



HOW CAN THE EU AND UN ENCOURAGE DE- ESCALATION IN THE KOREAN DISPUTE?

The Hague University of Applied Sciences

Faculty of Management & Organisation

European Studies

Supervisor: E.Gabrovska

Ruben Robbesom

14064189 ES4E 4

I Executive summary

This research is an attempt to find an answer to the question “How can the EU and UN encourage de-escalation in the Korean Peninsula?”. Each chapter will be divided in a part on the European Union (EU hereafter) and a part on the United Nations (UN hereafter). During the first part, the research will look at the roles from each organization from the Korean war until today. Then current developments by experts are discussed in a chapter together with the Six Party Talks, which is the most relevant diplomatic track referred to by both the EU and UN. In the Analysis, the effectiveness of both questions will be analysed. This will finally lead to the answer of the thesis in the conclusion, followed by recommendations for each organization based on the current developments and the analysis together.

The research has found that the UN has been effective in maintaining the international regime of non-proliferation, while the EU has been able to develop a diplomatic relationship due to their strategy of critical engagement. However, both organizations have failed to pursue an effective mediation strategy in the sense that they were not able to convince the Democratic People’s Republic of Korea (DPRK hereafter) to abandon their nuclear weapons. The main reason for this is that both the UN and EU were not able to offer a suitable diplomatic track next to their sanctions for the DPRK to discuss the abandonment of the nuclear programme of the country. The Six Party Talks are too tense because the actors all have very different demands and these talks have been abandoned since 2008. In addition to this, the sanctions lack in effectiveness due to a failure in implementation.

Therefore, both organizations should try to focus on the implementation of the sanctions by the member states. Furthermore, the EU should offer a neutral setting for the disputing parties in order to encourage de-escalation. Finally, the EU should uphold their nuclear deal with Iran to set an example to the DPRK that the US is not in the position to decide to abandon any nuclear deal. The UN should ensure the International regime of non-proliferation by upholding the principles of the NPT and sanction countries violating the treaty.

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1. Introduction

1.1 Context

The enduring conflict on the Korean Peninsula is a concerning issue, which due to the involvement of nuclear weapons, has become a threat to the entire world. The international community has always been significantly involved in the conflict. In the Korean war, the conflict, as many other conflicts at the time, was used as an expression of Cold War politics between the United States (USA or US hereafter) and the Soviet Union (SU hereafter). Both countries interfered intensively in the conflict, which had a big impact on the outcome of it. The SU evoked the conflict by supplying North Korean leader Kim Il-Sung weapons to invade South Korea, hoping to create a communist minded Korea in 1950 (Waxman, 2017). After the invasion on the South, the USA interfered in the conflict by leading the United Nations military support to the anti-communist thus capitalist South and sending over 300.000 US troops to the peninsula (SP times, 2003). After the UN military forces had driven back the North-Korean offensive, a third world power, namely China, felt threatened by the military tensions close to their border and helped the North Korean forces (SP times, 2003). By 1951, the four biggest international actors¹ at that time were involved in the Korean War, which caused the conflict to become a security issue for the entire international community.

In 1953, after the ceasefire was signed, the interference of the international community in the conflict continued to have a considerable effect on the relationship between North- and South Korea and the further development of the conflict. The US helped with the recovery of South Korea by granting credits and trade agreements and kept full control over the South Korean army (Withlock, 2014). Furthermore, the US army itself continued their stay in the South. China and Russia felt threatened by the fact that the US army has military forces so close to their borders, the only buffer being a weak North Korea, even weaker due to the war (Shen, Xia, 2012). This concern led to the development of a massive scale aid programme by the SU, China and eastern European countries for North Korea in the form of education, free labour, and profitable trade agreements which made a quick recovery from the war possible and created a more dependable buffer zone between the US military and their own borders (Shen, Xia, 2012).

After the war, all actors stayed involved in the Peninsula, both sides providing financial aid and developing the military of the two Koreas; the US military kept stationed in the South, as well as becoming their biggest trade partner. The SU helped with the set-up of the North-Korean nuclear program, which is one of the reasons why this dispute grew to become a threat for the entire world.

¹ The USA, China, The SU and the UN

China also kept strong relationships with the North, providing them aid and becoming their biggest trade partner. (Waxman, 2017).

Meanwhile, the UN also persevered in the conflict. Three of the most powerful countries in the world were entangled in the conflict. This, added to the fact that the UN was founded with the goal to maintain international peace and security, made it indisputable for the UN to not address this issue in their agenda (United Nations, n.d. a). It is, however, questionable what the extent of effectiveness of the role of the UN was and is. It certainly did not stop North Korea's nuclear program and, conceivably, even had negative impact on the development of the conflict as well as the attitude of the North. Worse still, the economic sanctions have proven to have very unfavourable effects on the humanitarian situation in the country, a key foundation of the UN. The economic sanctions had the effect of the North Korean government cutting in the primary needs of its own people to fill the financial gap. In 2017, for example, the oil sanctions by China were being handled by the North Korean government by cutting almost 40% on the non-military oil use (Hayes, von Hippel, 2017). The sanctions have proven to have no effect on the military expenses of the country, which have only grown and currently are at 22,3% (Yonhap, 2016). Therefore, the sanctions do not achieve the envisioned effect, indeed lead to suffering for the North Korean people instead of the government.

Therefore, the UN's role towards the Korean conflict is quite debatable. There clearly is a need for a different approach by the UN regarding the situation. This thesis will therefore be a research towards this role and will search for a better approach for the UN.

In addition to the UN, the role of the EU regarding the conflict is also relevant; namely to the extent that the EU should ensure the safety of its members and a nuclear war could affect the whole world including EU members, but also considering the aim of the EU to be a contributor to international peace. The European External Action Service (EEAS) addresses this desire of the EU and names examples such as Mali, Iran, Colombia and Yugoslavia in which the EU promoted peace (EEAS, 2016). Therefore, the EU should be consistent in their foreign policies and apply an effective strategy to this conflict as well.

Criticism on the acting of the EU in world politics is that there is a lack of strategy, and that the EU does not fulfil their role as a strong actor. In the ongoing ISIS threat in Syria for example, there is lack of a common approach by the EU. (Richter, 2015). This thesis will research the role of the EU regarding the Korean conflict, wage its effectiveness and analyse for improvement.

Considering the EU not being historically or geographically involved in the conflict, it could be interesting to investigate whether acting by the EU could be a solution to the de-escalation of the conflict. According to the 'Outsider Neutral' model² in international conflict mediation by Teng, this would be the most effective mediator characteristic (Teng, 2008). The DPRK has a rather negative image of the UN: The US being an influential factor in the organization, added to the sanctions awarded by the UN towards the DPRK make that the UN is being framed as an enemy, rather than a mediator in the perspective of the DPRK. The EU as an independent actor has a more neutral relationship with the DPRK, which could possibly be a very interesting opportunity for mediation in this dispute.

Therefore, this thesis involves the role of the UN and EU regarding the conflict on the Korean Peninsula. It will research the actions and effectiveness of both organizations in the conflict, as well as alternatives to encourage de-escalation effectively in the dispute.

1.2 Research and sub-questions

The thesis in this research will be **"How can the EU and UN encourage de-escalation in the Korean dispute?"** This question is formulated in this way to keep the outcome of the research as open as possible.

During the research, sub-questions will be used as a guidance in finding the answer to the thesis. In the first two chapters, the role of the UN and EU in the past is described. What kind of actions have both parties undertaken regarding this conflict. The sub-question in these chapters will be: **"What has been the role of the UN/EU in the conflict in the past?"** This question will be divided into two chapters. The first will be on the UN, which will consist out of the most important resolutions the UN passed concerning the conflict. In addition to this, this chapter will also sketch an image of the influence of the three biggest players³ on the acting of the UN. An interesting fact is that all three countries enjoy a permanent position in the UN Security Council, and thus have veto power. Therefore, they have a powerful position on the acting of the UN as an organization. These countries being involved in the conflict themselves makes it interesting to examine to what extent they have used their position in the UNSC to their own benefit. In the chapter on the EU, the role of the EU in the conflict will be described. What strategy have they applied in their foreign policy towards the DPRK, and how does it differ from the UN's strategy?

