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THE FUTURE OF THE UNITED NATIONS COMMAND IN THE REPUBLIC OF KOREA

by

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ABSTRACT

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The United Nations Command derives its legitimacy from the 1950 United Nations resolutions through which it was activated in 1953 during the Korean War. Its original purpose was to provide a command structure for multinational UN operations against the communist illegal invasion. The Armistice Agreement signed in 1953 by the Commander in Chief of the United Nations Command stopped the armed conflict and has provided a way to manage the crisis effectively for over 50 years. North Korea realized that the United Nations Command prevents reunification by force and imposes a heavy burden politically and militarily on the North. Therefore, North Korea has tried repeatedly and stubbornly to weaken and dissolve the United Nations Command and has suggested replacing the Armistice Agreement with a bilateral US-North Korea Peace Agreement. However, the United Nations Command provides an effective mechanism to maintain and the framework for multinational operations. It is a valuable instrument and tools not only for the current political situation but also for the future security environment in North-East Asia. Until the conclusion of a stable peace agreement, the United Nations Command will continue to be essential to the United States and the Republic of Korea.

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The considerations of disbanding the United Nations Command in Korea, which has been in South Korea since 1950 have been made from time to time by both the United States and the Republic of Korea, and especially North Korea as well. As one previous member of the United Nations Command, I'd like to re-establish and awaken the value of the United Nations Command with the great ideas and abundant experiences of Donald W. Boose, Jr., Colonel (Retired), US Army, who was the most appropriate witness and expert as well as the Secretary of the United Nations Command Military Armistice Commission for a long time.

I appreciate especially Donald W. Boose, Jr., Colonel (Retired), not only because of his outstanding reviews and tremendous comments but also for his contributing to and understanding my country, Korea. I also thank to Colonel Jung, Chan-Sung and Sergeant Major Moon, Byung-Nam in the United Nations Command in Korea for providing a valuable documents and current data.

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THE FUTURE OF THE UNITED NATIONS COMMAND IN THE REPUBLIC OF KOREA

The role of the United Nations Command (UNC) in Korea has changed over the years according to the political situation on the Korean peninsula, but its basic mission has not changed. The mission, established by the United Nations Security Council in 1950, is to assist the Republic of Korea (ROK) to repel armed aggression and restore peace and stability in the area. Although a stable and permanent peace has not yet come to Korea, there are some who call for dissolving the United Nations Command even in the United States and South Korea, as well as in North Korea.[1] Therefore, it is meaningful to review the position thoroughly and to examine the prospects and future role of the UNC.

THE BACKGROUND OF KOREAN WAR AND THE ACTIVATION OF THE UNC

On August 15, 1945, after the Japanese unconditionally surrendered to the Coalition Forces, the United States and the Soviet Union agreed to disarm the Japanese Armed Forces on the Korean peninsula. The dividing line between the two occupying forces was to be the 38th Parallel. The Soviet Union entered in North Korea on August 22, 1945, while the United States advanced into Seoul on September 8, 1945 and both countries began to establish military governments in their respective occupied territory. Three years later, the United States decided to withdraw its forces in order to concentrate its forces and resources to Europe and Japan, which were strategically more important than Korea. The United States handed over the Korean question to the UN after the United States and the Union of Soviet Socialist Republics (USSR) failed to agree on a process for restoring unity and self-government to Korea in September 17, 1947.

The UN placed this question before the General Assembly and the General Assembly decided to establish a UN Temporary Commission on Korea (UNTCOK) to witness the general election for establishing the Unified Republic of Korea. The UNTCOK was denied access to North Korea by the Soviet Union and therefore it observed the general election only in South Korea. As a result of the election, the Republic of Korea was established on August 15, 1948, but North Korea established what they called the Democratic People's Republic of Korea (DPRK) supported by the Soviet Union and several of its Eastern European satellites in September 9, 1948. The General Assembly declared the newly born Government of the Republic of Korea as only lawful government on the Korean peninsula.[2] The General Assembly decided to leave the UNTCOK office in order to observe the withdrawal of both the U.S. and USSR forces and the increasing tension.

The U.S. containment policy regarding Europe as the first priority failed to deter the advance of the Soviet Communism into the main-land China and Indo-Chinese peninsula followed by North Korea. Even though many reports pointed out the possibility of North Korean attack, the United States needed to withdraw and adjust the U.S. Forces staying abroad because of the curtailment of defense budget and the tendency of coming back home after a long war. The U.S. Joint Chiefs of Staff (JCS) withdrew all U.S. forces in Korea except 500 military advisers on June 29, 1949.

North Korean People's Army (KPA) invaded the Republic of Korea on June 25, 1950. U.S. Secretary of State Dean Acheson immediately recommended to President Harry S. Truman to put this matter before the UN.[3] Over the next few days, the UN Security Council passed three resolutions that determined the North Korean attack was a breach of the peace, called on member states to assist the Republic of Korea to repel the armed attack and restore international peace and security in the area, asked those states to place their forces under a unified command under the United States, asked the United States to provide a commander, and authorized the UNC to fly the UN flag in the course of its operations. In this way, the UNC was born.[4]

THE ROLE OF THE UNC DURING THE KOREAN WAR AND MILITARY ARMISTICE AGREEMENT

After a command structure was in place, both the UN Secretary General and the US Government were looking for international military support. Even though some UN member's naval and air forces supports were available, the provision of ground forces was the most difficult decision for many countries. Many countries considered the risk of many casualties if they committed their ground forces, domestic reconstruction, and economic constraints. The greatest need was for ground combat forces both as a contribution to the tough fighting on the peninsula and as the most convincing measure of international commitment to the Republic of Korea and the concept of collective action.[5] The UN Secretary General called for the required ground forces from all contributor countries.

