



Reviving the Korean Armistice: Building Future Peace on Historical Precedents

by Balbina Y. Hwang

An axiom of U.S. global strategy is that continued stability and economic prosperity in East Asia are core national interests. While the spectacular rise of China may be the most profound development in the region, uncertainties regarding the future of North Korea and the Korean Peninsula remain perhaps the most immediate and greatest challenge to U.S. interests and future policies. Potential instability in North Korea (DPRK; Democratic People's Republic of Korea) fueled by its crumbling economy and a system under stress as it undergoes a leadership succession has raised the level of uncertainty to new heights, even as tensions remain unresolved over the DPRK's contested nuclear programs.

In 2010, two serious North Korean military provocations against South Korea—attacks on the *Cheonan* in March and on Yeonpyeong Island in November—not only raised inter-Korean tensions to dangerous levels but were reminders that although the Cold War is now a historic relic in the rest of the world, on the Korean Peninsula it remains frozen in place nearly 60 years after full-scale military conflict ceased. The two incidents underscore the reality that the DPRK's conventional military continues to pose a direct threat to South Korea (ROK; Republic of Korea) and the region, perhaps even more immediate than the North's potentially mighty nuclear and missile arsenal that has been the focus of global attention for the last two decades.

The prioritization of reining in North Korea's nuclear ambitions and missile proliferation has in many ways eclipsed the enduring need for a permanent peace arrangement that would fundamentally resolve the inherent conflict between the two Koreas. Without such a peace treaty, the armistice signed on 27 July 1953 remains an imperfect arrangement that nevertheless has been remarkably successful albeit in a limited fashion in restraining both sides from reengaging in full-scale military conflict. It has not, however, been

able to prevent isolated military clashes. The very fact that the *Cheonan* and Yeonpyeong Island incidents were not addressed immediately and primarily as armistice violations indicates the extent to which the cease-fire agreement is largely considered a remnant of history rather than an effective institutional basis for imposing peace and preventing conflict.

Over the decades, a number of schemes to establish peace on the peninsula have been pursued and have taken a variety of forms, including isolated spurts of inter-Korean agreements (1974 and 1991); the four-party talks in the 1990s; and the six-party talks in the 2000s. Although this last—and ongoing—effort has focused primarily on denuclearization talks, it was pursued in tandem with a vague South Korean initiative for a “peace regime,” along with an even more ambiguous attempt to establish a regional “Northeast Asian peace and security mechanism.”

Each attempt toward a permanent resolution to the Korean conflict has varied in scope, content, and participation, but all shared grandiose ambitions that largely overlooked the existing role and functions of the armistice and the United Nations Command (UNC), which is the overseeing institution—through the UNC's Military Armistice Commission—responsible for its maintenance. The armistice has readily been overlooked in part because the end of the global Cold War structure in the early 1990s produced a paradigm shift in regional calculations about the potential for a resumption of conflict on the Korean Peninsula. With the demise of the Soviet Union and a fundamental shift in China's (PRC; People's Republic of China) foreign and domestic policies, the inevitability of North Korea's decline was cemented by the two former communist patrons' dramatic decline of economic support for the DPRK.

As such, since the mid-1990s, a common assumption of most analyses pertaining to future stability on the peninsula has been the understanding that North Korea no longer poses a credible

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conventional military threat to the continued existence of South Korea in that any such attack, although widely destructive in the immediate term, would ultimately prove futile for the North. Instead, calculations of the North Korean threat have focused primarily on that regime's weaknesses that are considered drivers of destabilizing behavior: the pursuit of unconventional weapons of mass destruction—including nuclear weapons and missiles—and illicit accumulation of wealth.

Indeed, despite the fact that a number of isolated conventional military incidents occurred since the mid-1990s—for example, a 1996 North Korean minisubmarine incursion into the South and naval battles between North and South in 1999 and 2002—threat assessments of North Korea remained firmly embedded within a post-Cold War analytical framework and largely dismissed the credibility of conventional military attacks. Such approaches were further entrenched in the post-9/11 environment that heightened prioritization on terrorist and related transnational threats.

The two North Korean provocations in 2010 have served, however, as a clarion call for a reassessment for potential conflict or destabilizing actions on the Korean Peninsula. Whether the threats from North Korea are explicit or implicit—as in the case of a sudden collapse of the regime—the armistice plays a crucial, albeit limited, legal, institutional, and political role in arbitrating conflict between the two Koreas. For the United States, any future role of the armistice should be especially crucial as it serves as the lead nation of the UNC.