² Thoroughly described in the literature review

³ The USA, China, Russia

After this, the subject of the third chapter will be “**current developments**”. In this chapter the contemporary situation will be described. What are current solutions thought of by experts in order to come to de-escalation to this conflict? These three chapters together will form the results part of the research.

The next part will be the analysis, which will be based on the question: “**How effective were the actions of the UN and EU?**”. This chapter will be divided into two sub-chapters; one on the role of the EU, the other on the role of the UN. The effectiveness of the actions and role of both organizations will be analysed, based on the findings during the results part.

Ultimately, the paper will end with a conclusion and recommendations part, in which the thesis will be answered.

1.3 Definitions

1.3.1 (DE) escalation

(De-)escalation is a fundamental concept during this research. Therefore, it is essential for the rest of the research to explain in what context the concept will be used. The concept of escalation in this research refers to “an increase in the intensity of a conflict and in the severity of tactics used in pursuing it” (Maiese, 2003). An increase of intensity would not necessarily mean an armed conflict in this research, as it also refers to actions from both sides which have negative impact on the course of the conflict. The increasing threats from both sides, the nuclear threats by NK and the military practices performed by the US and SK army are also considered as escalation by this research, as they have negative impact on the course of the conflict and aggravate the relationship of the two countries. According to Glasl’s model of escalation, threats are recognized as being a form of escalation, and are scaled at the rating of 6 in his 9-stage model of escalation. In this same model, the 7th stage is violence (Jordan, 2000). This confirms that threats can indeed be identified as a form of escalation in a conflict.

The concept of de-escalation in this research is not the exact opposite of escalation. The difference is that escalation is event-based, whereas de-escalation is a process in which various parties seek for a less hostile situation (Maiese, 2003). The fact that not all parties are seeking for de-escalation in the conflict, makes this process even more complicated in the Korean dispute. Since 1953, after the ceasefire which ended the Korean War, the process of de-escalation became stuck due to the lack of willingness to cooperate by the involved parties. Therefore, other tools of de-escalating the conflict are used, for example in the form of the sanctions awarded by the UN.

1.3.2 Mediation

The concept of mediation is very broad. Mediation in the broadest sense of its definition is the process of a third party getting involved in a conflict with the aim of changing the course or outcome of the conflict. This can be on any level, with any kind of actor involved (Wall, Stark, Standifer, 2001).

However, there are several aspects which need to be taken into account when using the concept mediation. Firstly, a distinction can be made between the type of actors involved in the mediation process. In the Korean dispute the actors are countries and international organizations. Therefore, this type of mediation is called international mediation. Furthermore, the character of this type of mediation is that it is not upon request by either party directly involved in the conflict. Neither of the two Koreas have granted authority to any outside actor to compose binding decisions over the dispute. (Bercovitch, 1996). The form of mediation by any actor is in this case an action of the international community taking responsibility for solving the conflict in order to safeguard international peace and security. It is important to consider this factor, as it limits the options of mediation for any outside organization. This results in the use of other tools, for example resolutions or sanctions, to solve the conflict. The justification for the use of these tools is the fact that the UN is internationally acknowledged as the keeper of peace and security.

Given these characters of the conflict, the most applicable definition of mediation in this case is the definition of Wall and Standifer in 2001, who define mediation as: "Assistance to two or more interacting parties by third parties who (usually) have no authority to impose any outcome" (Wall, Stark, Standifer, 2001, p370). This is the interpretation of the concept that is considered during the rest of the research, as both the EU and UN have no authority accepted by the parties directly involved.

1.3.3 Actors in the conflict

In discussing mediation efforts and comparing these to several theories, the actors in this conflict have found to be arguable. The conflict started between North and South Korea, but was almost right from the start a conflict between communism and capitalism. This can be recognized by the immediate intense military support by China and Russia to the North and the US/UN support to the South (SP times, 2003). When the war ended with the ceasefire in 1953, the foreign involvement in the conflict did not end. Since then, the conflict has escalated in a conflict between North Korea and almost the entire international community, because of its nuclear threats. The relationship

between the North and the South is still violent and both countries are officially still in war⁴. Hence, the conflict having the most urgency to be solved is the nuclear conflict, in which the South cannot not be identified as being the most important actor. The entire international community is in possible danger by these nuclear threats and should be considered as an actor. Therefore, the DPRK is considered the main actor in this thesis, while the international community is considered an actor in the contemporary conflict. South Korea is not considered the most important actor in the contemporary issue in this thesis.

⁴ The Korean war was ended with a ceasefire, no peace treaty has been signed yet

2. Literature review

This thesis discusses the mediating role of the EU and UN in the Korean dispute. This literature review therefore includes literature written on the topic of international mediation by IGO's in regional conflicts. It will especially focus on the effectiveness of the mediation. This set of literature is chosen, as the literature on the topic of this thesis specifically is too narrow. In addition to this, the literature on effectiveness of international mediation in regional conflicts in general is relevant, as various theories can be applied to the conflict and actors of the Korean dispute. The emphasis is put on the effectiveness, because this is the most important part in understanding how the EU and UN can contribute to de-escalation.

Interesting research was conducted at the University of Iowa. The research compares the effectiveness of mediation by both international and regional organizations in interstate conflict (Hansen, Mitchell, Nemeth, 2007). The conclusion of the paper is that the effectiveness of a third-party mediator can be determined by various characteristics of the organization. "IGOs are more likely to help disputing parties reach an agreement if they have more democratic and homogenous members and if they are highly institutionalized and employ binding management techniques" (Hansen, Mitchell, Nemeth, 2007). Purely comparing these factors with both the EU and UN, the EU should be the most effective mediator in conflict resolution, as it includes the most favourable characteristics according to this research. The EU is a democratic, institutionalized organization, with homogeneous members. However, they do not have the option of binding management techniques regarding the conflict on the Korean peninsula, as both parties are no members of the EU. The UN technically does have the option of binding management techniques over both North and South Korea, as both are UN members, and therefore, agreed to binding decisions by the Security Council in Chapter VII of the charter (United Nations, n.d. c). However, in the history of the conflict, the DPRK has ignored binding decisions by the UNSC multiple times (United Nations, n.d. c). Moreover, the UN members are heterogeneous, which is a negative characteristic for effective mediation in conflict resolution according to Hansen, Mitchell and Nemeth (Hansen, Mitchell, Nemeth, 2007).

A study by Sinisa Vucovic for the International Journal of Conflict Management confirms the importance of the characteristics of the mediators in conflict resolution (Vucovic, 2014). Where Hansen, Mitchell and Nemeth's study purely focusses on the characteristics of the IGO's in the effectiveness of conflict resolution, Vucovic's study emphasizes that other factors also determine the effectiveness of mediation. "The overall contextual factors surrounding a conflict" (Vucovic, 2014) are another factor that needs to be taken into consideration in determining the possibility of

effective mediation by a third party IGO in regional conflict. These contextual factors are divided into three sub groups by Vucovic, of which the first is called systematic features. By this, the geopolitical factors which can potentially have influence on the conflict are meant. For example, outside actors which have interest in the conflict can harm the de-escalation process. This phenomenon can also be identified in the Korean Peninsula. As explained in the introduction, world actors such as the USA, China and Russia have political interest in the conflict. This has great influence on the course of the conflict. Another contextual factor is the characteristics of the parties directly involved in the conflict. For example, if the parties involved are democracies, the conflict tends to be easier to solve than if non-democratic parties are involved according to Vucovic. Vucovic bases this on a study by Bercovitch (Bercovitch, 2005). North Korea being a non-democratic party decreases the chance of successful settlement of the conflict according to this study. The last contextual factor is the nature of the conflict. Conflict resolution tends to be less successful if the conflict is over intangible issues as belief or identity (Vucovic, 2014). The Korean dispute is based on identity, as it started as a battle between communism and capitalism. This should complicate the process of solving this issue according to Vucovic.

