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# Policy Forum 10-031: To Calm Korean Waters



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# To Calm Korean Waters

Policy Forum Online 10-031A: May 28th, 2010

By Leon V. Sigal

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## I. Introduction

Leon V. Sigal, Director of the Northeast Asia Cooperative Security Project at the Social Science Research Council, writes, "The only way to make the waters off Korea safer and stop further nuclear arming is to try negotiating in earnest - resuming six-party talks and starting a parallel peace process for Korea. North Korean acceptance of responsibility for sinking the Cheonan would be a suitable starting point."

The views expressed in this article are those of the author and do not necessarily reflect the official policy or position of the Nautilus Institute. Readers should note that Nautilus seeks a diversity of views and opinions on contentious topics in order to identify common ground.

## II. Article by Leon V. Sigal

- "To Calm Korean Waters"

By Leon V. Sigal

For the past year, the Obama administration pursued a policy of "strategic patience" toward North Korea in the erroneous belief that sanctions would make Pyongyang more pliable. That conceded the initiative to North and South Korea.

Instead of scuttling that policy in the wake of North Korea's deadly attack on the South Korean corvette, the administration is now raising the stakes by supporting South Korea's efforts to punish North Korea with more sanctions and to adopt what South Korea's president calls "proactive deterrence."

Yet punishment, even if justifiable, will not prevent another Cheonan any more than it has stopped North Korea from making more nuclear weapons. Worse yet, blockading North Korean shipping, stepping up naval patrols, and threatening to preempt militarily risks more firefights. Only negotiations might avert dangerous escalation.

The Cheonan attack was the latest test of wills between North and South over Korea's contested territorial waters. At the end of the Korean War, a sea boundary was unilaterally imposed north of the Military Demarcation Line on land. That Northern Limit Line (NLL) is not recognized internationally and has long been rejected by the North.

At an October 2007 summit meeting, the South signed a wide-ranging accord with North Korea's Kim Jong-il which sidestepped the issue of the maritime border but pledged "to discuss ways of designating a joint fishing area in the West [Yellow] Sea to avoid accidental clashes and turning it into a peace area and also to discuss measures to build military confidence."

Within days of Lee Myung-bak's election as president two months later, his transition team backed away from the summit accord: "We need to deal with the establishment of a peace zone in the West Sea in a very careful and measured way because it involves the NLL issue. ... The outgoing government should refrain from pushing for things that would restrict or create a burden for the next government."

North Korea's response was to build up its artillery near the boundary. In late March 2008 it accused South Korea of violating its territory in the West Sea and launched short-range missiles into the contested area, a provocative reminder of the risks of leaving the issue unresolved. In October it did so again. At the same time, Pyongyang urged that the armistice agreement be replaced with a permanent peace treaty as part of six-party talks on denuclearization, a step Seoul resisted.

Throughout 2009 a war of words escalated. In mid-January a North Korean army spokesman lashed out at South Korea's defense minister "for making full preparations for the possible third West Sea skirmish" and added ominously, that "we will preserve ... the extension of the Military Demarcation Line in the West Sea already proclaimed to the world as long as there are ceaseless intrusions into the territorial waters of our side in the West Sea." Two weeks later Pyongyang declared it would no longer be bound by the 2000 summit agreement or the maritime demarcation line.

South Korea was not to be out-muscled. Its defense minister told a legislative hearing on February 20, "We will clearly respond to any preemptive artillery or missile attack by North Korea" in the West Sea.

To naval officers on either side, the message was clear: shoot first and ask questions later.

South Korea's announcement that it would participate in the Proliferation Security Initiative triggered a new volley of words. In a May 27 statement accusing the South of violating the armistice agreement, which "prohibits any form of blockade," the North Korean army declared that it would regard the South's action as "a declaration of war" and that it would no longer be bound by the armistice agreement and "not guarantee the legal status" of five South Korean islands in the territorial waters it claimed. The next day the North fired a short-range missile into the East Sea and the South put its forces on higher alert. On October 15 the North accused the South of an incursion by 16 warships into its waters.

On November 9 the two navies exchanged hostile fire. After a North Korean patrol boat crossed the NLL, the South fired warning shots. The North returned fire and the South fired some 50 rounds, crippling the vessel and causing an unknown number of casualties. The North Korean high command demanded an apology from the South, which did not respond.

On November 12 the party newspaper talked about avenging the attack: "The South Korean forces will be forced to pay dearly for the grave armed provocation perpetrated by them in the waters of the north side in the West Sea of Korea." Five days later, Kim Jong-il went to a naval base with his military high command and, according to North Korean accounts, ordered the Navy to train a "do-o-die unit of sea heroes." Kim Jong-il's November order was executed with the March 26 attack on the Cheonan.

Many officials in Seoul are still determined to show who is boss on the Korean peninsula. Unfortunately, that is North Korea's game, one it plays all too brutally.

Punitive action has been met tit-for-tat by the North in the past. Recall that Pyongyang's reaction to Security Council sanctions in July 2006 for its missile tests was to conduct a nuclear test. Its response to tougher U.N. sanctions in June 2009 for its second nuclear test was to reprocess more plutonium.

The only way to make the waters off Korea safer and stop further nuclear arming is to try negotiating in earnest - resuming six-party talks and starting a parallel peace process for Korea. North Korean acceptance of responsibility for sinking the Cheonan would be a suitable starting point.

### **III. Nautilus invites your responses**

The Northeast Asia Peace and Security Network invites your responses to this essay. Please send responses to: [napsnet-reply@nautilus.org](mailto:napsnet-reply@nautilus.org) . Responses will be considered for redistribution to the network only if they include the author's name, affiliation, and explicit consent.

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