The force structure of the UN coalition during the Korean War was overwhelmingly dominated by the United States. The UN received fifty-three offers of contributions from the UNC from member states and the United States eventually assimilated the combat forces of sixteen nations, including the United States, into the force structure while five other nations provided medical units or hospitals.[6]

At the peak in July 1953, the UNC consisted of over 932,964 soldiers, 61 air squadrons and over 250 naval vessels. The United States contributed over 50 percent of the ground

forces (another 40 percent were South Korean), 94 percent of the air squadrons, and 86 percent of the ships.[7] Because the allied troops constituted only about 10 percent of UNC ground forces, the forces of other UN member states were integrated and attached into the U.S. units of appropriate size as they arrived.

In the Korean conflict, there was some initial confusion over the UN role in the UNC's chain of command. Trygve Lie, the UN Secretary General, attempted to formalize an agreement that would reduce the purely American character of the UN chain of command. The United States felt that decisions by committee in a campaign of war would ultimately be self-defeating, producing a confused and ambiguous chain of command that was neither unified, focused, authoritative, nor responsive.[8]

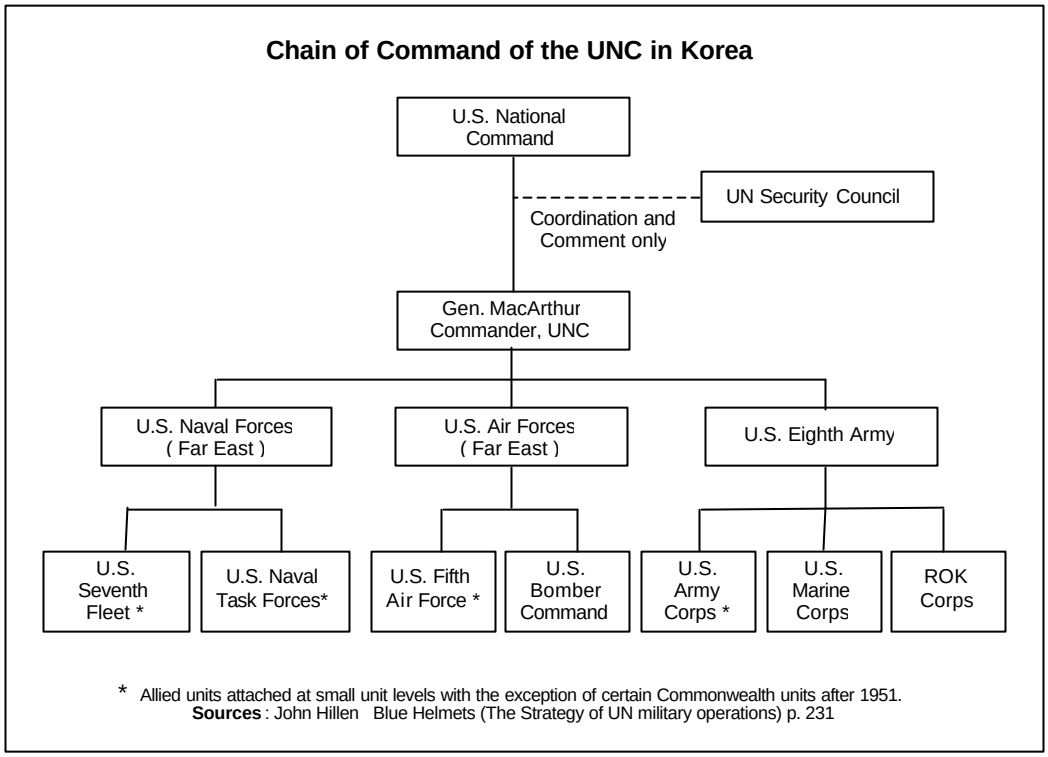

FIGURE 1. CHAIN OF COMMAND OF THE UNC IN KOREA

The United States directed the overall functioning of the UNC because the United States provided massive economic assistance to the Republic of Korea and supported overall supplies and military equipment to most of the other allied countries, and provided a major part of the

UNC's combat power. General MacArthur did not have to report directly for the Security Council or the Secretary General. Therefore, the actual chain of command for the UNC was from the President of the United States through the Secretary of Defense, the Joint Chiefs of Staff, and the Chief of Staff of the Army to CINCUNC.

The Korean War truce talks were conducted between representatives of the military commanders of both the UNC and North Korean Supreme Command. It was the CINCUNC that was in charge of the negotiations and truce talks for the UNC side. South Korea also sent one general officer, but he could not be the representative of the South Korean government, because the Korean government and media were seriously against the armistice. This is the reason why North Korea always did not admit the South Korean government as the counter partner of the Armistice Agreement until now and North Korea is always making an effort to extract a bilateral US-North Korea peace agreement only.