Yet, despite the critical function of the armistice, very little political attention has been paid to the agreement, with few bureaucrats, policymakers, and Korea experts sufficiently knowledgeable about its details. Surprisingly, the political leaderships and their supporting bureaucracies in all the relevant countries with vested interest in a permanent peace arrangement—the United States, the ROK, China, Russia, and Japan—seem to lack any broad or specific comprehension of the armistice. Perhaps even more remarkable is the lack of academic interest or focus on the subject of the armistice as the basis for permanent peace on the peninsula, despite the popularity of analyzing and prophesying future peace arrangements. And all relevant parties seem to have dismissed any potential role of the United Nations—even in the UN itself—despite its essential capacity as institutional overseer of the armistice for the last 60 years.

A uniform understanding within governments, between allies, and even among relevant adversaries is a crucial missing link in any serious discussion about deescalating tensions on the peninsula and preventing future conflict. Moreover, such a thorough examination of existing roles, functions, and future expectations and limitations may reveal heretofore unconsidered avenues toward a permanent workable solution. Thus a thorough reexamination of the armistice arrangement is critical not just to address near-term conflicts but to establish a future road map for an enduring peace in

the long term. If the United States is truly invested in promoting and ensuring stability and economic prosperity in East Asia over the long term, then it must work now toward devising a practical and permanent solution to the stalemate that exists on the Korean Peninsula.

Prelude to Conflict and Cease-Fire

Despite the fact that the Korean armistice has been remarkably successful in preventing the resumption of full-scale military conflict between the two Koreas for nearly 60 years, it has largely been dismissed as a potentially useful basis for developing a permanent peace arrangement and more often than not considered an impediment to be overcome. This is due in large part to the fact that it has been generally considered an unsatisfactory document by all related parties. Indeed, while the negotiations that preceded its signing on 27 July 1953 were painfully protracted for two years, the agreement itself was signed in haste by the war-weary parties more intent on ceasing conflict in the short term than concerned about its long-term consequences.

In many ways, the haphazard political nature with which the armistice negotiations were approached, with little consideration of the larger geopolitical and strategic implications for the region, was symptomatic of the historical involvement of the United States on the Korean Peninsula. Korea has more often than not been an afterthought of U.S. interests in Asia, with U.S. attention focused on larger and more “important” powers such as China, Japan, and the Philippines. Although the United States signed a treaty of amity and commerce with Korea's ruling Chosun Dynasty in May 1882, the high degree of suspicion Koreans held for foreigners and their reluctance to engage in foreign exchanges led the United States to refocus its attention on the far more promising opening of Japan to Western influence.

By the turn of the 20th century, the Korean Peninsula, which has always been valued more for its strategic rather than intrinsic value, was once again the focal point of neighboring powers vying for regional power and began to be carved up by the Russians and Japanese, who proposed that the two countries split spheres of influence with the dividing line at the 38th parallel, a line that would echo with profound significance several decades later. But with the Chinese empire crumbling and an emboldened Japan rising, the upstart Japanese empire managed a surprising defeat of Russia in 1904—the first-ever Asian defeat of a great Western power—and Korea's domination by foreign powers became entrenched.

The ensuing peace agreement ending the Russo-Japanese War in 1905 was brokered by the United States and marked the first of several critical, ignominious roles that it would play in shaping Korea's future destiny. Secretary of War William Howard Taft,¹ who would later be elected president of the United States, approved Japan's domination of Korea in a secret agreement with his Japanese counterpart—the infamous Taft-Katsura Agreement—in return for assurances that Japan would not challenge U.S. colonial domination of the Philippines. Japan's

control of the Korean Peninsula became codified in the Treaty of Portsmouth, for which Theodore Roosevelt would be awarded the Nobel Peace Prize as peacemaker. With no opposition from any regional power, Japan occupied Korea and formally annexed it outright in 1910, imposing harsh colonial rule until Japan's defeat in World War II.