Next to the contextual factors and the characteristics of the mediators, the third point Vucovic emphasizes as being crucial for effective mediation, is the behaviour of the mediator, or strategy. Three types of strategy can be identified. The first type is communication facilitation, which includes the lowest level of involvement of all three strategies. In this form of mediation, the only role of the mediator is to establish contact between both sides. The mediator is not involved in the mediation process itself. The second form of mediation is called procedural-formative mediation. In this form of mediation, the mediator takes a more active role and is part of the negotiations during the mediation process. The mediator takes a role of proposing suggestions to solve the conflict. This requires a level of commitment by the disputing parties, but is proven to be more successful than communication facilitation (Vucovic, 2014). The third, and most effective form of mediation is mentioned in Vucovic's study as "mediation with muscle" (Vucovic, 2014). Among this mediation form comes full participation by the mediator in the conflict: It pressures both sides to come to an agreement by using its power. This form of mediation is used in the Korean dispute by the UN, as it passes resolutions on sanctions. The strength of these kind of sanctions is the power of the UN as an organization. For example, in case of a trade block, all UN members participate in the execution of this sanction, as written in the UN charter.

In the Book "Conflict Management, Security and Intervention in East Asia: Third-party Mediation in Regional Conflict", an interesting mediation model with great relevance to this research is discussed by Jacob Bercovitch (Bercovitch, 2008). The model is called the "Outsider-Neutral model"

and claims that the best form of third party intervention is a model in which the third-party mediator is in no way whatsoever connected to either of the disputing parties. The mediator's only interest in the conflict is for it to be solved, and the mediator is not entangled in the conflict by having some sort of interest in any financial or political specific outcome of the conflict (Bercovitch, 2008). According to this theory, the EU would be suitable to fulfil the role of the leading mediator in the Korean conflict. The UN has got many members, of which some of them have other interests in the conflict. However, the EU as an institution should have no interest in the conflict whatsoever, considering the demographical factors and overall course of the conflict. The only interest for the EU should be for the conflict to be solved, to be able to ensure the safety of its members and to contribute in a positive way to world politics. In the same book, Chung-Chian Teng argues the exact opposite, claiming the "Insider-Partial model" is the most effective model in international mediation (Teng, 2008). In this model, the mediator being entangled in the conflict is the main characteristic. The mediator has a certain relationship with one or both of the contending parties. The consequences or outcome of the mediation process has consequences for the mediator, which benefits the total course of the mediation process. The best mediation option according to Teng would be if there are multiple mediators, having ties with both sides of the contending parties (Teng, 2008). Considering this theory, the UN would be a convenient mediator in the Korean dispute, as the countries in the highest UN organ, the UNSC, have ties with both parties.

The theories discussed above, all written by well-respected and acknowledged researchers and writers, all having good argumentation, suggest very different characteristics of mediation and mediators to have the highest rate of effectiveness. These studies will be a contribution to the results part of this thesis, which addresses the mediation attempts in the past of both the EU and UN. In this part, the general characteristics for successful mediation and mediators claimed by some of these studies could possibly be correlated to the previous mediation attempts by the UN and EU to encourage de-escalation. By using this method, some of the theories can be labelled as being (un)successful for this particular dispute.

In the analysis section, the mediation/mediator options having success in the past will be considered an option for the EU and UN to encourage de-escalation. In addition to this, there is the option that during the research process, different forms of mediation will be argued as being the best outcome in this conflict. If so, these will be discussed and considered as possible options for the conflict as well. In other words, this part will hopefully contribute to the answer of the research question: "How can the EU and UN encourage de-escalation in the Korean dispute?".

3. Methodology

According to Kothari and Garg's distinction model of defining a type of research, this research can be identified as being an exploratory research, as the purpose of the research is "to gain familiarity or achieve new insights with a phenomenon" (Kothari, Garg, 2004). The phenomenon in this case is the Korean dispute, while new insights hoped to achieve are the ways in which the UN and EU can encourage de-escalation in the conflict.

Further narrowing down the type of data collection which will be used, the methods used will be desk and field research. The two most effective approaches for this thesis within these methods are historical and empirical research. Both are qualitative research methods. According to Kothari and Garg, most researches are an overlap of multiple types of methods, which justifies the feasibility of utilizing two methods in this research. (Kothari, Garg, 2004).

Historical research is a type of research using historical sources to study events in the past. This will be the main approach in answering the first two sub-questions of the research, namely the role of both organizations in the past. As this part of the research is based on historical facts, historical research is the most suitable for this part of the thesis. All sources consulted during this part of the research will be secondary data as primary data collection is impossible as well as unnecessary in this research. By any means, every source was carefully checked for credibility. The biggest advantage for this type of research is that if the sources are credible and used in a correct way, they can be used as a valuable and strong basis for the research. (Kothari, Garg, 2004)

Empirical research is a type of research based on experience and observation. In answering the third sub-question, this research type can be identified, as the data collection will mainly be from personal interviews. The third sub-question is on the effectiveness of the actions of the UN and EU. This is a question which cannot be purely based on historical facts, as it is also matter of opinion to what extent the approaches of both organizations were effective. Therefore, personal interviews with experts on the topic will be the main source in answering this question. In addition to this, written sources by experts will also be consulted. In 2004, Kothari and Garg argued that the most important consideration of this research method is the ability of the chosen interviewee. The disadvantage of this type of method can be that the interviewees do not have enough competence to give a credible contribution to the research. Therefore, only proven experts with credible previous work on the topic will be interviewed, and after the interviews, the credibility of the given answers will be examined carefully as well. An advantage for using this research method is that, if credible interviewees are used, the method can have a substantial contribution to the research and

can lead to new insights. (Kothari, Garg, 2004). The expert which was interviewed during this research was Bruno Hellendorff. He is a researcher at the Group for Research on Peace and Security (GRIP) in Brussel, with a specialization in Asian security issues and non-proliferation. Furthermore, he has written several essays on defence and security issues in EU-Asian relations.

In addition to these methods, some of the theories discussed in the literature review will possibly be compared to the Korean dispute. What kind of mediation tactics have already been applied in the past? In the current developments chapter, possibly more options for different strategies will be discussed, to see if these are applicable to come to a solution in the dispute.

The next phase in the research will be the analysis phase. In this part, the results from the sub-questions will be analysed. The first three chapters can mainly be identified as gaining familiarity with the topic, whereas the goal of the fourth chapter is to analyse the information gathered. The recommendation chapter will hopefully come to new insights, namely what change in approach by both organizations will encourage de-escalation. Mediation and mediator characteristics will be examined and considered as an option for this particular conflict.

4. Results

4.1. What has been the role of the UN in the conflict in the past?

4.1.1 Most important UN Resolutions

In this chapter, the role of the UN during the course of the conflict will be described. Since the most important and powerful tool of the UN are the resolutions passed by the UNSC, these will be the guidance of this chapter. In total, 21 resolutions have been passed on the Korean dispute (UNSC 1817 Sanctions Committee, 2006). The ones with the most impact, or the ones which clearly show a change in UN approach, will be discussed in chronological order.

Since the start of the Korean dispute, the UN has a significant contribution to the conflict. By authorizing controversial elections in South Korea in 1948 of which the Northern part of Korea was excluded, the UN recognized the division of the peninsula (Hauben, 2013). In 1950, UN resolution 82 was the first resolution regarding the conflict. In this resolution, the UN Security Council declared that the North Korean invasion in the South was a violation of peace, UN forces were sent to interfere. (UN, 1950). Also in the ending of the war, the UN played a significant role. The UN command signed the ceasefire on behalf of the South Korean side, as the North refused to sign a ceasefire with the South (UN peacekeeper, 1953)

In 1991, the UNSC passed its first resolution on the Korean Peninsula since the ceasefire in the Korean war in 1953. This resolution recommended both North and South Korea to become UN member states, which they did. The UN hoped that their membership would have a positive impact on the situation in the peninsula (UNSC, 1991). The membership of both countries could also possibly be explained as a reward or follow-up for the fact that both countries had recently signed the UN's Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1985 (IAIA, n.d.).