When the Armistice was signed on 27 July, 1953, CINCUNC, then General Mark W. Clark, was the sole signatory for the UNC side. Marshal Kim Il-Sung signed not as the head of state or government of the Democratic People's Republic of Korea, but as the Supreme Commander of the North Korean People's Army. Chinese General Peng Dehuai signed as the commander of the Chinese People's Volunteers. Although no nation signed the agreement, the sixteen UN member nations that had sent combat forces signed a Joint Policy Declaration supporting the armistice and pledging "if there is a renewal of the armed attack, challenging again the principles of the UN, we should again be united and prompt to resist."[9]

The Armistice Agreement brought an end to actual combat, but the troops remained, each side pulling back 2,000 meters from the last line of military contact to insure peace, to watch the Demilitarized Zone, and to guard against any resumption of hostilities. Even though the strong defense of the R.O.K. Army and the support and participation of the free world defeated the North Korean communist forces, a new Military Demarcation Line replaced the 38th parallel. The state of division and threat remain even today.[10] Despite the limitations of the Armistice Agreement, no one can deny that the UNC preserved the freedom and legitimacy of the Republic of Korea.

THE FUNCTION OF THE UNC FOR MILITARY ARMISTICE AGREEMENT

The UNC, the only legal authority and concerned signatory for the Armistice Agreement must carry on its mission unless this agreement is annulled by either side or replaced by a Peace Agreement. The mission of the UNC is to maintain and supervise the Armistice Agreement, to excise the operational command authority over the UN forces in Korea, and to

conduct such functions as directed by the U.S. Joint Chiefs of Staff for the U.S. Government acting on behalf of the UN Security Council. The current UNC consists of a small staff organization, a Liaison Group, and the UNC (Rear) located at Camp Zama.

Representatives from 15 UN member states serve as Liaison Officers to the Commander of the UNC (CDRUNC). The UNC Security Battalion-Joint Security Area is a detached U.S. 8th Army unit that provides security at the Panmunjom meeting site. This unit is under the control of the Military Armistice Commission, under the CDRUNC.

The major functions of the UNC during peacetime are to maintain and supervise the Armistice and to provide the framework for the multinational forces of the Command. The CDRUNC has the authority to direct to Commander of the CFC (CDRCFC) on problems related to the Armistice. He can also request combat forces to deal with Armistice violations.

The CDRUNC can legally control the military forces of UN member countries, but the CDRCFC cannot control any forces of the other members of the UNC except those of the United States and the Republic of Korea. Therefore, the UNC would be the only legal military command to control non-U.S. or ROK UN forces if there is a renewal of the armed attack in Korea.

The UNC can also lawfully support the Republic of Korea through its Rear Command in Japan, because seven U.S. bases in Japan area are designated as UNC bases. When Japan regained sovereignty in 1952, the United States and Japan exchanged notes governing Japanese support of UN actions. This was formalized on 19 February 1954 when Japan, the United States "acting as the Unified Command," and eight of the participating states signed an UNC-Japan Status of Forces Agreement (SOFA) providing for access, transit, and basing rights.[11] When the UNC moved from Japan to Korea, the UNC on 24 July 1950 activated its Rear Command and seven bases under the UNC-Japan SOFA. The UNC Rear Command in Japan is a subordinate unit of the UNC, whose mission is to maintain the SOFA and provide administrative support for the UNC forces and personnel. The UNC Rear Command is composed of a commander, staff, and Liaison Officers from eight of the UNC participating states.[12] The UN provides not only legitimacy for U.S. military action but also an opportunity to garner broader international support.[13]

The Armistice Agreement has fulfilled its original purpose of stopping armed conflict and managing crises for the last 50 years. The Military Armistice Commission (MAC) and the Neutral Nations Supervisory Commission (NNSC) are the two major components for maintaining, managing, and supervising the Armistice.

Main Island (4)		Okinawa (3)	
Yokota Air Base	U.S. Air Force	Kadena Air Base	U.S. Air Force
Camp Zama	U.S. Army	Futenma Air Base	U.S. Marine Corps
Sasebo Naval Base	U.S. Navy	White Beach Naval Base	U.S. Navy
Yokosuka Naval Base	U.S. Navy		

TABLE 1. UNITED NATIONS COMMAND SEVEN REAR BASES IN JAPAN

The Military Armistice Commission (MAC) mission is to supervise, report, and investigate violations of the Armistice Agreement. The MAC is composed of five representatives each from the UNC and the Communist sides and has secretariat offices in Seoul and Kaesong. There are also Joint Duty Offices at Panmunjom. Even though both sides originally agreed to hold the MAC meeting every day, actual meetings were held only 459 times until 1991. North Korea has since refused all further attempts to convene MAC meetings after the U.S. and ROK governments had CINCUNC appoint a ROK General Officer as the UNCMAC Senior Member. Now, they contact each other at the Secretary (colonel level) meetings, Joint Duty Officer meetings, and other low level meetings.