U.S. officials, while profoundly influential, unfortunately were utterly devoid of any intrinsic interest in or knowledge about Korea. The peninsula's ancillary value to U.S. global strategy was evident once again in the waning days of World War II, when in the Cairo Declaration (1943) the United States, Great Britain, and China declared that "in due course, Korea shall become free and independent"; and at the subsequent Yalta Conference (1945), President Franklin Roosevelt proposed a U.S.-Soviet-Chinese trusteeship over Korea. Beyond these few words, there was no agreement among the wartime allies and no practical planning in Washington about the postwar future of the peninsula. It was even reported in 1945 that the then secretary of state, Edward Stettinius, asked a subordinate in a State Department meeting to please tell him where Korea was.²

Only in the last weeks of the war, when the Soviet Union finally declared war on Japan and sent its troops into Manchuria and northern Korea, did the United States suddenly give consideration to any postwar policy on the peninsula. Washington did not realize that Korea might have profound implications for the future of Japan and East Asia until confronted with a Soviet occupation of the northern half of the peninsula.

Thus, on 10 August 1945, two young U.S. officers with little preparation for the task were assigned to carve out a U.S. occupation zone in Korea, lest the Soviets occupy the entire peninsula and move quickly toward Japan.³ Using a hastily procured *National Geographic* map for reference, they proposed that U.S. troops occupy the area south of the 38th parallel, which was approximately halfway up the peninsula and north of the capital city of Seoul, and that Soviet troops occupy the area north of the parallel. No Korean experts were involved in the decision. Rusk later confessed that neither he nor any of the others involved were aware that at the turn of the century the Russians and Japanese had discussed dividing Korea into spheres of influence at the 38th parallel, a historical fact that might have suggested to Moscow that Washington had finally recognized this old claim.⁴

The line was hastily incorporated into General Order Number One for the occupation of Japanese-held territory. Thus, Korea came to be divided into two "temporary" zones of occupation that, as the Cold War deepened, became the front line between two antagonistic Korean regimes based on diametrically opposed principles and sponsors. Although the United Nations under its Temporary Commission on Korea was to oversee elections and the establishment of an independent government for the former Japanese colony, the two opposing systems had become entrenched on the two halves

of the peninsula. Unable to overcome fundamental differences, the U.S.-supported ROK was declared on 15 August 1948, while the Soviet-backed DPRK in the north was proclaimed soon thereafter, on 9 September 1948.

Late in 1948, the Soviet Union withdrew its forces, turning North Korea over to the regime it had helped to create. The following June, U.S. troops followed suit in South Korea. Within months, civil war had broken out in clashes along the 38th parallel, with each side building its forces with the purpose of gaining military supremacy over the other. But with the United States essentially declaring that Korea was excluded from the perimeter of U.S. strategic interests in Asia—famously stated by Secretary of State Dean Acheson in January 1950⁵—North Korea was emboldened and, with tacit Soviet and Chinese approval in hand, invaded the South on 25 June 1950. Washington quickly realized its error of omission in not paying attention to Korea, and the invasion was contested and ultimately repulsed by U.S. and South Korean forces along with 16 other nations under the flag of the United Nations.⁶ The Chinese intervened on a grand scale on the other side to save North Korea from defeat.

Internationally, the bloody three-year Korean War was a significant turning point in the post-World War II global environment. It led the United States to shift decisively from postwar disarmament to rearmament to stop Soviet expansionism, tripling U.S. military outlays and doubling U.S. troop presence in Europe to bolster the newly formed North Atlantic Treaty Organization. The Korean War also cemented the alliance between the Soviet Union and China for more than a decade and made the United States and China bitter enemies for more than two decades. The battle for Korea firmly established the Cold War and brought the Korean Peninsula to the center of global attention. The Korean conflict was also considered the prototype of a limited war in that none of the large powers used the nuclear weapons available to them, and the United States refrained from directly attacking Soviet or Chinese territory.⁷

The Korean conflict also presented new challenges for a young and untested global order under the rubric of the United Nations. While ostensibly a civil war initially between the two Koreas, the conflict eventually became an international one involving the armed forces or support from some 53 countries, with the armed forces of one side fighting under the flag of the United Nations for the first time ever. Immediately after North Korean forces invaded South Korea on 25 June 1950, the UN Security Council (UNSC) adopted Resolution 82 calling on the DPRK to cease hostilities and withdraw to the 38th parallel. Then on 27 June, the UNSC adopted Resolution 83, recommending that members of the UN provide assistance to the ROK "to repel the armed attack and to restore international peace and security to the area." Resolution 84, subsequently adopted on 7 July, recommended that members providing military forces and other assistance to South Korea "make such forces and other assistance available to the unified command under the United States of America," establishing the UNC as the unified command structure for the multinational military forces supporting the ROK during and after the Korean War.

