher, Center for Pacific Asia Studies (CPAS), Stockholm University
- Ivo Sieber, Deputy Head, Embassy of Switzerland in Sweden
- Scott Snyder, Asia Foundation/Stanford University Asia-Pacific Research Center
- Dr Hideshi Takesada, Professor, Director, Archives and Library, National Institute for Defense Studies (Japan)
- Sture Theolin, Ambassador, Swedish Representative to the NNSC in Panmunjom
- Dr Alexander Zhebin, Director, Center for Korean Studies, Institute of Far Eastern Studies, Russian Academy of Sciences

Interviews in Seoul

Korea Institute for National Unification (KINU)

- Dr Young-Ho Park, Senior Research Fellow, Adjunct Fellow, Hudson Institute
- Dr Moon-Young Huh, Director of North Korean Studies

Korea Institute for Defense Analyses (KIDA)

- Dr Changsu Kim, Senior Research Fellow, Director, US Studies
- Colonel Kwon Yang Joo
- Dr Tae-am Ohm, Research Fellow

Institute of Foreign Affairs & National Security (IFANS)

- Professor Seo-Hang Lee, Dean of Research
- Professor Heungkyu Kim, Chinese Security and Foreign Policy
- Dr Nam-sik In, Assistant Professor

Korea National Defense University (KNDU)

- Dr Yong-Sup Han, Director, Research Institute on National Security Affairs (RINSA)
- Professor Kim Tae-Joon, RINSA

- Dr Chung Kyung Yung, Senior Researcher, RINSA
- Dr Lee Seok-Soo, Professor, Graduate School of Security Studies

Sejong Institute

- Dr Haksoon Paik, Senior Fellow
- Dr Sang-Hyun Lee, Director, Security Studies Program, Ministry of Unification
- Dr Park Chan-Bong, Assistant Minister, Representative for Inter-Korean Dialogue

Interviews in Beijing

China Institute for International Strategic Studies (CIISS)

- Dr Zhuang Maocheng, Senior Research Fellow
- Dr Chen Yong Xing, General, Senior Research Fellow

China Institute of Contemporary International Relations (CICIR)

- Dr Yang Mingjie, Director/Research Professor, Institute of Security and Strategic Studies
- Dr Ouyang Liping, Senior Research Professor, Deputy Director
- Dr Qi Bao Liang, Director/Research Professor, Division for Korean Peninsula Studies

China Institute of International Studies (CIIS)

- Dr Shen Shishun, Senior Research Fellow, Director, Division of Asia-Pacific Studies
- Dr Shi Yongming, Associate Research Fellow

China Arms Control and Disarmament Association (CACDA)

- Dr Ye Ru'an, Vice-President
- Dr Teng Jianqun

Ministry of Foreign Affairs, China

- Yang Jian, Director, Office for Korean Peninsula Issue

Save the Children

- Kate Wedgwood, China/DPRK Programme Director

Interviews with North Korean visitors and diplomats in Stockholm

- Ri-Tong Il, Ministry for Foreign Affairs, International Organizations Department, Disarmament Section, DPRK
- Kim Won Myong, Ministry for Foreign Affairs, International Organizations Department, DPRK
- Jong Song-II, Ministry for Foreign Affairs, International Organizations Department, DPRK
- Kim Yong Guk, First Secretary, Embassy of the DPRK in Sweden
- Choe Il Gwang, Second Secretary, Embassy of the DPRK in Sweden