Years	1950s	1960s	1970s	1980s	1990s	Total
Number of Meetings	113	184	160	100	2	459

TABLE 2. THE STATUS OF GENERAL MEETINGS HELD BY THE MAC
(Source: Hwan Won-Tak Article)

The NNSC was designed to monitor the introduction into Korea of additional arms and personnel. Comprised of four military representatives respectively from Switzerland and Sweden on the UNC side and Poland and Czechoslovakia on the North Korea and China side, the NNSC was established as a part of the Armistice Agreement to supervise, observe, inspect, and investigate suspected violations of the Agreement outside the DMZ, especially the unauthorized introduction into the peninsula of reinforcements. This commission was also designed to establish 20 Neutral Nations Inspection Teams (NNIT), but it couldn't perform its role because of the suspicion that it was involved in espionage. The North Korean refusal, in violation of the Armistice Agreement, to allow access to designated ports of entry in the North left the UNC no choice but to respond in kind, leaving the NNSC with a largely symbolic role until it came under even more determined assault by the North Korean regime in the 1990s.[14] The NNSC is now supported by the UNC only because North Korea expelled the

Czechoslovakia and Poland delegations from the North because of the dissolution of Czechoslovakia into the Czech Republic and Slovakia. However, Poland continues to periodically participate in NNSC meetings since 1995.[15]

Although the Armistice Agreement succeeded in stopping an armed collision in Korea, it was not without fault. Many violations of the Armistice Agreement such as unauthorized penetrations, hostilities, and introduction of additional arms and personnel have happened during the last five decades. The Communist violations prosecuted by the UNC were 430,612 in total, meanwhile North Korea charged the UNC with 835,838 violations. Although the data is inflated for the purpose of propaganda, it is also true that many infringements of the Armistice Agreement happened.

Even though the NNSC has been inactive since the early years of the Armistice Agreement and antagonism between the adversaries on the MAC has neutralized its effectiveness, both commissions have been channels of communication for the former combatants.[16]

THE NORTH KOREAN INTENTION TO DISSOLVE THE UNC AND ARMISTICE AGREEMENT

North Korea has continued to try to weaken the UNC existence and has systematically and stubbornly attempted to have it dissolved. North Korea realized that the UNC decisively blocks its invasion by arms of South Korea and the UNC imposes a heavy burden on the North Korean military. That is why North Korea attacks the Armistice Agreement in an effort to extract a bilateral U.S.-DPRK peace agreement and to enfeeble the UNC. In order to cope with North Korean intrigue, it is necessary to understand the political situation and analyze the intention of North Korea.

North Korea had heavily suffered from three crises, which are regime maintenance, economic crisis, and international isolation. First, Kim Jong-Il's regime originated by Kim Il-Sung was born and bred with a military mindset, because Kim Il-Sung was a guerrilla fighter against the Japanese and a dictator like Lenin and Mao. For Kim, the economy was to produce the implements of war, education to produce capable soldiers, and ideology to convince the population of the inevitability of war and the necessity for absolute obedience to a military leader who would ultimately be extolled to the point of infallibility. The regime operates like a kind of combination religious cult-crime family gang. The regime's leaders use gangland practices – counterfeiting, drug smuggling, extortion, kidnapping and assassination – as tools of state policy.[17] Not surprisingly, therefore, Kim's regime must keep in isolation for its survival rather than opening the gate.

Second, North Korean suffers chronically from food and energy shortage. Recently, continuous floods and droughts made the economic situation worse. Furthermore, Kim's regime enforces an economic isolation policy because in a world with so much pressure for interconnectivity, it is difficult to manage a centrally-controlled economy of any significant size. North Korea doesn't consider the welfare of ordinary citizens in order to maintain control and extract anything that may contribute to its own security and comfort. Because of that, North Korea has a broken-down infrastructure with no evident means of economic regeneration.

Third, Kim's regime is increasingly isolated as a result of the collapse of the Eastern European Communist countries and international doubts about its nuclear development. They cannot just open the gates to the world and reform because of the instability of the regime and its economic failure. Because of the enduring characteristics of this regime, Washington and Seoul face serious policy dilemmas with North Korea.

By extracting a bilateral U.S.-DPRK Peace Agreement through its last card of nuclear development, North Korea intends to assure regime survival by solving the hostility with the United States as well as getting out of its international isolation. In order to do that, North Korea consistently maintained two principles. The one is that North Korea will negotiate only with the United States, excluding South Korea; the other is to concurrently solve the nuclear issue and a bilateral U.S.-North Korea Peace Agreement. It is apparent that North Korea's basic intention is to stubbornly adhere to these two principles in order to achieve the unification of Korea by force as stated at the Korean Worker's Party agreement.[18]

The North Korean intention to dismantle and weaken the UNC showed up immediately after the signing of the Armistice Agreement, but its most serious efforts began in the mid-1970s. After the South Vietnamese defeat by the Communists, North Korea was encouraged and tried hard to isolate South Korea by proposing a U.S.-DPRK Peace Treaty beginning on March 25, 1974. The United States rejected the offer and refused to contact the North directly until the early 1990s, when the nuclear issue came up. After failing to achieve direct dialogue with the United States, North Korea tried in 1975 to submit a UN resolution for the UNC dissolution. They argued that the UNC should be dissolved because it is a U.S. command "wearing a blue hat". South Korea naturally proposed a resolution claiming the legitimacy of the UNC. As a result of both Korea's actions, the General Assembly had a rare opportunity to pass resolutions for both keeping and dismantling the UNC.

