



# Lawyers Guild

## KOREAN PEACE PROJECT

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## Why you should support peaceful engagement with North Korea

### 1. 155+ nations have established diplomatic relations with North Korea, known as the Democratic Peoples' Republic of Korea (DPRK).

DPRK is quickening the pace of engagement with the rest of the world. It is no longer accurate to describe it as the "hermit kingdom," as it establishes economic and political ties across the globe. It is even in the process of establishing diplomatic relations with Japan, a country that colonized and dominated it for 35 years just prior to World War II.<sup>1</sup>

DPRK has opened embassies in 41 of the 155 countries with which it has diplomatic ties. Countries with embassies in DPRK now total 22. Among the other democracies with diplomatic ties to DPRK are:

All the European Union states except Ireland and France  
(Austria, Belgium, Cyprus, Czech Republic, Denmark,  
Estonia, Finland, Germany, Greece, Hungary, Italy,  
Latvia, Lithuania, Luxembourg, Malta, Netherlands,  
Poland, Portugal, Slovakia, Slovenia, Spain, Sweden,  
United Kingdom)

Australia, Canada, India, New Zealand and Mexico and more.

According to a recent task force assembled by the Council on Foreign Affairs and led by Morton Abramowitz and CFR chair James Laney, the U.S. should begin--right away -- to pursue a policy of "cautious engagement," negotiating with Pyongyang to accept and lock in all the peaceful promises that country has made in recent years. Our current national policy, they say, "diverges dangerously from the positions of U.S. allies."

## **2. South Korea and North Korea want to reunify their country.**

The two Koreas have one of the world's longest, strongest histories as a unified nation. Before being divided by the U.S. at the close of World War II, <sup>2</sup> Korea was a single nation, unified by ethnicity, language, and religion for 1300 years. Now both the South and North and see the division of their country more as a scar than an amputation.

In 1972, the two countries followed the landmark détente reached between the U.S. and China by signing a set of joint principles.<sup>3</sup>

In 1984, South Korea accepted flood assistance from North Korea, and the first divided families were unified.<sup>4</sup>

In 1993, South Korean president Kim Young Sam's inaugural address swore that, "no ally can be more valuable than national kinship" among Koreans.<sup>5</sup>

In 2000, North and South Korea held an inter-Korean summit. South Korea's former president Kim Dae-Jung, who once sought refuge in the U.S. after being threatened with execution in the Chun Doo-hwan military dictatorship, won a Nobel Peace Prize for this work.<sup>6</sup> Among the agreements reached at the summit:

- unification must be achieved independently and peacefully, through building economic cooperation and peaceful exchanges;
- the countries will build "one people, two systems, two independent governments" as the pre-unification stage;

the reunification of families divided by the Korean War is a humanitarian issue of priority for both countries.<sup>7</sup>

## **3. North Korea has foreign investors, and may one day be an important U.S. market.**

DPRK's economic pace is increasing; its economy is no longer shrinking.<sup>8</sup> Although DPRK lost its sponsor state with the collapse of the U.S.S.R. and survived devastating floods, its economic turnaround began in 1999, when growth was recorded at 6.2%. The economy grew at 1.3% in 2000 and 3.7% in 2001. At least on paper, DPRK is "among the most liberal" of east Asian countries in welcoming foreign investment, profit remissions, and ownership regulations.<sup>9</sup>

Businesses and corporations are on the ground in DPRK. South Korean businesses Hyundai Motors and Samsung Electronics are in business in DPRK. So are the Italians (with a Fiat plant), among others.<sup>10</sup>

**China has invested with DPRK in a special administrative region at Sinuiju; South Korea, with the DPRK at Kaesong (the ancient capital of the unified Korea). Plans are for 2000 businesses at Kaesong by the year 2010, employing 360,000 southerners and 250,000 northerners, along with tourism centered on historic buildings and tombs.<sup>11</sup>**