APPENDIX B

Select documentation, sources and literature*

Korea-related CBMs

- The Korean War Armistice Agreement, Panmunjom, Korea, 27 July 1953
<http://www.state.gov/t/ac/rls/or/2004/31006.htm>
- North–South Joint Communiqué, Pyongyang, 4 July 1972
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- Agreement on Reconciliation, Non-aggression, and Cooperation and Exchange Between the North and the South (Basic Agreement), Seoul, 13 December 1991
http://www1.korea-np.co.jp/pk/011th_issue/97100101.htm
- Joint Declaration of the Denuclearization of the Korean Peninsula, Seoul and Pyongyang, 20 January 1992
<http://www.fas.org/news/skorea/1992/appendix17.htm>
- Agreed Framework between the United States of America and the Democratic People’s Republic of Korea, Geneva, 21 October 1994
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- South–North Joint Declaration, Pyongyang, 15 June 2000
http://www.usip.org/library/pa/n_skorea/n_skorea06152000.html
- Agreement on the Prevention of Accidental Naval Clashes in the West Sea, and the Cessation of Propaganda Activities and the Elimination of Propaganda Apparatus in the Military Demarcation Line Area, Mt Seorak, 4 June 2004
<http://www.globalsecurity.org/wmd/library/news/rok/2004/rok-040609-rok-mou02.htm> (summary)
- Inter-Korean Maritime Agreement and Subsequent Agreement, Pyongyang, 5 June 2004
<http://www.globalsecurity.org/wmd/library/news/rok/2004/rok-040614-rok-mou01.htm> (summary)
- Joint Statement, Fourth Round of the Six-Party Talks, Beijing, 19 September 2005
<http://www.state.gov/r/pa/prs/ps/2005/53490.htm>
- North Korea–Denuclearization Action Plan, Beijing, 13 February 2007
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* All documents are available from the SIPRI website at <http://www.sipri.org/contents/worldsec/nk/agreements.html>. It is not practical to present here all of the literature that was consulted for this report. This bibliography contains only select items that have been directly referred to in the report.

Inter-Korean Ministerial Talks, 2000–2006, Joint statements/Press releases

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 - 2nd Inter-Korean Ministerial Talks, Pyongyang, 29 August–1 September 2000
 - 3rd Inter-Korean Ministerial Talks, Jeju Island, 27–30 September 2000
 - 4th Inter-Korean Ministerial Talks, Pyongyang, 12–16 December 2000
 - 5th Inter-Korean Ministerial Talks, Seoul, 15–18 September 2001
 - 6th Inter-Korean Ministerial Talks, Mt Kumgang, 9–14 November 2004
(no statement issued)
 - 7th Inter-Korean Ministerial Talks, Seoul, 12–14 August 2002
 - 8th Inter-Korean Ministerial Talks, Pyongyang, 19–22 October 2002
 - 9th Inter-Korean Ministerial Talks, Seoul, 21–24 January 2003
 - 10th Inter-Korean Ministerial Talks, Pyongyang, 27–29 April 2003
 - 11th Inter-Korean Ministerial Talks, Seoul, 9–12 July 2003
 - 12th Inter-Korean Ministerial Talks, Pyongyang, 14–17 October 2003
 - 13th Inter-Korean Ministerial Talks, Seoul, 3–6 February 2004
 - 14th Inter-Korean Ministerial Talks, Pyongyang, 4–7 May 2004
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International precedents for military confidence building

Europe

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on Security and Co-operation in Europe, Stockholm, 19 September 1986

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- Vienna Document 1990 of the Negotiations on Confidence- and Security-Building Measures Convened in Accordance with the Relevant Provisions of the Concluding Document of the Vienna Meeting of the Conference on Security and Co-operation in Europe, Vienna, 17 November 1990
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- Vienna Document 1994 of the Negotiations on Confidence- and Security-Building Measures, Vienna, 28 November 1994
<http://www.osce.org/item/4250.html>
- Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures, Istanbul, 16 November 1999
<http://www.osce.org/item/4251.html>
- Treaty on Open Skies, Helsinki, 24 March 1992.
<http://www.osce.org/item/13764.htm>
- Code of Conduct on Politico-Military Aspects of Security, Budapest, 3 December 1994.
http://www.osce.org/documents/fsc/1994/12/4270_en.pdf
- Agreement on Confidence- and Security-Building Measures in Bosnia and Herzegovina, Vienna, 26 January 1996
<http://www.sipri.org/contents/worldsec/article2-eng.pdf>
- Confidence-building measures (CBMs) process between Greece and Turkey 2000–2003