On January 10, 1984, North Korea, while continuing to deny the legitimacy of the ROK, proposed tri-party talks among Pyongyang, Washington, and Seoul with the goal of crafting a political settlement based on the two pillars of a U.S.-DPRK peace treaty and a North-South

non-aggression pact. However, this proposal did not draw serious attention from the alliance.[19] After the Cold War and the warming relations between the Republic of Korea and China, North Korea also tried to find a way to engage South Korea directly and the two Koreas finally signed the "Agreement on Reconciliation, Non-aggression, and Exchanges and Cooperation between the South and the North."[20] They reaffirmed the 1972 Joint Communiqué's principles of unification and agreed to transform the Armistice into a firm and permanent peace and to keep to the Military Armistice Agreement until peace had been fixed. But within a short time, North Korea abruptly pulled back from executing these new agreements. North Korea preferred its nuclear card instead of a peaceful process to achieve direct negotiation with the United States, to eliminate South Korea in the process, and to damage the U.S.-ROK alliance. At the climax of the nuclear crisis, North Korea continued to try to replace the Armistice Agreement with a bilateral U.S.-DPRK Peace Agreement.

In the 1990s, North Korea openly concentrated on ending the Armistice Agreement system, including the MAC and NNSC. After refusal of MAC meetings in 1991, North Korea abruptly requested General Officer (GO) Talks between the United States and North Korea in March 1995. This suggestion divulged North Korea's intention to ignore the UNC. However, they could not avoid accepting a February 1998 amendment by the UNC and ROK Ministry of National Defense (MND) that the GO Talks are not between the United States and North Korea, but between the UNC and North Korea. GO Talks were held 15 times through 2003, and carried out the role of maintaining the Armistice Agreement and the function of managing crises in Korea.

Year	1995	1996	1997	1998	1999	2000	2001	2002	2003	Total
Go Talks	-	-	-	4	8	1	•	2	•	15
Others	47	47	30	47	15	20	11	35	13	265

TABLE 3. THE COMPARISON OF GO TALKS AND OTHER MEETINGS
(Source: UNC in Korea)

Even during the GO Talks, North Korea referred again to the uselessness of the UNC and in February 1992 they emphasized the need to solve the Military Demarcation Line problem in the Yellow Sea directly with only the United States alone after the Republic of Korea and North Korea navies engaged in a battle in that area.

There are more examples of their attempts to dissolve and weaken the UNC. North Korea routinely transferred the bodies of U.S. soldiers unearthed in North Korea at Panmunjom

through the UNC based on a supplementary agreement of the Armistice Agreement during the 1990s. But North Korea suddenly refused to hand over the U.S. bodies any more at Panmunjom after May 1998, by saying that it is none of the UNC's business. Instead, North Korea proposed a new process for transferring the bodies and arbitrarily ended the U.S.-DPRK collaboration on unearthing remains with the excuse that "new methods" were required. As another example, North Korea used to send an official letter about UNC dissolution to the UN every two or three years. It is North Korean propaganda that gets some support from the international community and propagates its position in the UN. But the UN Security Council did not review them until recently. All in all, the fundamental intention of North Korea to dismantle and weaken the UNC is closely related to its own military strategy to unify the Korean peninsula by force and it can be summarized as follows:

First, North Korea believes that direct contact with the United States is the best way to achieve its political and military goals. From this point of view, the UNC is an obstacle that must be cleared away.

Second, North Korea wants the Armistice Agreement to be invalid so as to be free from the dishonor and shame of the UN calling it an aggressor. If the UNC as one signatory were dismantled, the Armistice Agreement would become ineffective and possibly lead to a bilateral U.S.-DPRK Peace Agreement

Third, if the UNC were dismantled and a bilateral U.S.-DPRK Peace Agreement were established; the legal basis for USFK and the Combined Forces Command would disappear. It would then be easy to require the withdrawal of USFK and, in the absence of U.S. forces, to occupy South Korea by force. That is a final goal of North Korea.

THE ROLE CHANGE AND PROSPECT OF THE UNC IN THE FUTURE

The UNC is still effective to maintain the Armistice Agreement and its flag is waving at the UNC/CFC Headquarters, many other bases, and guard posts along the DMZ in Korea. The UNC was primarily activated to coordinate the military support of UN member countries during the Korean War.[21] But the UNC took a leading role in defending South Korea after ROK President Syng-man Rhee delegated command authority over all ROK forces to CINCUNC and because CINCUNC commanded all the UN members' forces in Korea. After the Armistice Agreement, the UNC continued to have command authority over all the forces in Korea and was in charge of developing Operation Plans (OPLAN) to defend Korea. But the operational control held by the CINCUNC, based on the "Agreement relating to Jurisdiction over Criminal Offenses Committed by the United States Forces in Korea between the Republic of Korea and the United

States of America", commonly referred to as the "Daejeon Agreement", was passed on to the CINCCFC after the CFC was established on November 7, 1978.[22] The UNC was then left with the responsibilities of maintaining the Armistice Agreement. The relationship between the two commands is supportive and cooperative.

Actually, the UNC has been challenged by the Communists many times since the signing of the Armistice Agreement. The Armistice was originally to be temporary, with political conferences to be held between two sides in order to replace the Armistice Agreement by a Peace Agreement or Reconciliation Agreement. These permanent agreements were never fulfilled and, as the armistice situation became protracted, the communists strongly objected to the lawful status of the UNC.