Another unusual aspect of the conflict was that one of the belligerents, China, joined the conflict on the side of the communists, not with official armed forces of the PRC but only as “volunteers” under the rubric of Chinese People’s Volunteers (CPV). These atypical conditions of war had implications for the armistice agreement and continue to have profound reverberations today and on future considerations for a permanent peace arrangement on the Korean Peninsula.

The Armistice

When the fighting finally stopped in July 1953, the dividing line was an irregular one, slanting across the 38th parallel, very close to where it had been at the beginning of conflict. Although little geographic progress could be claimed by either side, the negotiations leading up to the signing of the armistice agreement on 27 July 1953 are considered one of the most protracted international negotiations ever conducted.⁸ Efforts to end the conflict began only a year after the conflict erupted, with the first negotiations held on 10 July 1951. But it would take another two years and 17 days and 565 meetings—comprising 159 plenary sessions, 179 subdelegate meetings, and 227 liaison officer meetings—to reach acceptable terms for a cease-fire.

The most intractable issue throughout the negotiations was not the border separating the warring parties but whether repatriation of prisoners of war (POWs) would be voluntary or forced.⁹ The two sides could not agree on a system of repatriation because many North Korean soldiers of the Korean People’s Army (KPA) and Chinese of the CPV refused to be repatriated back to the North, an unacceptable condition for the communists. Eventually, wide-scale prisoner exchanges took place in two phases: the “little switch” in April and May 1953, and the “big switch” in August and September 1953.¹⁰ To implement the exchange of POWs, the Neutral Nations Repatriation Commission was created to oversee repatriation and was subsequently dissolved after its mission was completed.

The armistice, comprising five articles and a total of 63 paragraphs, established the parameters of the cease-fire, which consisted of a military demarcation line and a four-kilometer-wide demilitarized buffer zone (the DMZ) that ironically remains today as one of the most heavily fortified borders in the world.¹¹ The agreement also created the framework for overseeing the long-term cessation of hostilities, including the establishment of two other commissions: the Neutral Nations Supervisory Commission (NNSC) to monitor the prohibition of foreign reinforcements and armaments into the DMZ, and the Military Armistice Commission (MAC) to supervise and maintain the armistice.¹²

The original mission of the NNSC was to inspect and ensure armistice compliance at locations in and outside of the DMZ, and to report its findings to the MAC for enforcement. In 1953, military delegations from four nations composed the

NNSC: Sweden and Switzerland nominated by the UNC, and Czechoslovakia and Poland appointed by the communists.¹³ But in April 1991, the DPRK declared the NNSC defunct, ostensibly because its nominated countries were no longer communist nations with the dissolution of the Soviet Union and Eastern bloc. When Czechoslovakia formally split into two in 1993, North Korea refused to accept the Czech Republic as the replacement and forced the withdrawal of that delegation. And in February 1995, North Korea unilaterally ejected the Polish delegation and has boycotted NNSC events. Today, only the Swedish and Swiss delegations remain at the DMZ and perform NNSC duties on a full-time basis, although the Polish delegation that never officially accepted its dismissal continues to occasionally return to Panmunjom to participate in NNSC activities. The NNSC’s role has thus unfortunately been reduced to a nominal albeit symbolically important one: to demonstrate that a neutral presence at the inner Korean border remains to enforce the cease-fire.

The MAC, established by the armistice with the general mission of supervising its implementation, remains an important mechanism of armistice maintenance, but its role and influence have also unfortunately been eroded over the decades. Since its creation, the MAC has held regular meetings of secretaries and joint duty officers as well as general meetings between the two sides to ensure observation of the armistice. Between 1953 and 1991, the MAC met 459 times, with thousands of meetings occurring at the secretary (colonel) and staff officer levels.¹⁴ The general meetings were suspended, however, after a DPRK-initiated boycott spurred by the 25 March 1991 appointment of an ROK Army general as the chief representative to the MAC, a position that previously had been always held by a senior U.S. military representative.¹⁵ This was likely part of the DPRK’s larger strategy at the time to pursue a separate bilateral peace treaty with the United States while attempting to marginalize the ROK. As such, the KPA refused to accept the credentials of Major General Hwang of the ROK and boycotted all future MAC meetings.¹⁶

Nevertheless, despite the steady erosion of the mechanisms established to enforce the terms of the armistice, a remarkable status quo has been maintained along the DMZ. Apart from a number of serious but isolated incidents over the decades, the existence of the buffer zone itself has not been seriously challenged although fears remain on both sides that war might be resumed at any moment with only the tenuous armistice agreement remaining in force between the two sides.¹⁷ This is in large part because the armistice was never intended to be a permanent peace settlement but a temporary cease-fire and as such has left a troubling legacy of unresolved disputes, despite succeeding in its principal purpose of preventing the outbreak of full-scale military conflict.

