On December 13, 2021, during a visit to Australia, South Korean President Moon Jae-in said that the United States, China, and North Korea agreed in principle to declare a formal end to the 1950-53 Korean War. According to Moon, such a statement would help revive the stalled talks between South and North Korea, as well as between North Korea and the United States.

Recall that North and South Korea have technically remained at war since the 1950-53 conflict which ended with an armistice. No peace treaty has ever been signed.

Of course, the announcement that the four countries were about to declare an end to the war caused a stir in the media. However, we’ll look at how Moon went about it to achieve this result, and on the other hand, talk about what good such statements do in the current environment.

As the audience remembers, Moon consistently insisted on cooperation with North Korea and suggested an end to the war be declared back in 2018 amid the Olympic warming. A new round of excitement over the “declaration of the end of the Korean War” began with Moon Jae-in's speech at the UN General Assembly on September 21. North Korea called the idea interesting but noted that it makes no sense without a policy change.

As Kim Song, the chief of North Korea's mission to the United Nations, noted on September 27, 2021, "If the US wants to see the Korean War, the most prolonged and long-lasting war in the world, come to an end, and if it is really desirous of peace and reconciliation on the Korean Peninsula, it should take the first step toward giving up its hostile policy against the DPRK by stopping permanently the joint military exercises and the deployment of all kinds..."
of strategic weapons”.

On September 30, 2021, in an interview with the Washington Post, ROK Foreign Minister Chung Eui-yong advised the Joe Biden administration to name incentives it could offer North Korea, such as to document an end to the Korean War.

On November 9, 2021, a group of 23 members of the US House of Representatives, members of the Korean-American Public Action Committee, sent a letter to US President Joe Biden and Secretary of State Anthony Blinken calling for an official declaration of the end of the Korean War. The letter stressed that officially ending the state of war was not a concession to the North but a decisive step toward peace that served the national interests of the United States and its allies.

South Korean Ambassador to US Lee Soo-hyuck said on November 9 that South Korea and the USA are actively discussing the possibility of documenting the end of the Korean War.

On November 14, South Korean First Vice Foreign Minister Choi Jong-kun said that the end of the Korean War could be officially announced soon. Choi stressed that there is no disagreement between Seoul and Washington on this issue, and the two sides are now discussing the content and implementation program of the declaration. When asked whether there would be a positive response from North Korea, Choi said no one could give any guarantees.

On November 15, Choi Jong-kun said that the declaration of an end to the Korean War would be a step toward the denuclearization of North Korea. The announcement of the end of the Korean War would help bring North Korea back to the dialogue table while creating an “irreversible” denuclearization process of the Korean Peninsula. “It will be an important starting point for the two Koreas and the United States in shaping a new order, opening a platform for dialogue on denuclearization and peace talks,” and turning “an abnormally long cease-fire into a peace regime.”

On November 19, Minister of Unification Lee In-young said that South Korea and the United States are in the final stages of negotiations on Seoul's proposal to declare a formal end to the 1950-53 Korean War.

On December 2, a Member of the Political Bureau of the CPC Central Committee and Director of the Office of the Central Commission for Foreign Affairs, Yang Jiechi, said Beijing supports Seoul's desire to declare an official end to the 1950-53 Korean War. China also expressed that it should be among those who would sign the agreement since China took part in the 1950-53 Korean War.

So, they give the impression in Seoul that “it could happen any moment” but the author is very skeptical about that. First, following Moon Jae-in's declaration, neither Washington, Beijing, nor Pyongyang made any statements that commented on the South Korean president's initiative. And just because one side or the other is "not opposed in principle" does not mean that it will happen in the very near future.

A particular issue concerns the claim that "Pyongyang is all for it," because Moon made contradictory statements in explaining the situation: “The USA, China, and North Korea all showed their agreement on the proposal in principle. However, since North Korea is demanding the US withdraw its hostile policies as a precondition, we are not in the conversation stage yet”.

After this, experts and the media have questioned the basis for the statement that North Korea agrees with Moon's idea. The South Korean Ministry of Unification said that the remark was based on two previous agreements between the leaders of the two Koreas and Kim Jong-un's comments about his interest, not on an official agreement with North Korea. “In 2007 and 2018, the two Koreas' leaders agreed on pursuing an end-of-war declaration,” Unification Ministry spokeswoman Lee Jong-joo said. Wishful thinking?

