



Lessons learned from Korean Armistice implementation

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Parley Policy Dispatch No. 1 (March 6, 2026)

Seven decades have given Armistice implementers on the Korean Peninsula significant time to figure out what works (and does not) in implementing a military Armistice. This learning is continuous as the security situation is ever evolving, but there are certain core lessons that are applicable in any post-conflict situation. These are detailed below:

1. There will be violations of the agreement.

No law, regulation, or international agreement in history has ever been perfectly implemented, and the Korean Armistice Agreement is a testament to that. There have been countless violations of the agreement over the years; and yet, open hostilities have not resumed on the Korean Peninsula. A key reason for this is because the designers of the Armistice recognized that there would be violations of the agreement. This is why the Armistice Agreement mandates a “Military Armistice Commission” and empowers it to negotiate resolutions of violations. Ultimately, the goal of an Armistice Agreement cannot be perfect compliance; rather, it must focus on the bigger picture goal of the continued cessation of hostilities.

2. Both sides will continuously vie for military advantages, so constant vigilance is necessary.

In Armistice implementation, it is natural for both sides to pursue measures that improve their capabilities, positions, and leverage, sometimes in direct contravention of provisions of the agreement. Countless Armistice investigations on the Korean Peninsula have validated this point, contributing to the adoption of education sessions for military personnel, compliance inspections of frontline units, and investigating unauthorized activities to identify root cause issues. Peace agreements must include measures for inspections and investigations

3. Active third party involvement is essential.

The presence of third parties—be it formal third parties such as the members of the Neutral Nations Supervisory Commission or the multinational members of United Nations Command—have proven helpful in managing security issues on the Korean Peninsula. Their involvement matters for three core reasons.

The first is that they modify the costs associated with the use of military force because—as morbid as it may seem—the cost of killing a former belligerent is simply different in the eyes of the international community than killing a third party official.

Second, third parties can influence one or both belligerents’ decision-making vis-à-vis potential escalation.

Third, the reporting that third parties provide can mitigate the risk of misinterpretation or miscalculation that may come from mis-/dis-information.

4. Third party oversight does not have to be perfect to be effective.

On the Korean Peninsula, the definition of “neutral” did not refer to political neutrality, and that was by design. Rather, neutrality centered on the point that they were not belligerents in the war and that they were invested in maintaining the continued cessation of hostilities.

Further, while identical third party access and oversight on both sides is desirable, it is not indispensable. One-sided oversight still allows for a distinction between a party that is adhering to the rules and that which is not, which is helpful for the international community when taking actions to support Armistice implementation.

Ultimately, there are three key conditions for third parties that increase their effectiveness in Armistice implementation: (1) the designated third parties should have working diplomatic relations with both sides; (2) they should not have been active belligerents in the conflict; and (3) they must be invested in a continued cessation of hostilities.

5. There must be mechanisms for updating the terms of implementation.

While there are many flaws in the Korean Armistice Agreement, the architects of the agreement did well to include paragraph 61 which provides for “amendments and additions” to the Armistice agreement. Over the course of 70 years, there have been over 1200 formal meetings in which United Nations Command and the Korean People’s Army, leading to over twenty subsequent agreements and countless modifications to the terms of Armistice. These updates have enabled the Korean Armistice to evolve with the security conditions, which has been vital for its durability and effectiveness. Durable peace agreements must include mechanisms for amending and/or adding to the agreement.

6. The path to a permanent peace is not linear; rather, there are peaks and valleys along the way.

Seven decades of Armistice enforcement on the Korean Peninsula have seen cycles of breakthroughs and setbacks. Those setbacks threatened to draw both sides back into a state of open hostilities, but each time, there was a deliberate effort to employ Armistice mechanisms in addressing incidents and, eventually, pursuing forward-looking risk reduction and confidence building measures. It is important that a peace agreement be designed to navigate the non-linear path towards a permanent peace by incorporating clear rulesets for military forces, dialogue mechanisms, and provisions for updating the terms of the agreement.

7. Military deterrence is inextricable from the peace process.

The Korean People's Army has been the most dangerous when the DPRK believed that the use of military force was a viable option for achieving its near-term policy objectives. Thus, it is necessary to signal or impose costs related to those options, employing deterrence-by-denial and deterrence-by-punishment in disincentivizing any option other than continued peacebuilding efforts.

8. When the political pendulum swings, it is essential to have the Armistice Agreement as a foundation.

The political landscape is ever changing, and any time there are changes in leadership, windows open for drastic alterations to policy preferences and strategic designs. As has been demonstrated on the Korean Peninsula, it is important to have an agreement in place that serves as a foundation for preserving the cessation of hostilities even as political initiatives come and go. An Armistice is useful because these agreements are often signed by military officials, creating separation from a specific political party or administration. This type of agreement also places the onus for implementation upon working level officials rather than political-level leaders.

