

Sanctions relief as an instrument of peacemaking? Options for the Korean Peninsula

Concept note and budget for “Ressortforschung”, submitted by swisspeace in cooperation with the Graduate Institute, Geneva to the Swiss FDFA, 28 June 2019

1 Background

The settlement process concerning the Korean Peninsula gained momentum last year. In April 2018, the South Korean president Moon Jae-in and North Korean leader Kim Jong-un met for a summit in Panmunjom. Both sides expressed commitment to the denuclearization of the Korean peninsula as an overarching goal. Two additional inter-Korean summits took place in 2018. In addition, a meeting took place between US president Donald Trump and Kim Jong-un in June 2018, which raised hopes for a negotiated settlement to end conflict on the Korean Peninsula. The two men met again in Hanoi in February 2019. However, talks between the US and the Democratic People's Republic of Korea (DPRK) have not taken off due to a number of deep-seated disagreements, including on the timing and conditions of sanctions relief. Indeed, DPRK is targeted by a far-reaching sanctions regime, including measures adopted by the UN Security Council as well as bilateral sanctions by the US, the EU and others.

Against this background, the Swiss Federal Department of Foreign Affairs (FDFA) expressed interest in a research project looking at how sanctions suspension and relief have been dealt with in other complex political negotiations and what options can be derived from these cases for possible future settlement negotiations concerning the Korean Peninsula. The FDFA requested swisspeace and the Graduate Institute, Geneva, to write a report exploring this question, given these organizations' involvement in the UN Sanctions and Mediation Project (SMP).

2 Terms of reference

Main aim of the report: To outline options for using sanctions relief to advance negotiations with DPRK about de-nuclearization. To this end, the report:

- Provides a synopsis of DPRK sanctions and past negotiation attempts;
- Gives an overview of different forms of sanctions relief/suspension/lifting;
- Analyzes past cases when sanctions lifting were part of complex negotiations
- Develops options for using sanctions relief/suspension at key moments in negotiations with DPRK about de-nuclearization;
- Identifies roles of third parties, in particular Switzerland, in facilitating the use of sanctions relief as part of a negotiated settlement in DPRK.

3 [Outline of the report](#)

Based on the above-mentioned terms of reference, the report will cover the following elements:

- Executive summary
- Synopsis of DPRK sanctions and negotiations
- Main goal: choreographing a negotiation process, in which the parties incrementally achieve their aim of denuclearization resp. sanctions relief/normalization of relations.
- Unpacking sanctions relief, understanding different forms of relief associated with different types of sanctions, ranging from temporary suspension to full lifting
- Sanctions relief in complex negotiation processes: looking at past cases (Iraq, South Africa, Libya, Iran, etc.)
- Different contributions sanctions relief in negotiation processes: build confidence, get parties to the table, reward progress at the table, set timelines, get an agreement, maintain agreement implementation, monitoring processes etc.
- Different forms of third party support and recommendations for Switzerland

4 [Timeline](#)

The project will run for six months based on the timeline below:

- September 2019: inception meeting in Bern
- October-December 2019: Research and drafting
- January 2020: Submission of report
- February 2020: presentation of report and discussion & next steps

5 [Composition of research team](#)

Main authors

The report will be drafted by Prof Thomas Biersteker, professor at the Graduate Institute, Geneva, and Dr David Lanz, co-head of the Mediation Program at swisspeace. Prof Biersteker and Dr Lanz were both principal investigators (together with Dr Rebecca Brubaker from UN University) for the UN Sanctions and Mediation Project – a pioneering research project initiated by the Swiss FDFA together with the UN Department of Political and Peacebuilding Affairs looking at the interaction of UN sanctions and mediation processes. While the current project is separate from the SMP, it builds on its approach and findings.

Graduate Institute, Geneva: (Prof. Thomas Biersteker)

The Graduate Institute, Geneva, hosts the Geneva International Sanctions Network (GISN), a successor to the Targeted Sanctions Consortium (TSC), previously co-directed by Professor Biersteker. GISN engages Geneva-based practitioners, post-doctoral scholars, and post-graduate students working on international sanctions, with a particular focus on UN sanctions. Under Professor Biersteker's leadership, the Institute hosts annual updates of SanctionsApp and, in January 2019,

launched a pilot training initiative on the sanctions policy cycle, jointly organized and sponsored by the UN Sanctions Branch of the Security Council Affairs Division of the Department of Political Affairs. The Global Governance Centre at the Institute also engages senior policy practitioners from UN monitoring teams in meetings with private sector representatives to discuss sanctions design and implementation challenges.

swisspeace (Dr. David Lanz)

The Swiss Peace Foundation swisspeace is a practice-oriented research institute based in Bern, Switzerland, working to improve conflict prevention and conflict transformation. Through its Mediation Program, co-directed by David Lanz, swisspeace supports the mediation efforts of the Swiss FDFA, the United Nations, the European Union and others. swisspeace works closely with the UN Department of Political and Peacebuilding Affairs, especially its Mediation Support Unit, based on an exchange of letters concluded in 2013. Together with the UN University and the Graduate Institute, Geneva, swisspeace led an innovative research project looking at the interaction of UN sanctions and mediation processes.

6 Finances

The project will be run for swisspeace, which will be responsible for administrative and financial matters. swisspeace will subcontract the services provided by Prof Thomas Biersteker in the framework of the project.

Below is an estimate of costs of the project.*

<i>A) Personnel costs:</i>		
Prof Thomas Biersteker (Graduate Institute): principal investigators and sanctions lead	10 days x 1'320 CHF	13'200 CHF
Dr David Lanz (swisspeace): principal investigator and mediation lead	8 days x 1'200 CHF	9'600 CHF
Research assistant provided by swisspeace	8 days x 750 CHF	6'000 CHF
<i>B) Operational costs:</i>		
Catering costs for launch event		1'000 CHF
Costs for editing and printing		1'000 CHF
Total estimated costs		30'800 CHF*

* Please note that the daily rates of swisspeace staff include all costs related to the project, so no additional overhead is charged. The budget does not include value-added tax (Mehrwertsteuer) assuming that the Swiss FDFA would not claim exclusive rights on research results, but would allow swisspeace to also make use of them.