Although the membership and the signing of the NPT of both countries imply that at the time the situation in the Korean Peninsula was moving forward, it turned out that the signing of the NPT was pressured on the DPRK by the Soviet Union. They promised the DPRK to supply two nuclear reactors if the NPT was signed (International Peace Institute, 2010). The Soviet Union had always been the biggest partner of North Korea in the development of their nuclear program (International Peace Institute, 2010).

In 1993, the North Korean level of commitment to the NPT was exposed when the International Atomic Energy Agency (IAEA) requested for a second inspection at two North Korean nuclear plants. This inspection was requested as a difference in plutonium levels was detected between the report the DPRK submitted to the agency and the findings by the agency itself. The request was rejected

by the DPRK (IAEA, n.d.). The UN sent notice that this would violate the NPT⁵ on which the DPRK declared their intentions to withdraw from the NPT. North Korea claimed that the UN was planning the inspections to obtain other data from the country than the plutonium levels of the plants (KCNA, 2003). The DPRK declaration led to a UN resolution, strongly advising North Korea to reassure their obedience to the treaty, and requesting them for a second time to let the inspection take place (United Nations, 1993). North Korea returned from the decision to withdraw from the NPT. Nevertheless, they kept denying access to the IAEA inspectors. This situation caused extensive concern for the US. They decided to undertake action themselves and started talks over an agreement with North Korea without UN involvement. This led to the Agreed Framework between the two countries in 1994. The agreement failed in 2003.

The USA, China, Russia, Japan and South Korea made efforts to encourage North Korea to stop using their nuclear facilities in negotiations called the Six Party Talks. These efforts are often considered a failure, while the hoped outcome (denuclearization of the DPRK) was not achieved (Ko, n.d.) (Byong-Chul, 2009) (Elegant, 2006). The UN showed their support and encouraged the DPRK to keep engaging in the Six Party Talks. However, the UN itself had no role in the talks. Until this day, efforts are made to resume the Six Party Talks by both UN and the former participating countries (Wintour, 2017).

It was not until July 2006 for the next UN resolution on North Korea. This resolution was the consequence of a DPRK missile test in the Japanese sea. Not only had this missile the potency to carry nuclear weapons, it also violated the territory rights as it landed on Japanese territorial waters (Mathur, 2006). This was reason enough for the UN to express its concern regarding the matter in the form of a resolution. Another issue addressed in this resolution was North Korea's recent exit of the Six Party Talks. It "strongly urged the DPRK to return immediately the Six Party Talks without precondition" (United Nations, 2006 a). However, like the first two resolutions, no restrictive measures or sanctions were taken against North Korea (United Nations, 2006 a).

In October of 2006, the UN adopted another resolution on North Korea. The main reason for this resolution was a nuclear test performed by the DPRK regime on the 9th of October. In addition to this, North Korea refused to continue the Six Party Talks. This Resolution was the first resolution to impose sanctions on the DPRK since the 'end' of the Korean war in 1953. It included financial sanctions, which demanded all UN member states to freeze financial funds and assets from persons or entities engaged with the supply of North Korean weapon production. In addition to this, the

⁵ The IAEA is an UN organization

resolution prohibited UN member states to export luxury goods or military related equipment to the DPRK (United Nations, 2006 b). The sanctioning could be justified by the UNSC as an act under Chapter VII of the Charter of the United Nations: the act of the DPRK was identified as a breach of peace and an act of aggression due to the involvement of nuclear weapons (United Nations, n.d. c). In addition to this, this was the first time the DPRK started actively violating the NPT (IAEA, 1970). Besides the sanctions, the resolution included a demand for the DPRK to return to the Six Party Talks. Through this, the UN created a framework for political dialogue to solve the dispute, which is necessary to make the sanctions effective (B. Hellendorff, Personal communication, January 8) (United Nations, n.d. c). The sanctions imposed on the DPRK regime in 2006 were considered as 'smart sanctions'. This means they were targeted at a selective group, while trying to keep the consequences for the citizens as limited as possible (Hufbauer, Oegg, 2000). The fund and asset freezes and the export ban on luxury goods were aimed at affecting the DPRK's elite, while the ban on export of military equipment was aimed at stopping the nuclear development of the DPRK (United Nations, 2006). However, the figure below shows that trade in luxury goods between North Korea and its biggest trading partner China did not decline, in fact it grew after 2006. The 'lists' in the Figure refer to the lists of banned luxury goods.

Figure 1 Chinese luxury goods exports to North Korea, 2000–07

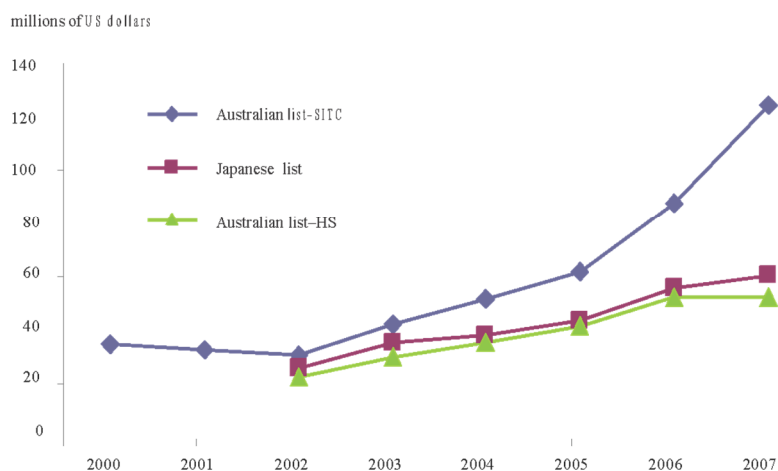


Figure 1. Chinese luxury goods exports to North Korea 2000-07. From: *(Non) Impact of UN Sanctions on North Korea* by Noland, M. p.26.

China is possibly not the only country which violated the sanctions. Several countries, under which Iran and Ethiopia, have refused to submit mandatory reports on their trade with the DPRK to the UN. These countries were known to have military partnerships with the DPRK before 2006 (Noland, 2008). Besides this, the UN started an investigation to the military partnerships between the DPRK

and several African governments, including: Angola, the Democratic Republic of the Congo and Uganda. The suspicion is illegal military exchange of information and goods between these countries and the DPRK regime (Lynch, 2017).

The Next UN resolution was resolution 1718. This resolution was also adopted in 2006 and created the Panel of Experts, which still exists. The main task of the Panel is to examine and analyse the implementation of the sanctions. Based on this, the Panel then makes recommendations to the member states and UNSC on how to improve the implementation of the sanctions. Mid-term and final reports on the implementation of the measures are submitted to the UNSC each year. The Panel of Experts consists out of people with expertise backgrounds in the field of nuclear weapons, export controls or other relevant area's (SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 1718, 2006).

Between 2006 and 2016, nine resolutions were passed on the DPRK, all being resolutions to extend mandates or imposing small changes in the sanctions (UNSC 1718 Sanctions Committee, 2006). In 2016, two resolutions (2270, 2321) passed, in which the UN decided to expand the sanctions on the country with a ban on the export of first coal and iron in resolution 2270, later adding more raw materials including silver to the list in resolution 2321. In 2017, the list was expanded with a ban on the export of seafood and textile, two important export industries for North Korea with resolution 2375. These sanctions were a reaction to the ongoing nuclear tests by the North Korean regime (Wescott, Tseng, 2017).

The difference between this range of sanctions and that in 2006, is that the 2006 sanctions can be labelled as smart-sanctions, aimed at the North Korean regime and its weapon industry mostly, while the 2016/2017 sanctions were comprehensive sanctions, targeted to affect the whole North Korean economy (EIAS, 2017). This, in combination with the fact that the NK population already suffered from heavy poverty, made the GDP per capita to be the 16th lowest of the world in 2016 (CIA, 2017). These kind of sanctions have also never been applied in any other case by the UN (Borger, 2017). The 2016 ban on steel and coal has been violated by multiple countries according to a report of the Panel of Experts, including: China, Egypt, France, India, Ireland and Mexico (Panel of Experts, 2017).