In the 1970s, as North Korea's allies made repeated attempts to have the UN dismantle the UNC, the United States and Republic of Korea stated clearly that there was no relation between the UNC and the Armistice Agreement. That means the UNC could be dismantled if a substitute system was available to maintain the Armistice. As North Korea sought a peace agreement through bilateral negotiations with the United States in the 1990s, the UNC problem was newly raised as an important issue. In order to force the United States to accept a peace agreement, North Korea formally withdrew from the MAC in 1994 and declared the NNSC defunct in 1991. In February 1996, North Korea recommended a so-called "U.S.-DPRK Temporary Agreement and Military Authority" and even declared to abandon its responsibility to maintain the DMZ. However, North Korea initiated GO Talks to replace the MAC meetings. It wanted a U.S.-DPRK forum, but after the UNC's insisting on a U.S./ROK-DPRK forum with equal voice for all participants, the GO Talks became the forum for continuing the UNC-North Korea interaction in place of the MAC. North Korea tried to use it as a means to replace the Armistice Agreement, but the UNC used it as a way to ratchet down tensions in times of crisis and to continue dialogue at a higher level.

The Republic of Korea government and armed forces firmly support the UNC and the Armistice Agreement for the following reasons:

First, both sides should maintain the current Armistice Agreement and the South-North Agreement in Principle until they are replaced by a peace agreement or other peaceful

Classification	Military Armistice Commission (MAC)		GO Talks
Year	1954 - 1991	1991-1994	1998-2004
Counterpart	MAC 1 KPA / CPV		MAC 1 KPA

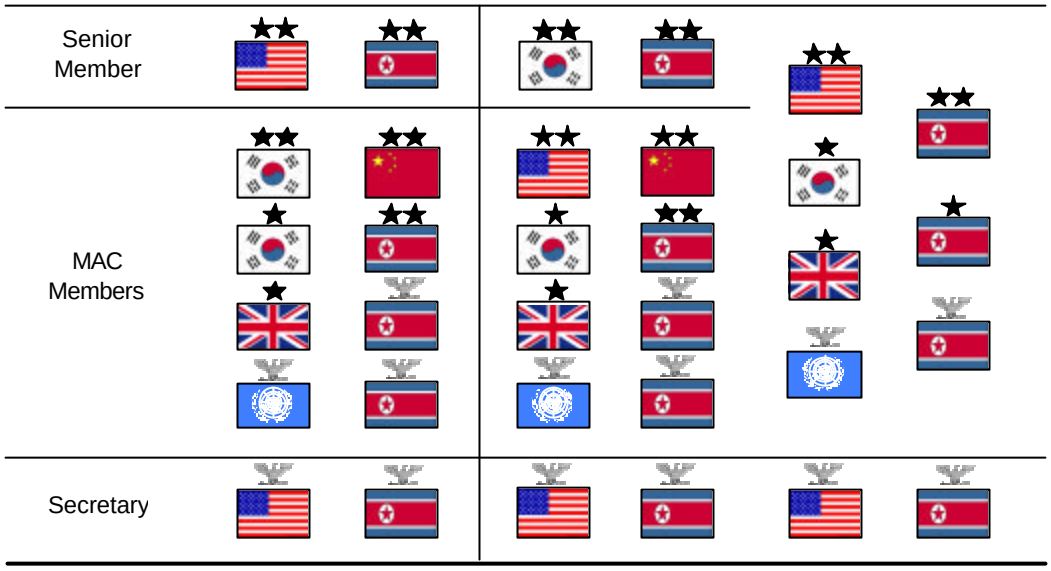

FIGURE 2. THE COMPARISON OF MAC MEETING AND GO TALKS
(Source : The UNC in Korea)

settlements on the Korean peninsula. Clause 62, Article V of the Armistice Agreement says that it shall remain in effect until expressly superseded either by mutually acceptable amendments and additions or by an appropriate agreement for a peaceful settlement at a political level between both sides. Article 5 on the South-North Agreement in Principle states that South and North will make every effort together to replace the current Armistice Agreement by a permanent peace settlement and must follow the current Armistice Agreement.

Second, the Republic of Korea government objects to the U.S.-DPRK bilateral peace agreement because any type of bilateral peace agreement in which the Republic of Korea is not one of parties concerned will be ineffective and meaningless. South Korea prefers a South-North directly concerned agreement supported by the United States, China and possibly including Japan and Russia.

Third, the UNC must be preserved until replaced by a peace agreement to deter war and to prevent an armed clash in the Korean peninsula because it is the only legal and systematic apparatus to do so. Therefore, North Korea should first dissolve the Cold War structure and accept the South-North Agreement in Principle if it wants to dismantle the UNC. Keeping the UNC and the Armistice Agreement is important for the ROK national interests, even though

there exists some pressure to maintain the UNC and transform USFK into UN peacekeepers in Korea.

The UNC system has been consistent with the national interests of the United States as well. For the national interests of the United States in North East Asia, it is very important to deter the North Korean threat, to promote North East Asian regional stability, and to prevent dangerous power vacuums from forming on the peninsula. Keeping the UNC has some benefits to the United States for the following reasons.

First, the UNC can continue to provide a framework for a multinational response to North Korean aggression, supervising the maintenance of the Armistice Agreement and assuring allied compliance with the Armistice. The UNC provide a basis to easily reestablish a UN combat force based on the Joint Policy Declaration pledge declared by the UNC member states.