**4. Unquestioned policies arising from the Korean conflict perpetuate problems in creating a safer world.**

**Among these problems are:**

- **The illegitimate creation of an international “coalition” to rationalize going to war.** Although the U.N. troops on the ground were a bit more diverse than those currently in Iraq, U.S. General Douglas MacArthur said of his North Korea command, “I had no direct connection with the UN whatsoever.”<sup>12</sup> The U.N. vote authorizing the military action was taken over the abstention of the U.S.S.R. North Koreans now doubt the legitimacy of the U.N. and recent weapons inspections.
- **The inaccurate picture of a war as “limited” because it has minimal impact on U.S. civilians.** The effects of the Korean War were quickly minimized, and largely forgotten, just as the devastating effects of more recent wars can be. Because the war was buried in history books, a new generation of Americans has not been offered an opportunity to learn from policy, strategic, and other mistakes made there.
- **The acceptance of large defense budgets and their consequences.** The first mighty military build-up in peacetime came with the Korean War, and the build-up has yet to stop. Korean War inaugurated “historically unprecedented defense budgets.” The U.S. weapons budget quadrupled from June to December 1950, from \$13 billion to \$54 billion, or more than \$500 billion in current dollars. The Korean War inaugurated the current U.S. network of military bases abroad, the national security state at home, and “transformed a limited containment doctrine into a global crusade.”<sup>13</sup>

**Without a clear recognition of the role of the U.S. conflicts across the globe in the last half of the 20<sup>th</sup> Century, we will have difficulty creating a safe world.**

**5. The Korean War involved Americans in military actions contrary to both international law and U.S. humanitarian standards.**

In the Korean War, the U.S. demonstrated its willingness to attack Korean civilians in order to injure unidentified military partisans. In doing so, it violated international humanitarian law and provisions of the Geneva Conventions.

Among illegal actions engaged in by U.S. soldiers and the U.S. command during the Korean War 1950-53 war were:

- **destruction of clearly marked hospitals** <sup>14</sup>
- **destruction of irrigation dams** at Kusong and Toksan that provided water for 75% of North Korea's food production. The Air Force at the time reported that the "subsequent flash flood scooped clean 27 miles of valley below", noted the flood waters wiped out supply routes as well as villages, and acknowledged that the loss of the rice crop will mean "starvation and slow death."<sup>15</sup>
- **napalm attacks** more widespread than those ultimately banned in Viet Nam <sup>16</sup>
- **carpet bombing that destroyed 75% of North Korea's cities and villages**

The North Koreans have documented introduction of chemical, biological weapons and infestations of plague-ridden insects, although the U.S. has not acknowledged these.

Further, General MacArthur proposed **using atomic weapons** to decimate the whole of the Korean peninsula.

## **6. The cold war is over, and the U.S. Asia policy should change to reflect that fact.**

At the close of World War II, when Korea was divided between the Allies and the U.S.S.R., Korea served as U.S. foothold in Asia against anticipated aggression by either China or the U.S.S.R. – or both.

Today, the U.S.S.R. no longer exists, and the surviving states are focused more on domestic issues than expansion.

Today, the U.S. and China maintain an economic alliance that has persisted over 20 years.

## **7. The "domino theory" that justified keeping a U.S. military presence against aggressive communist states no longer can be justified. With no formal peace treaty, a perpetual state of war remains, undermining trust and necessitating stockpiling of weapons by both sides.**

**We have an armistice –not a peace treaty— with North Korea.** The armistice provides merely for the temporary cessation of hostilities, and we are still formally at war. Therefore, any negotiations for disarmament are made in the theater of war rather than in the parlor of peace.

**Imagine Iraq in 50 years, if we achieve only an armistice there.**

- Iraq It will have suffered a devastating civil war, where millions die but little is resolved
- By the 2060s, nearly 40,000 American troops will still be there, holding the line against the evil enemy (whoever he might be)
- We will assume a new war possible at any moment.

