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Negotiations with North Korea could eventually succeed



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The nuclear standoff between Washington and Pyongyang, fuelled by President Trump's and Kim Jong-un's frightening rhetoric, has created tensions and fears reminiscent of the 1962 Cuban Missile Crisis. What are the chances that negotiations with the Democratic People's Republic of Korea (DPRK) to make the world a safer place could be successful?

I spent a few days in Pyongyang in 2008, teaching DPRK United Nations officials how to become better negotiators. North Korea is a strange and isolated country, but I was surprised and encouraged by how quickly my smart and rational students, who were elite government officials assigned to work for UN agencies, embraced sound negotiation principles like reciprocity and the gains to be made by recognizing the interests of both or multiple parties.

Looking at the current confrontation, negotiation best practice argues against holding oneself hostage to fortune by making threats, so it is important to look beyond the language that Trump and Kim are using. The unimaginably horrifying possibility of nuclear war by mistake implies that they are behaving irrationally. But both leaders have definite objectives and have strengthened their negotiating positions through their rhetoric, unedifying as it is – not unlike combatants grabbing land in a shooting war immediately prior to a cease-fire -- thus giving themselves more assets to trade when talks start.

Trump is the more unpredictable of the two, with his tweets often being at odds with his Secretaries of Defence and State, but the result has been to put pressure on the DPRK. Kim is easier to understand. Since coming to power in 2011, he has eliminated rivals and secured the continuity of his regime. He has used successive New Year's Day speeches to lay out clear policy directions, consistently focusing on Byungjin, a policy which calls for rapid acceleration of the nuclear weapons programme, while pressing ahead with economic modernisation. He

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has talked about improving standards of living, adding that “people should no longer be hungry.” However, the acquisition of a nuclear arsenal as a deterrent to protect the DPRK from invasion, and himself from regime change, has been at the cost of sanctions which compromise his wish to feed his people.

Good negotiators learn from past experience. The 1994 “Agreed Framework” under which North Korea committed to freezing its nuclear programme and remaining a signatory to the nuclear Non-Proliferation Treaty (NPT), in return for energy aid from the US, collapsed in 2002 amidst accusations of violations by both sides. In 2003, the so-called Six-Party Talks between United States, South and North Korea, China, Japan and Russia were initiated and made intermittent progress over a series of six rounds held in Beijing, until 2009, when Pyongyang withdrew. So, the inevitable question is whether DPRK will honour any agreement reached.

However, the alternatives to negotiations to address North Korea’s nuclear challenge to the world and to stabilise relationships with its neighbours, are unimaginable. But all the parties to future negotiations will have to overcome the phenomenon psychologists call naïve realism. This is where antagonists see themselves as being objective and their opponents as extreme, leading to misjudging each other’s motivations and actions. Thus, a vicious cycle is created with every move by the other parties being interpreted with an ever-higher level of mistrust.

The sequencing of talks must be carefully planned and must start with confidence-building actions. These have already begun with Seoul responding positively to Kim’s suggestion in his New Year speech that North Korea might participate in the Winter Olympics that South Korea will host in February. This was followed by reestablishment of the hotline between the two Koreas and a meeting at the Panmunjom truce village.

As a further move to lessen tensions, the US and South Korea will delay the start of the next round of joint military exercises until after the Olympics. These positive moves could come to nothing and observers are already questioning Kim’s motives, but they should be cautiously welcomed. If an enabling environment for negotiations is established, what should we be looking for next?

Like a barrister who writes the final speech to the jury before the trial starts and elicits evidence to enable that speech to be delivered, good negotiators need to be clear about their objectives before negotiations begin. Every concession and gain thereafter should bring both sides closer to meeting as many of their objectives as possible, with inevitable compromises along the way to reach a mutually acceptable outcome.

Looking beyond the DPRK’s toxic statements, its main objectives appear to be:

- Reunification of North and South Korea on Pyongyang’s terms.
- Maintaining a nuclear deterrent to forestall invasion or regime change.
- International recognition and respect as a nuclear power.
- Lifting of sanctions and a massive aid programme to address food shortages and modernise agriculture and industry.

- Scaling back or elimination of joint US/South Korea military exercises.

What do the US, China and other interested parties want?

- Denuclearisation of the Korean Peninsula, starting with freezing DPRK's weapons programme, its re-joining the International Atomic Energy Agency, and signing the Non-Proliferation Treaty.
- Pyongyang to abandon plans to take over South Korea.
- A North Korea that no longer violates the human rights of its citizens and threatens its neighbours.

The breakthrough that led to agreement in 1994 came about when former US President Jimmy Carter travelled to North Korea as a private citizen at Pyongyang's invitation and with the Clinton Administration's tacit approval.

Often it is the involvement of third parties who are trusted by protagonists who don't trust each other that enables talks to get underway. The UN Security Council could mandate Secretary General, António Guterres, to appoint a high-level team to travel to Pyongyang and engage with Kim Jong-un, with a view to restarting the six-party talks. Such a team would need to be made up of private citizens who command the trust and respect of all six states and the broader international community and might comprise:

- Former UN Secretary General Ban Ki-moon, who dealt with the North when he was a South Korean diplomat.
- Robert Gallucci, the US arms control expert who led the successful 1994 negotiations and now, as an academic, is an expert on the DPRK and has engaged in non-governmental twin track discussions with North Korean counterparts over more than two decades.
- Jin Liqun, the Chinese President of the Asia Infrastructure Investment Bank, who, in addition to his links to the Chinese government, would symbolise the potential aid that North Korea might obtain if Kim decides to end DPRK's pariah state behaviour.

This "dream team" could benefit from the addition of a Nobel Peace Prize laureate. While Trump might not endorse him, the Secretary General might consider Barack Obama as the ideal addition.

My experience teaching in North Korea a decade ago makes me cautiously optimistic that serious negotiations to ease short-term tensions and develop longer-term solutions for the Korean peninsula could soon become a reality.

Insightful Reading

"Breakthrough International Negotiation - How Great Negotiators Transformed the World's Toughest Post-Cold War Conflicts" by Michael Watkins and Susan Rosegrant (chapters on

the 1994 North Korean negotiations) and Bargaining with the Devil -- When to Negotiate. When to Fight by Robert Mnookin. Also see various YouTube talks by Robert Gallucci.

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