

The Inter-Korean Summit Declaration of April 27, 2018: a review in detail

by Charles Knight, 01 May 2018 (updated 04 May 2018)

[The Panmunjeom Declaration for Peace, Prosperity and Unification of the Korean Peninsula, dated 27 April 2018 and signed by President Moon Jae-in and Chairman Kim Jong-un – South Korean unofficial translation to English: <http://www.korea.net/Government/Current-Affairs/National-Affairs/view?subId=641&affairId=656&pageIndex=1&articleId=3354> The North Koreans have released their own version which can be found here: http://www.timbeal.net.nz/geopolitics/DPRK_Panmunjom_Declaration.pdf]

Introduction

The April 27, 2018 Inter-Korean Summit was a visibly cordial, even happy, event. At its conclusion, North and South Korea released a Declaration of Peace, Prosperity and Unification. This paper reviews a selection of key sections and phrases in “The Declaration” with attention to understanding their implications for the goal declared by both parties of ending “division and confrontation” on the peninsula and for addressing the overhanging issue of denuclearization. Notably, both parties strongly assert their rights as Koreans to take leadership in this task before them. Among the issues this review examines are the implications of various provisions in The Declaration for two great powers with long-standing interests in and influence on the Korean peninsula: China and the United States.

Review

The second paragraph in the preamble of The Declaration states: "The two leaders solemnly declared before the 80 million Korean people and the whole world that there will be no more war on the Korean Peninsula and thus a new era of peace has begun."

Comment: This upfront statement will likely be interpreted as aspirational. However, in the context of the threats made in 2017 by the United States to initiate a preventive war in order to forcibly disarm the North, it may be the most

important statement in the entire document. Related **Section 3.4** of The Declaration states: "...measures being initiated by North Korea are very meaningful and crucial for the denuclearization of the Korean Peninsula and [South and North] agreed to carry out their respective roles and responsibilities in this regard."

There is little doubt that the "measures" referred to in Section 3.4 are the components of the present "freeze" in the testing of nuclear weapons and long-range missiles. As long as the freeze holds, embedded as it now is in the declared bilateral peace process in Korea, it will be very difficult for advocates of preventive war in the U.S. to craft a winning argument. This "option" is, at least for now, foreclosed. The Declaration, in effect, puts Washington on notice before the world that South Korea will not go along with a unilateral war against the North.

The U.S. does retain the option, as it has done in the past with adversarial states, of attempting to provoke the North into an act which can serve as a pretext to war. For instance, among the practiced tactics available to the clandestine services of the great powers are "false flag" operations. See: Stephen Kinzer, "Hoisting the False Flag" - <https://www.bostonglobe.com/opinion/2018/04/27/hoisting-false-flag/hRC63gFcq1zMUmd8UObqLM/story.html>

The next paragraph includes the phrase "...commitment to bring a swift end to the Cold War relic of longstanding division and confrontation..."

Comment: This will likely cause some consternation in Washington and Beijing. "Division and confrontation" on the Korean peninsula, established by the war and armistice in the 1950s, continued to serve the interests of both the U.S. and China during the remainder of the Cold War. Since then a divided and conflicted Korea has been part of these great powers' respective Northeast Asian geopolitical strategies, with minimum reexamination to date.

The status quo of a divided Korea keeps the U.S. military away from China's border and keeps North Korea at least somewhat dependent on China. Likewise, a divided peninsula in a near constant state of military tension keeps South Korea dependent on U.S. military power and keeps support for the alliance strong in the South. The ROK-US alliance is considered a key strong point for the U.S. in

Northeast Asia and a complement to its Japan alliance. Anything approaching "a swift end" to division and confrontation will mean significant changes to the alliance -- something Washington (in a bi-partisan consensus of Republicans and Democrats) is currently loath to even think about.

Section 1 addresses "...bring[ing] forward the future of co-prosperity and unification led by Koreans by facilitating comprehensive and groundbreaking advancement of inter-Korean relations..."

Section 1.1 states, "South and North Korea affirmed the principle of determining the destiny of the Korean nation on their own accord..."

Comment: This is an assertion by North and South Korea that neither the U.S. nor China will control the agenda(s) in Korea. Similar aspirations for independence have appeared in past joint declarations and are always a matter of concern for the great powers who prefer having dependent and deferential client states on the peninsula.

Section 1.1 further states, "...agreed to... fully implementing all existing agreements and declarations adopted between the two sides so far."

Comment: This wording is quite significant. "Fully implementing" implies greater commitment than the language included in the October 4, 2007 Declaration which spoke of "reaffirm[ing] the spirit of" and "endeavor actively to realize" the earlier June 15, 2000 Declaration. The phrase "all existing agreements and declarations adopted between the two sides so far" includes the 2000 and 2007 declarations, but is not limited to them.

The 2000 Declaration is quite general (https://en.wikipedia.org/wiki/June_15th_North%E2%80%93South_Joint_Declaration). An examination of the 2007 Declaration (https://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/n_skorea10042007.pdf) will find a long list of agreed-upon projects.

Speaking at a university in Japan on 31 March 2018 Presidential advisor Moon Chung-in said [translation by Simone Chun]:

"...48 inter-Korean agreements and engagements made from the previous inter-

Korean negotiations, summit meetings, etc., 20 of them are not bound by the U.N. sanctions. We can implement them right away, which means that President Moon's vision of creating an inter-Korean economic community is feasible [even under the U.N sanction's regime]."

Moves by South and North Korea toward implementation of these prior agreements will represent a significant defection from the U.S. policy of isolating North Korea and applying maximum economic pressure.