**“ We have been locked in a dangerous, unending, but ultimately futile and failed embrace with North Korea since Dean Rusk consulted a map around midnight on the day after we obliterated Nagasaki with an atomic bomb, and etched a border no one had ever noticed before at the 38<sup>th</sup> parallel.”**

**8. Both the U.S. and the Korean states gain a substantial peace dividend by ending this antiquated military standoff.**

North Korea has the ability to make a nuclear weapon. However, there is doubt whether it has taken the steps to change that capability into a reality, or – if it has—how many bombs it has built. Siegfried Hecker, former director of Los Alamos Nuclear Laboratories, toured the DPRK nuclear facility at Yongbyon in January 2003, and found that while the country “most likely” could make plutonium metal, he had seen no convincing evidence that the North Koreans could use the plutonium to build a nuclear device.<sup>19</sup> CIA reports as to the nuclear capability of the North vary widely. Though North Korea is rated as the world’s 5<sup>th</sup> largest fighting force, the North Korean \$1.4 billion annual military budget would not finance a single B-2 bomber.<sup>20</sup>

**Meantime, the U.S. is considering a return to nuclear weapons testing, which brings with it domestic environmental threats.** Though the U.S. joined France and Russia in 1992 putting a moratorium on nuclear testing, the current U.S. administration, in the Department of Energy's Fiscal Year 2004 budget request, asked for \$25 million in funding to enhance nuclear test readiness to 18 months.<sup>21</sup>

**North Korea offered to give up its nuclear weapons readiness in exchange for \$5 billion in economic aid,** an offer carried to the current administration in June 2003 by U.S. Rep. Curt Weldon (R-PA, former vice-chair of the House Armed Services Committee). The offer was rejected as blackmail. The next Weldon delegation (October 2003) canceled when White House withdrew its support at the 11th hour, even though Rep. Weldon had been assured that the delegation could tour the Yongbyon nuclear facility.<sup>22</sup> U.S. Secretary of State Colin Powell also admitted that the North offered to “scrap” its nuclear weaponry and missiles if the U.S. would normalize relations and provide basic security guarantees.<sup>23</sup>

If there is a way to prevent a nuclear build-up through engagement and negotiation, it is worth investigating.

### **9. Formal diplomatic ties can lead to discussions about human rights issues affecting both nations, resulting in constructive solutions**

We can ill-afford a foreign policy that isolates us from the world diplomatic community while we cast stones at the domestic policies of other countries. It is time to establish a means of communicating with all the world's nations so that we can begin to transcend hostilities and work on ways to create a world in which citizens of every country live congruent with the highest humanitarian vision.

"In human rights circles, the easiest thing has always been to look one way and condemn the communists, while ignoring the reprehensible behavior of our allies, that is, U.S. support for dictators who make Kim Jong Il look enlightened (the Saudis, for example). It is much harder to weigh a diverse and complicated world that will ultimately never respond to our ministrations and be what we want it to be, and learn instead to live in it—and with it—nevertheless."

– Bruce Cumings, *North Korea: Another Country* at xiii.

### **10. Name-calling and labeling blinds us to our common humanity and prevents us from building a more peaceful world.**

In the U.S. we hear North Koreans called many epithets. The North Korean leadership has been labeled as demons and maniacs, its leader as a "pygmy." Such rhetoric desensitizes Americans to the humanity of the North Koreans, but such desensitization does not serve those who work for peace. Further, scholars and diplomats have outlined North Korean peace proposals that cannot be described as unreasonable or unworkable. Selig Harrison, author of "Nuclear Endgame:" reported after a trip in April, 2004, that he had spent 90 minutes discussing the nuclear issue with DPRK's second-in-command, Kim Song Nam. The basic outlines, as reported in the Financial Times and on Reuters by Mr. Harrison are these:

- **the U.S. agrees to end economic sanctions against North Korea;**
- **the U.S. agrees to remove North Korea from the list of terrorist states (opening the way for World Bank and the Asian Development Bank involvement in North Korea);**
- **the U.S. provides energy aid by resuming oil shipments cut off in December 2002, and agrees to advise South Korea it does not oppose hooking up electrical grids between North and South Korea.**

- **the DPRK freezes nuclear development. (The U.S. has rejected this offer in favor of “complete, verifiable and irreversible” dismantlement).**

Especially in light of the fact that we are still at war with North Korea, these proposals seem modest.

The U.S. has strategic, political, economic, and historical reasons to find a way to negotiate a satisfactory resolution of differences of opinion, where they exist. The American people need to know that our elected representatives support negotiating peace, wherever possible, rather than risking nuclear confrontation.

## REFERENCES

**The facts assembled for this report are from these sources:**

**Other democracies have diplomatic ties to North Korea:**

<sup>1</sup> Onishi, “North Korea Is Reaching Out, and the World Is Reaching Back”, New York Times August 20, 2004, p. A1.