4.1.2 Influence of world powers within the UN

As the UN is an international organization and has 193 members, it is inevitable that countries have opposing world views. Therefore, the highest deciding organ is the Security Council, which includes only 15 members. In the UNSC, there are five permanent members which have veto power. However, this system also makes the UN vulnerable for the influence of the personal political

agenda of these five (United Nations, n.d. b). Three of the permanent members of the SC have a significantly big role in the Korean conflict: China, Russia and the USA all had a consequential role during the Korean war, they were involved in the Six Party Talks and maintained close connections with either North or South Korea during the conflict. Therefore, this chapter will discuss their influence within the UN regarding the Korean conflict. To what extend have their actions or political agendas affected the conflict?

The United States has a significant influence on the acting of the UN since the start of the conflict, while US General Douglas MacArthur had the control over the UN military intervention during the Korean war (Bennet, Madden, n.d.). After the Korean war, the US continued to be the biggest military ally of South Korea, and the two countries still maintain a close military relationship today. In addition to this, the United States signed the ceasefire after the Korean war on behalf of South Korea and is still in control over the actions of the entire South Korean army (Park, 2013). In 1993, when the North Koreans denied access to their nuclear plants to the IAEA inspectors, they declared that they suspected that the IAEA results from the original test were manipulated by the US. According to Pyongyang, the US influenced the decision to perform special inspections at the Korean nuclear plants. In addition to this, the DPRK claimed that the US was misusing the inspections to “spy on their interior and crush their socialist system” (KCNA, 2003) by gathering classified information on the DPRK through the IAEA visit. In the same report, North Korea accused the US from manipulating IAEA data. The planned inspections at the North Korean plants were indeed planned to be performed by US inspectors and there were several meetings between US and IAEA officials (KCNA, 2003). If the US really had intentions of spying on the DPRK regime is questionable. Nevertheless, it is understandable that this created a feeling of mistrust for the IAEA by the DPRK.

However, when North Korea announced their intention to leave the NPT, the US addressed its fullest concern to this development and intended direct negotiations with the DPRK. These negotiations led to the Agreed Framework. In this agreement, the US promised to donate 500,000 tons of oil annually plus a written guarantee that it would not use its nuclear weapons against North Korea. In exchange for this, North Korea promised to defuse all their five nuclear plants and remain obedient to the NPT (Agreed Framework, 1994). Although this was an agreement between the US and the DPRK without UN involvement in the negotiations, the IAEA, which is a UN organization, advised the US negotiations over the content in this Agreed Framework (Lee, n.d.). In 2003, the US immediately stopped the oil supply, as they had evidence that North Korea had started at least two of the five nuclear plants. In addition to this, North Korea decided to definitively withdraw from the

NPT. However, they did declare they would only utilize their nuclear activities for peaceful purposes (KCNA, 2003).

After the Agreed Framework failed and the DPRK definitively retreated from the NPT, the US intended the Six Party Talks. These involved other important stake holding countries in the mediation process and are the most recent mediation effort until today. It has UN support, yet no UN involvement (United Nations News Centre, 2004). In 2006, the adopted resolutions 2270, 2321 and 2375, which included the ban on the export of several important goods as coal, steel, seafood products and textile, were all US drafted (UNSC, 2016) (UNSC, 2017). These were the heaviest sanctions ever to be imposed on a country by the UN. Despite that the resolutions were US drafted, these sanctions cannot be considered a direct influence of the US only. The nuclear tests in 2006 were addressed a danger to world peace and stability by the UN by all Security Council member states at the time in a joint statement (UNSC, 2006). Nevertheless, the US influenced the UN acting by proposing these heavy sanctions.

In addition to the USA, China and Russia have fulfilled significant roles since the beginning of the conflict. Whereas it was the Soviet Union to provide North Korea with weapons and their permission to invade the South and start the Korean war, China later got involved whilst feeling threatened by the big US/UN presence so close to their borders: They attacked the US/UN forces in 1950 during the Korean war, pushing them back to the 39th parallel (O'Neill, 2000) (Bennet, Madden, n.d.).

After the Korean war, China became the biggest trading partner of North Korea, and they still are today (Albert, 2017). Russia helped the DPRK regime to set up a nuclear programme which was part of an industrial revolution, an attempt for quick economic recovery after the war. This was based on the "Marxist-Leninist line" and the recovery plans were almost exactly copied from the SU's 5-year economic planning (Kuark, 1963). In their 5-years plans, nuclear energy was considered a crucial factor in the country's economic development (Szalontai, Radchenko, 2006). The intentions at this point were not to develop nuclear weapons (Kuark, 1963). The context of the cold war should also be considered in this nuclear cooperation, as both the SU and USA were both providing their nuclear knowledge to many countries in an effort to create strong communist/capitalist allies (Szalontai, Radchenko, 2006).

When the DPRK signed the NPT in 1985, they later declared that the main reason for this was that Russia promised to provide materials for two more nuclear reactors if they signed (KCNA, 2003). This is a direct effect of Russia on the relationship between the UN and North Korea. However, this controversial deal must be placed in a certain context: Russia was worried about the nuclear plans

of the DPRK. Whereas all other communist allies of Russia were developing VVER reactors, which are only useful for energy production, the DPRK showed more interest in the development of RBMK reactors, mainly suitable for the production of nuclear weapons (Szalontai, Radchenko, 2006). In addition to this, reports by the Hungarian embassy in Pyongyang (Hungary had a nuclear cooperation programme with the DPRK) addressed concern to Russia on the nuclear intentions of the DPRK. This situation made it a priority for the Russians to make the DPRK sign the NPT. Therefore, they promised the supply of two (considerably harmless) VVER reactors (Szalontai, Radchenko, 2006).

Nowadays, Russia provides minimal economic assistance to the DPRK regime. Russia's contemporary trade and political relationship with the DPRK is considered to be rather symbolic than active. They did not take much initiative or an active role during the Six Party Talks and do not actively violate the imposed sanctions. Also, the economic assistance is at a much smaller scale than that of the Chinese (Van der Meer, 2008). In 2016, 0,20% of the DPRK's total export designated Russia and 2,3% of the total import originated from Russia (Simoes, n.d.).

Where the Russian relationship with the DPRK regime during the cold war has developed in a rather symbolic relationship nowadays (Van der Meer, 2008), it is China's contemporary DPRK relationship which seems contradictory: while they agreed on imposing heavy trade embargos on the North Korean regime, they actively violate these sanctions by remaining the DPRK's biggest trading partner. In 2016, China was responsible for 90% of North Korea's trade. This also included trade in prohibited items by the imposed UN sanctions (Bloomberg, 2016). However, the situation is very complex for China: A collapse of the North Korean regime would cause regional instability, along with US influence in the entire Korean Peninsula. Therefore, a collapse of the DPRK regime is considered very unfavourable for China. On the other hand, the nuclear developments are concerning for China, and the entire world's safety (Van der Putten, 2008). Therefore, China maintains a trade relationship with the DPRK just enough to prevent the regime from collapsing, although this means violating resolutions signed by themselves in the UNSC. Notwithstanding, China has been the most active party during the Six Party Talks and constantly tries to resume these talks, in an attempt to come to a diplomatic solution to this complex issue. In August 2017, Chinese foreign minister Wang Yi called a resumption of the talks "not easy, but necessary" (Petty, 2017).

