The Situation on the Korean Peninsula

History of the Current Situation

The Korean War began when the Democratic People’s Republic of Korea (DPR Korea or North Korea) invaded the Republic of Korea (RO Korea or South Korea) in June of 1950. The war raged on for 3 years and involved the United States and the newly fledged United Nations and United Nations Security Council (UNSC). Due to the Soviet Union’s boycott of the Security Council proceedings, the United States was able to procure authorization to defend South Korea from the Security Council. This defense was the first time, and really the only time in the Cold War era that the Security Council authorized the defense of a nation. The United States led this defensive effort and within a week of their landing, the North Koreans were being pushed back towards the border. While other nations contributed to the UN Mission to defend South Korea, the majority of the defensive force was comprised of Americans. Eventually, North Korean forces were pushed all the way back to their northern Chinese border. Feeling threatened, the Chinese, a communist ally of North Korea, entered the war. The conflict continued to rage with the UN forces retreating back to South Korea. The Korean War entered its final phase, the war of attrition. With neither side gaining the upper-hand, fighting stalemated around the 38th parallel. An armistice was signed in 1953, but the two nations technically remain in a state of war and there are periodic border clashes to this day.

Established by the armistice was a demilitarized zone, or the DMZ, between the two Koreas. The DMZ is 148 miles long and 2.5 miles wide and is one of the world’s most heavily fortified borders. On one side stands the American and South Korean military, while on the other stands the North Korean Army. However, within the DMZ, no soldiers or weapons are allowed to enter.

Modern History

If having two of the largest militaries (North Korea and the United States) staring down one-another across the DMZ was not enough, the North Korean regime has sought weapons of mass destruction (WMD). After unilaterally withdrawing from the Nuclear Non-Proliferation treaty (NPT) in 2003, North Korea has intermittently pursued nuclear weapons. Successful tests in 2003, 2009 and 2013 demonstrated their successful acquisition. Unfortunately for the international community, these successful weapons tests come after the imposition of sanctions by the Security Council. Moreover, six-party talks between the United States, Russia, China, Japan, South Korea and North Korea have largely failed. They were briefly successful in shutting down a nuclear enrichment facility in 2008, enticing the North Koreans with food-aid, but the other facilities were started soon after.

Moreover, North Korea has an extensive record of human rights abuses. While South Korea transitioned from a military government to an electoral democracy in the late-1980s, North Korea has
remained an authoritarian regime. North Korea engages in systematic extermination, imprisonment, torture and enslavement of political opponents. The people of North Korea have no freedom of press, no access to the internet and no religious freedom. Prison conditions in North Korea are deplorable at best, with former prisoners describing being tortured, starved and not allowed to eat.

Eliminating Unconventional Arms

**Nuclear Weapons**

Begun in 2003 to prevent the acquisition of nuclear weapons by North Korea, the six-party talks involving China, Russia, the United States, South Korea, North Korea and Japan, have not proven successful. In 2009, North Korea left the negotiating table, but Russia forced them to begin negotiations again in 2012 because North Korea tested a ballistic missile. Despite further efforts by China, the United States has opted to not continue negotiations until North Korea honors past agreements regarding nuclear disarmament. While it is clear that North Korea has obtained a nuclear weapon, what is unclear is whether they have successfully miniaturized it and developed a warhead capable of launching it. Sanctions were most recently implemented on banking, travel and trade in 2013 by the Security Council, but these efforts seem to have further emboldened their efforts.

However, the Security Council must consider a pertinent question: what constitutes the peaceful use of nuclear energy? Under the NPT, signatory nations are guaranteed access to free nuclear energy. During their nuclear program, North Korea has maintained that they were only using nuclear research for peaceful purposes. We now know this was not the case. Nonetheless, the Security Council must work towards a Korean peninsula that allows the use of nuclear technology for medical and energy needs.

**Chemical and Biological Weapons**

Of the major players on the Korean Peninsula, The United States, China, Russian Federation, Japan, South Korea and North Korea, all have ratified and agreed to the Biological Weapons Convention and all but North Korea have agreed to the Chemical Weapons Convention. However, there are rumors and now scientific testimony that North Korea has been working to acquire biological and chemical weapons. Allegedly, North Korea has tested the effectiveness of these weapons on their own citizens. Not only is the use of human subjects illegal, the mere production of biological weapons is in direct defiance to the Biological Weapons Convention, to which North Korea is a party. To begin, the international community must learn for certain whether North Korea has chemical and biological weapons or not. A key hallmark of both treaties is transparency between governments on
biological and chemical weapons capabilities. From here, the Security Council must forge a path to disarmament.

**Sovereignty issues**

Finally, any conversation on eliminating unconventional arms must include a discussion of national sovereignty. The United Nations is founded on the ideas of collective security and national sovereignty. Therefore, it would be difficult for the United Nations to compel or forcibly remove North Korea’s nuclear weapons. Moreover, the failure of sanctions to prevent the acquisition of nuclear weapons further underlines the challenges of preventing the acquisition of chemical or biological weapons or the requisite rocket technology for a nuclear warhead.