Summary Since 2000, a process has been taking place between Greece and Turkey to agree on a number of CBMs to reduce the tension between the two states emanating from conflicts over Cyprus and the Aegean Sea. The talks have taken place under the auspices of the North Atlantic Treaty Organization and in contacts between the political directors of the respective foreign ministries. The CBMs that have been agreed include:

- direct communications channels at the foreign minister level
- direct communications channels at the defence minister level
- mutual invitations of officers to attend large-scale military exercises
- cooperation in the prevention of pollution in the Evros/Meric River
- Exchange of timetables for national exercises to be conducted in the Aegean Sea region in the next year

- Organizing visits between staff officers of the general staffs of the army, navy and air force
- Exchange of students between the respective war academies
- Establishing cooperation between military hospitals
- Cooperation between the national defence colleges
- Exchange of personnel for training purposes between the respective Partnership for Peace Training Centers

Asia

India–Pakistan

- Agreement between India and Pakistan on the Advance Notice of Military Exercises, New Delhi, 6 April 1991
<http://www.stimson.org/southasia/?sn=sa20020109216>
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- India–Pakistan Joint Declaration on the Complete Prohibition of Chemical Weapons, New Delhi, 19 August 1992
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India–China

- Agreement on the Maintenance of Peace and Tranquility Along the Line of Actual Control in the India–China Border Areas, Beijing, 7 September 1993.
<http://www.stimson.org/southasia/?sn=sa20020114287>
- Agreement between the Government of the Republic of India and the Government of the People’s Republic of China on Confidence-Building Measures in the Military Field Along the Line of Actual Control in the India–China Border Areas, New Delhi, 29 November 1996
<http://www.stimson.org/?sn=sa20020114290>
- Protocol between the Government of the Republic of India and the Government of the People’s Republic of China on Modalities for the Implementation of Confidence-Building Measures in the Military Field Along the Line of Actual Control in the India–China Border Areas, New Delhi, 11 April 2005
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China–Russia + 3

- Agreement between Russia, Kazakhstan, Kyrgyzstan and Tajikistan (as a Joint Party) and China on Confidence Building in the Military Field in the Border Area

(Shanghai Agreement), Shanghai, 26 April 1996

In Goldblat, J., *Arms Control: The New Guide to Negotiations and Agreements* (SIPRI–PRIO: SAGE Publications, 2002), pp. 555–61 of CD-ROM supplement.

- Agreement between Russia, Kazakhstan, Kyrgyzstan and Tajikistan (as a Joint Party) and China on the Mutual Reduction of Armed Forces in the Border Area, Moscow, 24 April 1997

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Middle East

Israel–Egypt

- Separation of Forces Agreement between Israel and Egypt, Kilometre 101 on the Cairo–Suez Road, 18 January 1974
[http://www.mfa.gov.il/MFA/Peace Process/Guide to the Peace Process/Israel-Egypt Separation of Forces Agreement, 1974](http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Israel-Egypt%20Separation%20of%20Forces%20Agreement,%201974)
- Interim Agreement between Egypt and Israel, Geneva, 4 September 1975
<http://www.jewishvirtuallibrary.org/jsource/Peace/eginterim75.html>
- Peace Treaty between Israel and Egypt, Washington, DC, 26 March 1979
[http://www.mfa.gov.il/MFA/Peace Process/Guide to the Peace Process/Israel-Egypt Peace Treaty](http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Israel-Egypt%20Peace%20Treaty)

Israel–Syria

- Separation of Forces Agreement between Israel and Syria, Geneva, 31 May 1974
[http://www.mfa.gov.il/MFA/Peace Process/Guide to the Peace Process/ Israel-Syria Separation of Forces Agreement, 1974](http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Israel-Syria%20Separation%20of%20Forces%20Agreement,%201974)

Israel–Jordan

- Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan, Arava/Araba Crossing Point, 26 October 1994
[http://www.mfa.gov.il/MFA/Peace Process/Guide to the Peace Process/ Israel–Jordan Peace Treaty](http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Israel-Jordan%20Peace%20Treaty)