Second, the UNC can legally use seven rear bases both on the main islands of Japan and on Okinawa for any contingency operation the UNC has to conduct in Korea. Through the Cold War, the U.S.-ROK alliance constituted an integral part of a larger security triangle in Northeast Asia with the U.S.-Japan alliance. U.S. ground forces in South Korea were as much an extended frontline of defense for Tokyo as for Seoul. The US Seventh Fleet and Marine units in Japan provided rear-guard support for the Republic of Korea.[23] However, access to the seven bases remains valid so long as there are UNC forces in Korea based on the "UN-Japan SOFA". In addition, Seoul and Tokyo conduct periodic exchanges of defense officials, have developed bilateral fora for discussion of security policies, and have engaged in some sharing of intelligence and technology.[24] It was very momentous that CDRCFC and his deputy, General Shin, who is a Korean 4 star general, visited the UNC (Rear) bases in Japan for the first time on January 31, 2004.[25]

Third, the UNC has the legal and systematic justification. The UNC symbolizes that North Korea was the aggressor, and it would be a serious mistake to relieve Pyongyang of this stigma. Furthermore, the UNC will be the ideal institution to build international support in case the North invades the South again.[26]

Last, the UNC with the Armistice Agreement can give the United States flexibility to deal with troublesome North Korea. The Armistice Agreement has served its original purpose of stopping armed clashes. Therefore, it would not be wise to scrap the agreement unless the level of threats and insecurity drastically decline on the peninsula. If the Armistice Agreement is discarded, dangerous consequences will follow. Although the agreement has not been a perfect instrument for peace, its absence may lead to higher levels of tension.

As we have reviewed, the UNC was and is even now a very important and effective tool for both the United States and the Republic of Korea, even though the UNC has been changed and slightly weakened. Therefore, the UNC should not be dismantled until North Korea fundamentally changes its military strategy, its forward-based offensive force structure, and its policy of developing Nuclear Weapons and WMD.

CONCLUSION

The UNC is UN-sponsored organization created during the war for the purpose of repelling the invading force and of restoring peace on the Korean peninsula. The primary purpose of the Armistice Agreement system is to deter war rather than to establish unification and permanent peace on the Korean peninsula. However, it was impossible for a political conference of both sides at a higher level to replace the Armistice Agreement with a peace agreement in order to establish a stable peace, because both sides were severely pitted against each other. On account of this, peace on the peninsula for the last 50 years has been made possible by the UNC and the Armistice Agreement as well as by the U.S.-ROK alliance, firmly rooted and prepared to deter any threats from North Korea. The role of the UNC was unique and important for the defense of the Republic of Korea and the free democratic world from Communism during the Korean War. Even though the role of the UNC has changed somewhat, it continues to be a very important entity because it is key to maintain the Armistice Agreement on the Korean peninsula now and for the following additional reasons.

First, the UNC could serve as an effective instrument of the U.S. policy of containment. The UN provided not only the legitimacy for the U.S. military action but also an opportunity to garner broader international support. Because of its legitimacy and international support, the United States and Republic of Korea must keep this role in the future.

Second, North Korea's real intention is the withdrawal of U.S. forces following a Peace Agreement between the United States and North Korea. North Korea believes that the UNC is an obstacle blocking progress in its reunification strategy. So, we should not assist North Korea in reaching its goal by dissolving the UNC. On the other hand, one of the important factors that cannot be overlooked in terms of deterrence is the North's view of the UNC and Armistice Agreement system. The point is that North Korea is in a position to sustain the system rather than to destroy it. North Korea has found the Armistice Agreement system beneficial in helping to keep its political regime free of the military pressure of South Korea.[27]

Third, the role of UNC (Rear) Headquarters in Japan is necessary for the effective support of South Korean defense. If all UNC forces are withdrawn from Korea or if the UNC is

disestablished, then the UN-Japan SOFA ends, the seven bases will no longer be UNC bases, and the non-U.S. (Australian, Canada, France, New Zealand, Philippine, Thai, United Kingdom) forces can no longer be based in or transit freely through Japan. Needless to say, the United States and Republic of Korea should keep this operational flexibility and benefits to support the Korean theater in the future.

Last, there is no legal and actual guarantee to maintain and supervise an armistice condition in the Korean peninsula if the United States dissolves the UNC by itself. The United States and Republic of Korea should adopt appropriate measures for another Armistice Agreement or a solid state of peace, because the UNC is one signatory of the Armistice Agreement and this is written into Clause 19, Article V.

For those reasons, the United States and Republic of Korea should keep the UNC and the Armistice Agreement system as it is now until a trustworthy and firm peace agreement or treaty, maximizing the benefits of the UN and disadvantages of North Korea and minimizing the vulnerabilities of the U.S.-ROK alliance. The UNC was a very fortunate product that came into being by the absence of the Soviet Union in the Security Council at a critical time. The UNC provides flexibility and profits the United States and Republic of Korea now and in the future. Therefore, the United States and Republic of Korea should maintain the role and function of the UNC, no matter how the command structure in the Korean peninsula is changed in the future.

As Sun Tsu has said, “it is best to defeat the foe without a battle. Generally in war the best policy is to take a state intact”.[28] The primary merit of military potential is the power of deterrence and negotiation. Even though North Korea has strong combat power, destructive WMD and is developing Nuclear Weapons, the United States and Republic of Korea can finally defeat North Korea without a battle with strong alliance between two countries and keeping the UNC, which means the world support from the UN.

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ENDNOTES

[1] Richard Halloran, "Troops to shift from S. Korea," *Washington Times*; available from <http://ebird.afis.osd.mil/ebfiles/e20031124aaindex.html>; Internet; accessed 24 February 2003.

[2] United Nations Information Service, *General Assembly Resolution 195(III): Yearbook of the United Nations* (1948-49). (New York: United Nations Information Service, 1950), 290.