**The implications for neighboring nations**

Those countries in the immediate region of the Korean Peninsula have a direct stake in the outcome of the issues. To begin, China and Russia are the main economic trading partners of North Korea. They financially support the North Korean government. From this position, they have the most leverage over the North Korean government to affect change. However, in the event of a collapse of North Korea, China and South Korea are most at risk. Both would suffer humanitarian issues as citizens fled to their nations as refugees.

Meanwhile, China is unlikely to allow a pro-American regime to be established on their border which could inhibit global cooperation. In the event of a collapse in a North Korea regime that had nuclear weapons, Japan, South Korea, China and Russia would all be at risk. Furthermore, both South Korea and Japan, have had their citizens kidnapped by the North Korean regime. For these nations, a successful settlement must involve the end of kidnappings and a return of their citizens.

**The Demilitarized Zone**

The first and foremost concern surrounding the DMZ should be to reduce to tensions. If tensions continue to remain high, the risk for military engagement and the possibility of war increases. To prevent further conflict, all sides must work to reduce the level of troops and to reopen dialogue between North Korea, South Korea and the United States. Specifically, an environment in which the United States and South Korea can communicate with the North Koreans to prevent accidents from becoming a full-fledged military encounter. In addition to the already existing tensions, adding nuclear weapons to the mix will do little to reduce tensions.

**The Wildlife of the DMZ**

Amazingly enough, while the political situation is intense on both sides of the DMZ, a unique ecosystem has flourished in the DMZ. While species across Asia have dwindled as industrialization has occurred, the DMZ has remained effectively untouched since 1953. Thus, endangered and rare birds such as red-crowned and white-napped cranes call the DMZ home. While ecosystems in North Korea and South Korea have been destroyed, the DMZ has increased its biodiversity. For
many, environmental considerations are not a part of the political calculus regarding the DMZ. However, as the last refuge to many endangered animal and plant species, it is vital to the global ecosystem that any solution constructively considers the environment.

**American Landmines**

When the Ottawa Treaty, or Mine Ban Treaty was passed in the 1990s, it was hailed as a victory for the common person. Throughout many of the conflicts in the Cold War, landmines were extensively used. When these conflicts ended, the landmines were left behind to maim and kill innocent civilians; killing 15,000 to 20,000 people each year. The United States initially refused to sign the treaty, citing national security issues. In 2009, the Obama administration reversed course; but with one caveat: the United States would maintain landmines near the DMZ in South Korea. While much of the rest of the world, including Mozambique, Nicaragua, and Nepal have all cleared their landmines, protecting their innocent citizens, landmines will remain in South Korea.

**Human Rights**

The Human Rights situation in North Korea is incredibly bleak. Prison conditions are unparalleled in their horror, and the lack of political freedom is second to none. It has become clear that North Korea must be held accountable for their consistent disregard for human rights. However, it is up to the Security Council to decide the degree to which they should be punished. The United Nations General Assembly has already referred North Korea to the International Criminal Court (ICC) for crimes against humanity. However, any actual referrals to the ICC to start an investigation must come from the Security Council. In the face of international scrutiny, and a separate UN investigation, which found conditions to be “Nazi-esque in their brutality,” North Korea remains defiant. Will China acquiesce and allow a referral to the ICC to occur?

Furthermore, in the event that an ICC investigation is begun and North Korea is found guilty, will North Korea be willing to adopt any changes? It remains unlikely that the current regime would even allow an in-depth investigation by the ICC. What more, it would be incredibly difficult, if not downright impossible, to compel the North Korean regime to respect human rights. Finally, if North Korea decided to implement reforms, how could the international community check to make sure these reforms were in-fact implemented? Respecting national sovereignty, a bedrock of the United Nations system, and fighting for basic human rights are difficult tasks.

However, there are various strategies that could incentivize a change in the North Korean government towards its citizens. For example, the North Korean elite yearn for luxury items supplied, mainly, by China. It could be feasible to incentivize action by cutting off the elite from Chinese goods. Moreover, due to a drought, North Korea is expected to experience another famine, potentially worse than the famines of the 1990s. If famine occurs, what responsibility does the international community and United Nations institutions such as, the World Food Program (WFP) and the Food and Agricultural Organization (FAO) have to provide food aid to the North Korean populace? Moreover, the Security Council could take the initiative and place sanctions on the North Korean government. However, sanctions against North Korea have failed to impart a change in their nuclear policy. It is therefore unlikely that the Security Council could successfully sanction the North
Koreans to the negotiating table. Nevertheless, if the Security Council continues to sit on its hands and take no action at all, it risks perpetuating a negative legacy.

**Questions to Consider**

- How can the Security Council reduce tensions on the Korea Peninsula?
- How can the international community hold North Korea accountable for human rights abuses?
- To what extent does the collective security of the world and human rights of the North Korean people take precedence over North Korean sovereignty?
- Can the Security Council put the Koreas, and, by extension, the world on a path to peace?
- Should the Koreas be reunified? How does each country view reunification? What can the international community and the Security Council do to aid reunification?