4.2 What has been the role of the EU in the conflict in the past?

4.2.1 What mediation efforts did the EU take in the conflict in the past?

When the European Union was founded as the European Coal and Steel Community, the most important motivation for its foundation was to create a time of peace and stability in Europe after two World Wars in the continent in the first half of the 20th century (European Union, n.d.). During the second half of the 20th century, the EU started enlarging and integrating on many political and economic areas. The aim of creating a peaceful and united continent was being pursued very consistently (European Council, 2003). The stability in the European continent in the second half of the 20th century earned a lot of respect in the rest of the world and the EU started to play a role of significance in world politics. With the development of their position in the world, a sense of responsibility came to promote the values for peace and security of the EU in the rest of the world. Previously, the EU had relied mostly on NATO for this, but after the cold war ended in 1989, the EU began to actively promote peace and stability in the rest of the world (Richter, 2015/2016). With the creation of the High Representative for Common Foreign and Security Policy in the Amsterdam treaty in 1999, a common defence strategy and vision for all member states was the next development for the EU. In 2003, The EU published a European Security Strategy in a document called: “A secure Europe in a better world”. In this document, five key threats for global safety were addressed. These became top priority in the global agenda of the EU. One of these threats was the Proliferation of Weapons of Mass Destruction, which was called “potentially the greatest threat to security” (European Council, 2003). Therefore, the conflict in the Korean peninsula became one of the key concerns regarding the EU’s foreign policy (European Council, 2003). In this chapter, the efforts of the EU in encouraging de-escalation on the Peninsula will be described.

The EU has developed a political relationship with the DPRK since the 1990’s. This was in line with the development of the EU’s active engagement in world politics. Since the 1990’s, EU and DPRK representatives have had 14 official meetings, in which several issues of trade, human rights and the DPRK’s nuclear programme were discussed (Pardo, 2017). In the guidelines for the EU’s foreign and security policy in East Asia, the importance of de-escalation in the Korean dispute is stressed as being crucial to ensure regional and international stability (Council of the European Union, 2012). Since the EU started engaging in the conflict around 1995, three stages were identified by professor Sangtu Ko at a conference at the European Institute for Asian Studies in October: active engagement, critical engagement and active pressure (EIAS, 2017). In the period from 1995 until 2002, the strategy the EU applied towards the conflict is called active engagement by Ko (EIAS, 2017). During this period, the EU was providing humanitarian aid and education in the DPRK. In addition to this, EU member states themselves were contributing on national level to the EU

strategy. 26 EU countries have developed bilateral political relations with the DPRK themselves (EEAS, 2017). Most of these countries also provide aid for the country outside the EU's programme. Several of these countries have also held political meetings with the DPRK. During these meetings, the most common topic is the humanitarian situation. There are 7 EU countries with an embassy in the DPRK⁶, which is a significant amount, considering there are only 24 embassies in total in North Korea (EEAS, 2017).

However, in 2002, the DPRK regime started utilizing their nuclear plants again (Collins, 2017). This, in addition to the definitive withdrawal from the NPT, was a dilemma for the EU's strategy. Winning trust and opening dialogue was the key in this strategy, but the withdrawal from the NPT and the restart of the nuclear plants by the North Korean regime could not be ignored. This caused the EU strategy to evolve into a new stage: critical engagement. The main characteristic of this stage was a continuation of the aid providence. In addition to this, political dialogue was used to encourage the DPRK to engage in inter-Korean dialogue, to return to the Six Party Talks and to re-sign the NPT (IEAS, 2017) (Council of the European Union, 2012). In 2006, when the DPRK executed its first nuclear test, the EU intensified this strategy by adopting the UN sanctions towards the country. However, the European Parliament considered and revised these sanctions themselves first before adopting them. The UN sanctions had to be satisfy all members of the UNSC including China and were considered too moderate by the Parliament. The list of arms embargos in 2006 and the list of asset freezes in 2009 were broadened by the EU countries in their sanctions (Lester, O'Kane, n.d.).

The third stage was entered in 2013. In this stage, which Ko called the 'active pressure stage' (IEAS, 2017), the EU exceeded the UN sanctions by introducing a ban on trade in gold and diamonds, a ban on the exchange of technology and a ban on partnerships with Korean banks or financial institutions (European Commission, 2016). After these bans, the North Korean trade with EU countries decreased significantly: from being 146 Million euros in total in 2013 to 36 Million in 2014 (Director-General for trade, 2017). These sanctions, in combination with the trade deflection, are the reason for Ko to identify a new stage in the EU's mediation strategy (IEAS, 2017).

Bardeur and Pardo both describe the EU's strategy in the dispute as a "carrot & stick" strategy. This strategy is called carrot & stick because of the combination of help and aid to provide a trustworthy and neutral party in the dispute for the DPRK regime, while on the other hand implying sanctions if the DPRK violates agreements or undertakes actions which are considered unacceptable by the

⁶ United Kingdom, Germany, France, Bulgaria, Sweden, Poland, Romania, Czech Republic

EU. This, in combination with the attempt to open dialogue are the three aspects of this “carrot & stick” strategy (Bardeur, 2017) (Pardo, 2017).

In comparing Vucovic’s model of mediation intensity in general to the three stages Ko identifies in the mediation strategy of the EU, the active engagement stage shows many similarities with the ‘procedural-formative’ approach, which both include a moderate level of mediation intensity. The EU made efforts to propose solutions and provided communication channels by hosting meetings and encouraging the DPRK to return to the Six Party Talks. From 2006, when the first set of sanctions was imposed, EU’s strategy shows many similarities to the most intensive mediation strategy in Vucovic’s model: ‘Mediation with Muscle’ (Vucovic, 2014).

4.3 Six Party Talks and current developments

4.3.1 Six Party Talks

Both the EU’s and UN’s main diplomatic channel next to the sanctions were the Six Party Talks. However, the Six Party Talks have not been resumed since 2008 and none of the talks have had the outcome of any concrete or binding commitments (Davenport, 2017). The basis of the Six Party Talks is the NPT, as the talks were originally developed to encourage the DPRK to reaffirm their obedience to the NPT. However, the DPRK has no interest in re-signing the NPT, since they want to be acknowledged as a nuclear power. Concessions on the area of non-proliferation need to be made in order to get the DPRK back to diplomatic talks (Davenport, 2017) (Mainichi Japan, 2017).

In a Personal interview, Bruno Hellendorff, researcher at the Group for Research and Information on Peace and Security (GRIP), shared that in his view, the sanctions for the DPRK have failed mainly because of a lack of effectiveness of the diplomatic track next to the sanctions. In his view, the Six Party Talks are not the right format for mediation in this conflict. (B. Hellendorff, Personal Communication, January 8, 2018). The Six Party talks include all important stakeholders in the conflict. However, these stakeholders have very opposing views regarding the conflict and it is hard to come to agreements (B. Hellendorff, Personal Communication, 8 January 2018). The mediation attempts have just been for symbolic purposes according to Hellendorff (B. Hellendorff, Personal Communication, 8 January 2018). Diplomatic track should come together with sanctions in order to come to a solution for the dispute. “You do not just want to punish a country, you want to modify its behaviour” (B. Hellendorff, Personal Communication, 8 January 2018). However, the Six Party Talks which both the UN and EU keep referring to, have not led to any concrete results.

In addition to Hellendorff, the International Crisis Group (ICG) sees no future prospect in the Six Party Talks. They use similar argumentation in their report on the Six Party Talks, namely that the demands of the DPRK and the international community for resumption of the talks are exactly the opposite. Whereas the DPRK demands to be recognized as a nuclear state, the international community demands the DPRK to give up their nuclear arsenal (International Crisis Group, 2015). They claim that the USA, Japan and South Korea would probably not be willing to join the Six Party Talks anymore because of these major differences in demands (International Crisis Group, 2015).

4.3.2 Current developments

The DPRK is very unlikely to give up their nuclear arsenal. The country's leaders have a world view in which the outside world is hostile. The regime creates the image towards its population that with the nuclear arsenal, they are able to protect the country from their created enemies. By doing this, they create a foreign policy in which nuclear weapons are vital (Van der Meer, 2017). The ICG also argues this so called *ofsŏn'gun* ("military first") policy: A mindset which is based on external hostility, and is propagated towards the North Korean people. In this ideology, the US is considered the arch enemy of the DPRK (International Crisis Group, 2015).