[3] Donald W. Boose, Jr., "The United Nations Command in the Korean War: A Largely Nominal Connection," *unpublished paper presented at the 2000 Conference of Army Historians*, 6 June 2000, 2. "This was consistent with Administration thinking on the use of the international body to deal with such crises. US Secretary of State, Acheson himself had stated on January 12, 1950, in a speech before the American Press Club, that in the event of attack on countries outside the U.S. defense perimeter (which, he said, ran from Alaska, through Japan and the Ryukyu Islands, to the Philippines), the initial reliance must be on the people attacked to resist it and then upon the commitments of the entire civilized world under the Charter of the UN which has so far not proved a weak reed to lean on by any people who are determined to protect their independence against outside aggression."

[4] UN Security Council, "Resolution 82(1950), 83(1950), 84(1950)" available from <http://ods-dds-ny.un.org/doc/RESOLUTION/GEN/NRO/064/95/IMG/NR006495.pdf?OpenElement>; Internet; accessed 15 January 2004.

A. Security Council Resolution# 82 (UN S/1501)
Nothing with grave concern the armed attack upon the Republic of Korea by forces from North Korea, Determines that this action constitutes a breach of the peace, … calls for the immediate cessation of hostilities and calls upon the authorities of North Korea to withdraw forthwith their armed forces to the 38th parallel.
B. Security Council Resolution# 83 (UN S/1508)
Having noted the appeal from the Republic of Korea to the United Nations for immediate and effective steps to secure peace and security, recommends that the Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area.
C. Security Council Resolution# 84 (UN S/1588)
… Recommends that all members providing military forces and assistance pursuant to the aforesaid Security Council Resolutions make such forces and other assistance available to a unified command under the United States … Requests the United States to designate the commander of such forces and Authorizes the unified comm. and at its discretion to use the United Nations flag in the course of operations against North Korean forces concurrently with the flags of various nations participating.

[5] Boose, Jr., 16.

[6] United Nations Information Service, 1950, 224.

[7] U.S. Department of State, *United States Participation in the United Nations: 1951.* (Washington, D.C.: Publications 4583, 1952), 273.

[8] Allard C. Kenneth, Command*, Control, and the common Defense,* (Conn.: New Haven, 1990), 29.

[9] Ibid., 34-35.

[10] ROK MND Policy Planning Department, *ROK-US Alliance and USFK* (Seoul: ROK MND Policy Planning Department, May 2002), 29-30.

[11] Ibid., 33.

[12] ROK MND Arms Control Department, "United Nations Command (Rear),"; available from <http://www.mnd.go.kr>; Internet; accessed 12 January 2004.

[13] Kyu-Dok Hong, "The Continuing role of the UN in the future of Korea Security," *Recalibrating the U.S.-Republic of Korea Alliance*, (Carlisle Barracks: Strategic Studies Institute, May 2003), 75.

[14] Se-Jong Institute and Asia Foundation, *From Armistice to Peace: Some Observation*. (Seoul: Se-Jong Institute and Asia foundation, September 2000), 2.

[15] United Nations Command, "Guardians of the Armistice," *Military Armistice Commission Briefing* (Seoul: UNCMAC Briefing Data, 2004).

[16] Kyu-dok Hong, 76.

[17] Stephen Bradner, "North Korea Strategy," in *Planning for a peaceful Korea,* ed. Henry D. Sokolski (Carlisle Barracks: Strategic Studies Institute, February 2001), 24.

[18] ROK MND Arms Control Bureau, "South-North Military Issues: Armistice system,"; available from <http://www.mnd.go.kr>; Internet; accessed 12 January 2004.

[19] Kyu-Dok Hong, 77.

[20] ROK MND. "Appendix 10. Agreement on Reconciliation, Nonaggression and Exchanges and Cooperation between the South and the North: to enter into force as of February 19, 1992," *Defense White Paper*. (Seoul: ROK MND, 2000), 291-293.Joo-Seok Seo, The Armistice Agreement in Korea and the United Nations Command, Korea Institute for Defense Analyses 1999. 2.

[21] Joo-Seok Seo, The Armistice Agreement in Korea and the United Nations Command, Korea Institute for Defense Analyses 1999. 2.

[22] ROK MND Policy Planning Department, 51.

[23] Victor D. Cha, "America's Alliances in Asia: The coming identity Crisis with the Republic of Korea," in *Recalibrating the US-Republic Of Korea Alliance*, ed. Donald W. Boose, Jr. Balbina Hwang, Patrick Morgan and Andrew Scobell. (Carlisle Barracks: Strategic Studies Institute, May 2003), 19.

[24] Victor D. Cha, "America's Alliances in Asia: The coming identity Crisis with the Republic of Korea," in *Recalibrating the US-Republic Of Korea Alliance*, ed. Donald W. Boose, Jr. Balbina Hwang, Patrick Morgan and Andrew Scobell. (Carlisle Barracks: Strategic Studies Institute, May 2003), 19.

[25] Man-Sik Gong, "Current News," ROK MND 31 January 2004, available from <http://www.mnd.go.kr>; Internet; accessed 2 January 2004.

[26] Kyu-Dok Hong. p.85.

[27] Gi-Taek Lee, "Unification of the Korean Peninsula and International Politics," (Seoul: Sam-Young Co, 1991), 77.

[28] Samuel B. Griffith, "Sun Tzu, The Art of War," (Oxford University Press, 1971), 77.

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