Latin America

A number of regional CBMs have been agreed and partially implemented in Latin America under the auspices of the Organization of American States (OAS). The following are the main CBM agreements that have been concluded:

- Buenos Aires Group of Experts, ‘Illustrative List of Confidence & Security Building Measures for Countries to Consider Adopting on the Bilateral Sub-regional Level’, Buenos Aires, 15–18 March 1994
- Confidence- and Security-Building Measures Declaration of Santiago, Santiago de Chile, 10 November 1995

- Declaration of San Salvador on Confidence- and Security-Building Measures, San Salvador, 28 February 1998
- Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures: Recommendations to the Summit-Mandated Special Conference on Security. Illustrative List of Confidence- and Security-Building Measures, Miami, 3–4 February 2003

Source: US Department of State, *Confidence and Security Building Measures in the Americas: a Reference Book of Hemispheric Documents*, 7th edn (US Department of State: Washington, DC, Sep. 2003)

<http://www.state.gov/documents/organization/78029.pdf>

- Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (OAS Firearms Convention), Washington, DC, 14 November 1997
<http://www.oas.org/juridico/English/treaties/a-63.html>
- Inter-American Convention on Transparency in Conventional Weapons Acquisitions (OAS Transparency Convention), Guatemala City, 7 June 1999
<http://www.oas.org/juridico/english/treaties/a-64.html>

Agreements on maritime CBMs

- Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on the Prevention of Incidents on and over the High Seas (Incidents at Sea Agreement, INCSEA), Moscow, 25 May 1972
<http://www.fas.org/nuke/control/sea/text/sea1.htm>

Other INCSEAs: bilateral INCSEA agreements, modeled on the Soviet–US agreement, have been signed between the following states:

- 1994 Agreement between the Government of the Republic of Korea and the Government of the Russian Federation concerning the Prevention of Incidents at Sea Beyond the Territorial Sea
- 1994 Japan–Russia Agreement on Prevention of Incidents on and over the High Seas to Prevent Maritime Accidents
- 1998 Agreement between the Department of Defense of the United States of America and the Ministry of National Defense of the People’s Republic of China on Establishing a Consultation Mechanism to Strengthen Military Maritime Safety
<http://www.nti.org/db/china/engdocs/milmarag.htm>
- 1986 Agreement between the UK and the USSR concerning the Prevention of Incidents at Sea beyond the Territorial Sea (British–Soviet Incidents at Sea Agreement).

- 1988 Agreement between the Federal Republic of Germany (FRG) and the USSR concerning the Prevention of Incidents at Sea Beyond the Territorial Sea (FRG–Soviet Incidents at Sea Agreement).

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- Memorandum of Understanding on Confidence-Building Measures, Athens, 17 May 1988
- Guidelines for the Prevention of Accidents and Incidents on the High Seas and in International Airspace, Istanbul, 8 September 1988
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- Joint Declaration and Document on Confidence- and Security-building Measures in the Naval Field in the Black Sea, Kyiv, 25 April 2002
<http://www.sipri.org/contents/worldsec/blackseacbm.pdf>
- Statement by the Finnish delegation at the OSCE FSC on the Bilateral Agreement on Exchange of Naval Visits between the Russian Federation and Finland, Vienna, 16 October 2002

Agreements on CBMs in the nuclear and chemical and biological warfare fields

- Agreement between India and Pakistan on the Prohibition of Attack Against Nuclear Installations and Facilities, Islamabad, 31 December 1988.
http://www.indianembassy.org/South_Asia/Pakistan/Prohibition_Attack_Nuclear_Dec_31_1988.html
- Agreement between the Republic of India and the Islamic Republic of Pakistan on Pre-notification of Flight Testing of Ballistic Missiles, Islamabad, 3 October 2005
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- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological and Toxin Weapons Convention, BTWC), London, Moscow and Washington, DC, 10 April 1972
<http://www.opbw.org/convention/documents/btwctext.pdf>
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- Memorandum of Understanding Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition of Chemical Weapons, Jackson Hole, Wyoming, 23 September 1989

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