The international community works within the boundaries of the Non-Proliferation Treaty, and agrees that these standards are not to be violated for the sake of talks with North Korea (B. Hellendorff, Personal Communication, 8 January 2018). Both the EU and UN keep referring to the Six Party Talks as the diplomatic channel next to the sanctions as these talks are based on the NPT. According to Hellendorff, the UN or US need to look for alternatives for the Six Party Talks. This will require a high amount of creativity. The biggest challenge according to Hellendorff, is how to get the DPRK back to the negotiation table while still being able to maintain the international regime of non-proliferation (Hellendorff, Personal Communication, 8 January 2018).

So far, the actors in the conflict have not been able to come to alternatives to the Six Party Talks. However, several experts suggest a bigger role for the EU in de-escalation of the dispute. Hellendorff does not see the UN being able to organize new talks for two reasons: The UN has to maintain their own regime of non-proliferation to uphold the credibility of the treaty toward the rest of the world, and is therefore not able to make concessions on this area (B. Hellendorff, Personal Communication, 8 January 2018). In addition to this, in the perspective of the DPRK, the UN is an ally of the US because of the events in the past. Therefore, the UN cannot function as a

neutral mediator between the disputing parties, as the DPRK sees the UN as being one of the disputing parties (B. Hellendorff, Personal Communication, 8 January 2018).

However, the EU is considered an interesting option to host further talks by Hellendorff and others. Hellendorff says the EU could provide the basics for the talks. They could invite the actors in Brussels for example to discuss the issues in a neutral setting. The EU could offer its expertise and experience (B. Hellendorff, Personal Communication, 8 January 2018). Hellendorff pointed out that the Iran deal is an example in which the EU has so far proven to be able to provide the platform to create a nuclear deal with a country, which is violating the international regime of Non-Proliferation (Hellendorff, Personal Communication, 8 January 2018).

The deal that Hellendorff is referring to is the JCPOA (Joint Comprehensive Plan of Action). This is a unique agreement between the five permanent members of the UNSC, the EU and Iran, signed on 14 July 2015. The deal was signed in Vienna, where most of the negotiations had been taking place as well (Task Force Iran, 2018). Since 2006, heavy economic sanctions were implied on Iran due to their nuclear programme, which violated the NPT. The JCPOA terminated all the sanctions of the EU, US and UN on Iran. On the other hand, Iran agreed to pursue a peaceful nuclear programme under supervision of the IAEA (EEAS, 2015). The High Representative of the European Union for Foreign Affairs and Security Policy Frederica Mogherini called the deal a “sign of hope for the entire world” (Hafezi, Charbonneau, Irish, Mohammed, 2015).

However, Hellendorff underlines that the conditions surrounding the Iran deal were different than those of the current DPRK nuclear crisis. He states that the nuclear capabilities of the contemporary DPRK are significantly bigger than those of Iran at the time. In addition to this, the sanctions had more effect on Iran than the contemporary sanctions have on the DPRK (B. Hellendorff, Personal Communication, 8 January 2018). Therefore, Hellendorff stresses that he does not think this is a very probable scenario. Since the EU has no geographical or historical grounds to validate themselves to host mediation, they have to be invited by the disputing parties. His advice to the EU would be to be available and offer to be a constructive party. The best thing the EU can do for now in his view is to maintain the JCPOA, and prove that it is not up to one single US president to abandon the deal (B. Hellendorff, Personal Communication, 8 January 2018). What he refers to here are the statements by US president Donald Trump, in which he doubted the Iran deal and threatened to abandon the deal. He claimed that Iran was actively violating the deal (Borger, Dehghan, Beaumont, 2017). Nevertheless, the IAEA, which is appointed to safeguard the implementation of the agreement, states that Iran has acted according to the rules of the agreement (Murphy, 2018). Hellendorff emphasizes that a continuation of the Iran deal would be

a demonstration of influence of the EU as a world player (B. Hellendorff, Personal Communication, 8 January 2018)

In addition to Hellendorff, Sico van der Meer, who is a researcher at the Clingendael institute specialized on the topics of weapons of mass destruction and North Korea, also suggests that the EU could play a key role in the mediation process of the dispute. He advises that the EU should take a more active role in de-escalating the current tensions between the US and the DPRK (Van der Meer, 2017). He writes that often the role of the EU in the conflict is underestimated, with the reasoning that the EU does not have any stakes in the conflict. He opposes this opinion by pointing out that the EU's trade relationships with China, South Korea and Japan combined are worth over 700 Billion Euro's. Regional conflict could therefore seriously affect the EU's member states (Van der Meer, 2017). In addition to playing a role in de-escalation between the US and the DPRK, van der Meer advocates for the EU to focus on the implementation of the UN sanctions by other countries. In his view, the EU should take a lobbying role towards countries violating the resolutions to improve the effectiveness of the sanctions (Van der Meer, 2017).

As for the UN, Hellendorff suggests that they strictly maintain the international regime of non-proliferation through their NPT. Hellendorff sees no prospect in the possibility of the UN offering a platform for mediation for the disputing parties, since they would have to violate their own NPT in order to come to concessions. This would harm the credibility of the treaty to the rest of the world (B. Hellendorff, Personal Communication, 8 January 2018). The actual concessions need to come from the disputing parties themselves, for instance in the form of abandoning the yearly military exercises by the US and South Korean military forces close to the North Korean border (B. Hellendorff, Personal Communication, 8 January 2018). As this thesis focusses explicitly on the role of the UN and EU in the conflict, the actual concessions will not be furtherly discussed.

Dimitris Bourantonis's is a professor of International and European Studies at the Department of International and European Economic Studies at Athens University. His opinion overlaps with Hellendorff in his book: *A United Nations for the Twenty-First Century: Peace, Security, and Development*. In his view, the UN headquarters, which are located in New York, cause the DPRK regime to associate the diplomatic talks with their existing antipathy towards the US (Bourantonis, 1996). He published his book in 1996, but the antipathy has only grown since. Therefore, this book is still of relevance to the contemporary situation.

5. Analysis

5.1 How effective were the actions of the EU and UN?

5.1.1 UN

Considering the start of the membership of the DPRK in 1991 and the DPRK's signing of the NPT in 1985, the UN-DPRK relationship was developing positively before 1993. However, after 1993 the relationship between the UN and DPRK has been characterized by distrust and negativity.

The inspections performed by the IAEA were led by USA inspectors, which caused distrust due to the prior USA-DPRK relationship. This prior relationship between the two countries should have been considered in this decision of sending USA inspectors. The DPRK felt threatened and refused the inspections. Furthermore, the DPRK announced their plans to withdraw from the NPT, which was the first big damage in the UN-DPRK relationship. After the announcement, the UN did no other than affirming their trust in the Agreed Framework, an agreement which was again US led. Also, when this framework failed in 2003, the UN undertook no other action than affirming trust in the Six Party Talks, which also included a big role for the US.

After 2006, the sanctions imposed by the UN were all US drafted and still the only diplomatic path provided by the UN was to encourage the DPRK to return to the Six Party Talks. All initiatives the UN took after 1993 in encouraging de-escalation were US drafted or oriented. This understandably created a sense of distrust from the DPRK towards the UN, considering the former US-DPRK relationship. Because of this unfavourable position, the UN has never been able to fulfil a neutral mediating role in the conflict. The international regime of Non-Proliferation, which the UN upholds, is possibly also harmed by the US meddling during the IAEA inspections. If the inspections would have been performed by others than the US inspectors, there would have been a possibility that the DPRK would accept the inspections and remained in the NPT, also taking the political pressure by their allied state Russia into this consideration. This is just speculation, but the UN certainly contributed in creating a justification for the DPRK to leave the NPT.

In addition to the US, Russia and China also contributed to the lack of effectiveness of the UN's acting. Certainly, they have indirectly influenced the contemporary conflict to the extent that the DPRK probably would not have been able to build a nuclear programme without both China and Russia's financing and knowledge during the cold war. Moreover, by maintaining trade relationships despite the UN restrictions, China and Russia have had a direct negative influence on the effectiveness of the UN. However, their situation is complex. On the one hand, they do not want the DPRK to be a nuclear power, on the other hand they fear that Korea reunites. In that case, the most probable scenario would be that the South would claim all DPRK territory on historical

grounds. This would mean a strong US influence in the peninsula. This future scenario is a justification for their contemporary contradictory acting. However, this does not take away the fact that they influenced the UN's effectiveness in a negative way.