The US silence can also be interpreted in different ways. The Korea Times quotes an expert saying that the USA is “uninterested in an end-of-war declaration at the moment, as President Joe Biden would want to show strong diplomatic policies to both the international community and the American people, following criticism over the US withdrawal from Afghanistan…” “For Biden, making a reconciliatory gesture toward North Korea would be same as saying he wants to lose” in the 2022 midterm elections, in which all 435 seats in the House of Representatives and 34 of the 100 seats in the Senate will be contested.

Nor is it evident whether Moon's successor will adhere to the declaration: Lee Jae-myung probably will, but Yoon Suk-yeol probably won't.

Second, it is revealed that the end-of-war declaration was not an "ultimate goal," and "agreements between involved
countries on the content of the declaration and discussions on what kind of process should be pursued after the declaration are required before reaching the "end-of-war status". But then, despite all the public relations buzz, such a statement is nothing more than empty words with nothing behind them. However, the termination of the war regime is too serious an action not to be recorded in a profound and detailed document that spells out all its consequences.

Third, the current international environment interferes with the situation even if the document is drafted. Technically, a declaration of cessation of war changes the pattern of relations somewhat since a state of war entitles the parties to specific actions acceptable between the warring parties but not acceptable in a state of peace. However, in the current situation, when international law is experiencing a severe crisis, including a lack of guarantees, a reasonable question arises as to whether this document will not turn into a paper not to be followed up by concrete measures. What Pyongyang needs is not a document but a set of consequences that arise from signing this document. But with Washington's policy toward Pyongyang remaining hostile, such statements will be meaningless because they will not affect the course of events.

And in general, how much is such a statement required, especially if it is not a legally binding document? Russia and Japan, for example, live without a peace treaty.

Fourth, it is worth recalling once again that the supposed declaration to end the war cannot be a direct continuation of the 1953 cease-fire agreement. First, the document was not signed by South Korea because the odious Syngman Rhee was going to continue the war. Second, the USA and China did not participate in this conflict under their flags. US troops were simply the dominant part of the UN contingent. On the Chinese side were not regular PLA units but "people's volunteers," so the agreement would be forced to recognize the direct involvement of China and the United States in the war.

There is not much of a problem for Beijing and Washington, but there is for Seoul. The declaration of the end of the war implies peace between the parties, not replacing a state of war with a state of confusion. Meanwhile, the third article of the Korean Constitution extends the territory of the Republic of Korea to the entire peninsula, and the fourth speaks of the need to strive for unification. In this context, it is as if North Korea is receiving a legitimization which is unwanted for Seoul.

As a result, it turns out that the primary beneficiary of such a declaration is not South Korea but the president of South Korea. John Bolton confirms in his memoirs that the idea of ending the Korean War was actively promoted not so much by Kim Jong-un but by Moon Jae-in, who had it as part of his election promises. In contrast, the question of "what was done of what had been promised" looks unpleasant for the South Korean president (moreover, the situation in such areas as the real estate market or unemployment has worsened significantly).

Inter-Korean relations are also at a standstill, as Pyongyang periodically openly denies Moon's subjectivity and does not consider his policies aimed at inter-Korean dialogue. As the past three years have shown, Moon Jae-in and Co. were only interested in moving ceremonial events that would allow the head of State to look good on TV and raise his domestic political rating.

In this context, Moon needs to close his presidential term with some high-profile event that will also provide him with more immunity in the post-presidential period. To earn political capital as a prominent democrat and a man who has gone down in history to such an extent that it would be bad manners to repress the ex-president according to the good South Korean tradition.

In general, this whole story underscores well how President Moon is not a democrat but a populist, prone to making loud statements and putting forward ambitious plans that are not followed by practical action. But how can this conflict be resolved? The author's version looks like this. The agreement should be signed by North Korea, the United States as the lead representative of UN troops, and China as the successor to the Chinese volunteers. This would allow the state of war between Pyongyang and Washington to end, which is what North Korea wants in the first place.

If we're talking about the inter-Korean agreements, we should recall the Agreement on Reconciliation, Nonaggression, Cooperation, and Exchanges which entered into force on February 19, 1992. By signing this Agreement, South Korea and North Korea undertook not to interfere in the internal political affairs of each other, not to act hostile toward each other, and respect each other's social and economic systems. In the author's view, such language put an end to the situation in which each side considered itself the only legitimate state. The 2018 declarations also stated that the parties express no hostile intentions toward each other, although this wording was
not correctly detailed. This did not prevent both sides from conducting exercises on the grounds of maintaining combat readiness. At the same time, it was accompanied by outright pandering to anti-Pyongyang propaganda in the South.

To summarize: the declaration of an end to the Korean War is a welcome and vital step, but the length of this step may vary and it depends on the current political conjuncture and the implications of this declaration to be implemented in regional security policy.

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