**On the division of South and North Korea, and the intention of the two countries to reunify:**

<sup>2</sup>Col. Dean Rusk, later secretary of state under presidents John F. Kennedy and Lyndon B. Johnson, and Charles Bonesteel, later U.S. military commander in Korea, “working in haste and under great pressure” divided the Koreas along the 38<sup>th</sup> parallel using a National Geographic map and in the wee hours of August 10, 1945. The division was incorporated into the General Order Number One for the occupation of Japanese-held territory. Don Oberdorfer, *The Two Koreas: A Contemporary History* (Perseus 2001), p. 6.

<sup>3</sup> John Feffer, *North Korea/South Korea: U.S. Policy at a Time of Crisis* (Seven Stories Press, 2004), p. 48.

<sup>4</sup> Id.

<sup>5</sup> Orberdorfer, p. 287.

<sup>6</sup> See Kim Dae-Jung’s Nobel prize address at [www.nobelprize.org](http://www.nobelprize.org).

<sup>7</sup> [Kim Dae-Jung’s acceptance speech for the Nobel peace prize.](#)

**On businesses in North Korea.:**

<sup>8</sup> Michael Breen, *Kim Jong-Il: North Korea’s Dear Leader* (John Wiley & Sons- Asia 2004), p. 154-164

<sup>9</sup> Feffer at 78, citing Bruce Cumings’ *Korea’s Place in the Sun*, p. 427.

<sup>10</sup> Feffer, Id.

<sup>11</sup> Breen, Id.

**On peace policy problems that arose during the Korean War:**

<sup>12</sup> Martin Walker, *The Cold War: A History* (Henry Holt and Co. 1995) pp. 74-5.

<sup>13</sup> Bruce Cumings, *North Korea: Another Country* (The New Press 2004), p. 8.

**On violations of international law in the conduct of U.S. forces during the Korean War:**

<sup>14</sup> Both of Pyongyang's hospitals, clearly marked with red crosses on their roofs, were devastated by air attacks, as reported by the Women's International Democratic Federation's Korea committee in its report, *J'Accuse*, May 16-27, 1951. Libraries, theaters, schools and a Buddhist temple had already been decimated by 1951, two years before the end of the war.

<sup>15</sup> The U.S. elected not to bomb agriculture dams and dikes in Holland during World War II because leaders knew it was a war crime after the 1949 U.N. conventions, yet those dams were smaller than those destroyed in DPRK. See Cumings at p. 29.

<sup>16</sup> Napalm was banned in the U.S. during the Viet Nam War after U.S. campuses forbade its manufacturer Dow Chemical from recruiting on campus. See Bruce Cumings at pp. 8 and 16.

<sup>17</sup> General MacArthur's plan for concluding the Korean War quickly including dropping between 30 and 50 atomic bombs "strung across the neck of Manchuria", bringing in 500,000 Chinese nationalist troops at the Yalu River, and spreading a "belt of radioactive Cobalt" from the Sea of Japan to the Yellow Sea. See Willoughby papers of MacArthur, published posthumously (1954). One 400-ton cobalt H-bomb has the estimated capacity to wipe out all animal life on earth. See discussion of MacArthur's war strategy in Cumings, pp. 18-31.

**On the problems with having only an armistice, and not a peace, with North Korea:**

<sup>18</sup> See Cumings' introduction at ix-x.

**On North Korea's nuclear readiness:**

<sup>19</sup> Testimony before the Senate Foreign Relations Committee by Dr. Hecker, reported on in the New York Times, January 22, 2004, p. A6.

<sup>20</sup> Feffer at 67. Other comparative budgetary figures are left to the reader, who will recall that the U.S. first appropriation for its military occupation of Iraq was \$87 billion.

<sup>21</sup> See the April 4, 2004 report on NOW with Bill Moyers at the PBS website, [www.pbs.org](http://www.pbs.org)

<sup>22</sup> The source for Mr. Harrison's comments on the DPRK negotiating posture were reported on the "nkzone" blog site.

<sup>23</sup> Powell was quoted in the Korea Herald April 28, 2003. See Cumings at FTN. 101, Chapter 2.