9. It is important to be explicit in expectations and to model the desired behaviors.

“Tit-for-tat” has been a common theme in escalation cycles on the Korean Peninsula. Bad behavior elicits retaliation, which then prompts more retaliation. But reciprocating behavior has also worked in terms of good faith implementation of agreements, particularly when the reasoning for that behavior is well-understood. These do not have to be grand gestures; in fact, they are more effective when they are done in the routine, everyday implementation of peace agreement provisions. That may include prior notifications via established hotlines before taking actions which could contribute to misinterpretation or miscalculation; or deliberately and conspicuously exercising the rights, duties, and obligations enumerated in the agreement.

10. There must be mechanisms for fact finding and reporting.

Since incidents will invariably occur, there must be ways for the parties to a peace agreement to investigate and report on those incidents. This is to eliminate mis-/dis-information which could threaten political support for continued peace agreement implementation, as well as to contribute to the international community's ability to facilitate peaceful resolution of those incidents.

11. Armistice implementation is a 24/7/365 function.

Armistice implementers on the Korean Peninsula have a saying: "Bad things happen on nights, weekends, and holidays." While that is not exclusively the case, incidents have occurred enough outside of normal business hours that both sides recognize the need for a 24/7/365 mechanism for addressing security incidents, be it for emergency coordination in response to distressed vessels at sea or crisis communications after a negligent discharge sparks an exchange-of-fire between the two sides' military forces, etc. Any peace agreement should build in provisions for 24/7/365 coverage with personnel and resources dedicated to implementation of the agreement.'

12. It is essential to have both neutral ground for dialogue and hotlines in place.

The situation on the Korean Peninsula has gotten close to a resumption of open hostilities a few times since the signing of the Armistice, be it owing to acute security incidents or high level political decisions. Through it all, it has always been beneficial to have neutral ground for dialogue and hotlines in place. Hotlines are useful for daily information exchange and crisis communications. However, the other side may not always pick up the phone, which is why formally established neutral ground is even better; after all, it is easier to ignore a phone call than someone walking up and knocking on your office window. Neutral ground is also important for other reasons. First, it provides a readymade venue for in-person negotiations, whether at the military-to-military or political levels. Second, it provides a transit point for delivery of personnel (e.g., repatriations) and goods (e.g., goodwill aid). Finally, it offers a persistent off-ramp for de-escalation. As long as that neutral ground remains intact, there is still a chance to work through any problems that may arise.

13. The core principles of armistice implementation are clarity, consistency, and transparency.

These principles will seem antithetical to most military forces, seeing as the principles of war include things like surprise, offensive, maneuver, etc. However, the implementation of a peace agreement is completely different from the execution of combat operations. Clarity is critical in eliminating confusion and misinterpretation. Consistency allows another party to anticipate what another party is doing and to manage expectations. Transparency mitigates misinformation and disinformation. Failure to adhere to these principles can lead to unnecessary tensions or incidents, while adherence to these principles reduces risk and builds confidence. Thus, peace agreements should include provisions that encourage clarity, consistency, and transparency.

14. Negotiate clear provisions for all boundaries: land, maritime, and air.

The Korean Armistice Agreement did well to identify the land boundary (the Military Demarcation Line), but the absence of a negotiated maritime boundary line has contributed to flash points for conflict. To mitigate the risk of incidents (whether deliberate or intentional), it is important to define mutually accepted boundary lines in all domains. Further, it is essential to install clear and durable clear boundary markers with the presumption that they will not receive regular maintenance. Over the course of seven decades, most of the original Military Demarcation Line markers on the Korean Peninsula have worn away, creating the risk of accidental crossings. Boundary markers must be made of sturdy materials (e.g., concrete) with a design that is well visible to both sides.

15. Record keeping is critical.

There are two elements to this lesson, the first being external: the agreement should be registered with the United Nations. If possible, there should be a corresponding UN General Assembly resolution. This has been vital for the Korean Armistice Agreement, which was adopted via UN General Assembly resolution 711. This provides legitimacy to the document and international legal basis for both the UN and its member states to weigh in when one of the parties fails to uphold its obligations.

The second element is internal: to keep both sides as honest as possible, it is necessary to have clear records in place of all deliberations, agreements, incidents, and resolutions. Unilateral reinterpretation of the terms of implementation happens—whether willful or not—so it is necessary to have detailed records to reinforce the provisions that underpin the cessation of hostilities.

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