Section 1.5 states: "South and North Korea agreed to endeavour to swiftly resolve the humanitarian issues that resulted from the division of the nation, and to convene the Inter-Korean Red Cross Meeting to discuss and solve various issues, including the reunion of separated families. In this vein, South and North Korea agreed to proceed with reunion programmes for the separated families on the occasion of the National Liberation Day of Aug 15 this year."

Comment: This is a significant humanitarian pledge likely to have positive political effects in Korea.

Section 2 addresses military tensions and dangers of war.

Section 2.1 commits "...to completely cease all hostile acts against each other in every domain..."

Comment: By implication, it is now time for the U.S., as well, to cease all hostile acts against North Korea. Of course, the U.S. is not a party to The Declaration.

Section 2.1 also includes a promise to turn the DMZ into a "peace zone." It will be interesting to see if both sides in the coming months begin to remove land mines, machine guns, mortars, and grenade launches from the zone. See:

http://www.koreatimes.co.kr/www/news/nation/2016/07/205_209010.html

Section 2.2 deals with preventing accidental military clashes and establishing a "maritime peace zone" in the Western Sea where fishermen have suffered due to interference by military patrols.

Comment: This step to end hostility and build military confidence will have an immediate benefit to citizens who live in the area.

Section 2.3 commits "the two sides...to first convene military talks at the rank of

general in May."

Comment: This is a good first step, indicating the degree of seriousness accorded military confidence-building and reduction of tensions.

Section 3 commits North and South to bring to an end "...the current unnatural state of armistice and establishing a robust peace regime..."

Section 3.2 states disarmament will be carried out in a phased manner "as military tension is alleviated and substantial progress is made in military confidence-building."

Comment: This provision is in contradiction of U.S. policy which explicitly demands immediate and complete disarmament of the North's nuclear weaponry. The U.S. policy has never been realistic.

It will be of major importance if the U.S. can find a way to accept this phased process. For instance, President Trump could indirectly concede to a phased process by simply ignoring his previous insistence of immediacy. He appears quite practiced in the art of such denials.

North Korea's military security concerns, as the fundamentally weaker state, are a critical factor in negotiating future disarmament steps. The United States has never been inclined to take North Korean perceptions of state insecurity very seriously and, instead, has sought to control the North through threats and punishments. This will have to change if there is to be phased disarmament.

South Korea will also have legitimate security concerns which the North will have to address in the process of building peace and confidence.

It is notable that there is no reference in this section to the Six-Party Talks (nor to its February 13, 2007 Agreement.) This suggests that there is as yet no agreed-upon roadmap for the denuclearization process. Apparently the North and South do not see the present starting point as being where the Six-Party Talks left off (http://www.mofa.go.jp/region/asia-paci/n_korea/6party/action0710.html). The wording suggests that they plan to start off again on their own and only then explore and discover whether they will have partners in the U.S. and/or China. In any case, Moon and Kim do not anticipate the process expanding beyond three- or four-party talks.

Section 3.2 does not specify what military confidence-building steps are anticipated. Specifying these and negotiating reciprocal steps, North and South, will be a crucial area of work to be done.

Section 3.3 commits North and South to pursue trilateral (DPRK, ROK, US) or quadrilateral (DPRK, ROK, US, China) meetings with the objective of declaring "an end to the War and establishing a permanent and solid peace regime."

Comment: It is unclear why The Declaration offers a three party and four party option for these meetings. It should be noted that this same formulation was used in the 2007 Declaration. The formulation suggests that there may be some disagreement (or perhaps simply uncertainty) at this point about the best way to proceed. It is also notable that the term "peace treaty" is not used in this section, although the term "peace pact" is used in the North Korean English version.

A "senior official" of the South Korean government meeting with the press on 02 May 2018 sought to clarify this provision. The official is quoted as saying, "Declaring the end of the war is a political declaration about resolving hostile relationships, and it's worth thinking about whether China needs to be a party to that. The article reporting on this clarification in *Hankyoreh* (http://www.hani.co.kr/arti/english_edition/e_northkorea/843174.html) goes on to say, "While China is a belligerent in the Korean War, ...it is necessary to consider that China has already resolved its own hostile relationships by establishing diplomatic relations not only with South and North Korea but also with the US." The government official continues, "But a peace treaty means the creation of a legal and institutional instrument, and China would have quite a large role to play since this is not just a matter for South and North Korea or for North Korea and the US."

In light of the above, it is fair to say that The Declaration envisions a two-step formal peace process: first, making declarations of the end of hostilities (establishing diplomatic relations may be centerpiece of this) which would be mostly a bilateral process, but might be negotiated in a trilateral setting and second, a peace treaty that would be negotiated among all major parties to the Korean War.

Section 3.4 re-confirms the shared goal of "a nuclear-free Korean Peninsula".

Comment: This stated goal, even if a long-term aspiration, has significant implications for the future of the ROK-US alliance. It is fairly easy to list what the North will have consent to and do in order to qualify as "nuclear-free". What the

South will have to do has not yet been specified, but will be contentious especially in regards to long-standing U.S. Navy, Air Force and Army practices and entitlements.

There is little doubt North Korea will insist that if there will be international inspectors in the North and impoundment of certain classes of fissile materials, there will have to be similar intrusive inspections of the South's nuclear facilities and controls on fissile materials. The 1992 Joint Declaration of the Denuclearization of the Korean Peninsula (<https://www.documentcloud.org/documents/2829868-1992-Joint-Declaration-of-the-Denuclearization.html>) did specify some of what would be involved, but it will need to be updated to address current conditions and technologies.

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