Violations of the sanctions by China, Russia and other UN member states, made the DPRK regime able to import their favourite luxury goods and continue the exchange of military information and goods. This, in addition to the lack of a well-developed diplomatic track next to the sanctions, made that the UN sanctions did not modify the behaviour of the DPRK, as they continued their nuclear programme. The 2016 sanctions had the same lack of obedience by the UN member states, which caused these to be ineffective as well.

The USA, China and Russia are all permanent members of the UNSC and the Six Party Talks, whilst all having own interests in the conflict. This resulted in UNSC decisions influenced by the personal interests of these states. An example is that the US moderated the 2016 sanctions in fear of a Chinese or Russian veto.

When analysing the UN's effectiveness in the conflict, the main conclusion is that UNSC members have a role themselves in the conflict, which limits the effectiveness in the acting of the UN. Also, the unfeasibility of the diplomatic track to which the UN is referring in their resolutions makes that the UN is not able to pursue effective mediation and modify the behaviour of the DPRK. However, the UN has the responsibility to be the protector of world safety and to uphold the international standards of non-proliferation. Therefore, the UN will continue to play a role in the conflict and should look at ways to improve the effectiveness of their acting.

5.1.2 EU

The EU has a strategy of critical engagement towards the DPRK. By building a relationship with the DPRK through cooperation on several areas, the EU hopes to be a constructive partner of the country. With the developed diplomatic ties, the EU's aim was to open dialogue with the DPRK on the sensitive areas of non-proliferation and the humanitarian conditions in the DPRK.

The EU's strategy seemingly worked from 1995 until 2006. Despite not being historically or geographically involved in the conflict, the EU managed to develop diplomatic ties with the DPRK. Annual meetings were organized in which officials discussed several concerning topics, for example, the human rights conditions and the topic of non-proliferation. The EU member states developed alike relationships and implemented the EU's common strategy towards the DPRK.

Despite the implementation of heavy sanctions on the DPRK in 2006, the EU still managed to maintain their annual diplomatic meetings with the DPRK. Where the Six Party Talks were

abandoned in 2008, the EU-DPRK diplomatic meetings continued until 2015. The 2006 sanctions did not seem to have a significantly bad influence on the EU-DPRK relationship. Considering the fact that the purpose of the strategy (developing diplomatic ties) was achieved in the annual EU-DPRK diplomatic meetings, the EU's strategy could be argued as being effective.

However, during the EU-DPRK talks, the EU tried to encourage the DPRK to engage in political dialogue in the form of the Six Party Talks. Since this has not been accomplished, the effectiveness of the content of the EU's strategy is questionable. After 2008 (the year the Six Party Talks stopped) it is debatable whether the EU continued talks with the purpose of achieving de-escalation in the conflict, or if the only goal was a revival of the Six Party Talks. It seems probable that the EU's goal in their talks was a revival of the Six Party Talks, as in the reports of the meetings, the EU's desire of a revival of the Six Party Talks and a re-commitment to the NPT is often stressed. Apart from this, no other important achievements or deals in the publications by the EU have been found during this research. As the Six Party Talks have not been revived and there are no other significant developments as a result of the EU's bilateral talks, their strategy could be argued as lacking in effectiveness.

The way the EU managed to develop diplomatic ties with the DPRK despite not being geographically or historically involved in the conflict is quite impressive, considering the restricted foreign policy of the DPRK. However, this also puts the EU in a difficult position during their talks with the DPRK. They have less concessions to offer to get the DPRK to abandon their nuclear programme. The EU has smartly solved this partly by offering humanitarian aid for trade-offs. Due to this, the DPRK was still interested in a diplomatic relationship with the EU.

However, the biggest concession the DPRK wants is to be acknowledged as a nuclear state. The EU cannot make this concession as the UN is the safeguard for non-proliferation. More importantly, the EU does not want to acknowledge the DPRK as a nuclear state. This causes the EU-DPRK talks never to achieve big accomplishments in the process of de-nuclearization of the DPRK.

6. Conclusion

The central research question in this thesis was: “How can the UN and EU encourage de-escalation in the Korean dispute?” An attempt to answer the question was done through exploratory research. By gaining familiarity of the topic, the thesis attempted to sketch an overview of the actions of both organizations from the Korean war until the present day. In the next chapter, on current developments, the thesis tried to sketch an overview of current ideas on the future role of both organizations by experts. This included a combination of desk research and field research in the form of an interview with an expert. In the analysis, the effectiveness of the actions of the UN and EU was analysed based on the findings in the first chapter. The analysis and the current developments chapter will together form the answer to the central research question.

The cause of the ineffectiveness of the UN sanctioning is mainly due to failure in implementation by its member states. Therefore, this is a point in which the UN could improve. Considering the Chinese and Russian fear of US influence in case of a DPRK collapse and considering both countries powerful position as a permanent holder of UNSC seats, it does not seem very likely for the UN to be able to convince these two to give up their trade relationship with the DPRK. However, other countries with no significant role in the conflict also contribute to the ineffectiveness of the UN sanctioning, by maintaining trade relationships with the DPRK despite the restrictions. The yearly reports on the implementation of the sanctions submitted by the Panel of Experts should be used by the UN to pressure countries which fail to implement the imposed sanctions and maintain illicit trade relationships.

The UN should not take any role in developing a new diplomatic track as their relationship with the DPRK is too damaged to function as a neutral mediator in the further course of the conflict. They should stop referring to the Six Party Talks as the diplomatic track offered together with the sanctions, and should encourage other parties to develop alternatives. A combination of more effective sanctioning, together with encouraging the DPRK to participate in a diplomatic track in which the country is more comfortable than in the Six Party Talks is how the UN could contribute to de-escalation on the Korean peninsula.

The EU has developed a diplomatic relationship with the DPRK through their strategy of critical engagement. Through humanitarian aid they have won trust and credibility from the DPRK. This could be used to offer the DPRK and other disputing parties a neutral mediation platform. As the Six Party Talks are not likely to have a future prospect, there is the need for a neutral setting in which the issues can be discussed. As Hellendorff suggested, the EU should offer this platform, as

the organization is respected by both the DPRK and the international community. Therefore, they could fulfil the function of a host for the diplomatic talks on neutral grounds. They should offer their willingness to fulfil this role and should argue their financial position in the sense of their trade relationships with China, Japan and South Korea in the region as their justification for their involvement in the conflict, thus for their role as a mediator, as Van der Meer argued. To strengthen their position towards the international community and the DPRK, the EU should take a strong position in upholding the JCPOA. This could cause the DPRK to be willing to negotiate a nuclear deal which is subject to the supervision of a neutral party (the EU) instead of the US. In addition to this, the EU should try to use their friendly ties with the US to encourage them to stop their provocations towards the DPRK in order to de-escalate the situation. As Mr. Hellendorff suggested in the interview, the JCPOA would be an example for the EU to prove their power to the DPRK in world politics. The DPRK would be more likely to consider a deal under EU lead if they prove to be able to withstand the power of the US.

Furthermore, the EU should lobby the countries violating the trade restrictions to stop their illicit trade relationships with the DPRK. The EU is an internationally well-respected organization and should use their position of influence to help the UN to improve the implementation of the sanctions.

7. Recommendations

7.1 UN

- Use the Panel of Experts to improve implementation of the sanctions.
- Keep fulfilling their role in upholding the international regime of Non-Proliferation.
- Stop referring to the Six Party Talks as diplomatic solution and encourage parties to develop alternatives.

7.2 EU

- Offer a neutral platform for the disputing parties as alternative to the Six Party Talks.
- Assure the JCPOA to prove the DPRK a nuclear deal can be upheld despite the position of the US.
- Lobby at violating countries to improve the effectiveness of the UN sanctions.

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