One of the most contentious and troublesome disputes has involved maritime borders. The armistice specified that the five adjacent offshore islands in the Yellow Sea near the land demarcation dividing the two Koreas would remain under the UNC and, thus, under de facto South Korean control. However, the armistice does not specify a maritime demarcation line, primar-

ily because the UNC wanted to base it on 3 nautical miles (5.6 kilometers) of territorial waters, while North Korea has insisted on 12 nautical miles (22 kilometers).¹⁸ Because of the impasse, this issue was deferred to a later time, which to date has never occurred. Instead, a de facto northern limit line (NLL) was established by the UNC. Meanwhile, due to the lack of a formal agreement, disputes involving access to maritime areas rich in marine resources have led to a number of limited and sometimes deadly incidents between the two Koreas over the years. The absence of a maritime demarcation line remains a potentially dangerous flashpoint for future conflict.¹⁹

Another significant deficiency in the existing armistice agreement with profound implications is ambiguity surrounding the legal representation of the parties involved. The ROK was not an official signatory, as South Korean president Syngman Rhee had refused at the time to officially endorse the agreement because of his objections over maintenance of the division of Korea at the 38th parallel. Nevertheless, it is widely accepted that the ROK is a party to the agreement, as the U.S. representative, Lt. Gen. William Harrison, signed in his capacity as representative of the United Nations Command Delegation and *not* that of the United States.

But another widely accepted fact reveals the lack of detailed study of the armistice, and such a cursory understanding of the agreement has led to crucial assumptions, such as the nearly universal acceptance that China and the United States must be signatories to any future peace agreement because of their inclusion in the armistice. For example, the DPRK's stalwart position since the Korean War has been that, because the United States was a signatory and the ROK was not, Pyongyang should forge a bilateral agreement with Washington for a peace treaty rather than with Seoul. Some have even made the astonishing claim that the ROK should not be a party to a future peace treaty.

Yet a careful analysis of the armistice agreement reveals that the *legal* requirement for U.S. or PRC participation may not match its *political* necessity: Nam Il, the DPRK representative, signed the armistice on behalf of the KPA and the CPV.²⁰ This agreement was then further endorsed by Kim Il-sung (marshal, DPRK, and supreme commander, KPA), Peng Teh-huai (commander, CPV) and Mark W. Clark (general, U.S. Army and commander in chief, UNC). Thus, it is far from clear whether the PRC is officially or even legally bound by the agreement although its political stakes are clear given its significant role in the Korean conflict.

In fact, the Korean armistice is a uniquely exceptional agreement in that it is a purely a military document since technically no nation is a signatory to the agreement, only the representatives of armed forces. And although the approximately 20-page document contains great detail on narrow issues related to military hostilities, it is almost entirely devoid of political arrangements. Indeed, the agreement recommends further political negotiation:

Article IV: Recommendations to the Governments Concerned on Both Sides

60: In order to ensure the peaceful settlement of the Korean question, the military Commanders of both sides hereby recommend to the governments of the countries concerned on both sides that, within three (3) months after the Armistice Agreement is signed and becomes effective, a political conference of a higher level of both sides be held by representatives appointed respectively to settle through negotiation the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, etc.

Without question the future status of the armistice has tremendous political implications for any future peace arrangement that is meant to replace the agreement itself. Moreover, should any such permanent agreement ever be achieved and implemented, other legal ramifications beyond the peninsula exist. For example, the lease agreements between the United States and Japan for seven U.S. bases in Japan are based on the continued existence of the UNC.²¹ But because the legal rationale for continued existence of the bases presupposes U.S. military efforts to repel armed conflict in Korea, should a permanent peace settlement be reached, the implications for the UNC would be immediate and, by direct consequence, so would the legal status of the seven U.S. bases in Japan. Ostensibly, this would require that the United States reach a new negotiated agreement with Japan in order to maintain the bases, which only further complicates the already highly sensitive political issue of relocating several bases on Okinawa.

There has been little bureaucratic or political appetite on the part of the United States or the ROK to revisit the armistice or the structure of the UNC in any substantial way, but adjustments made in the U.S.-ROK alliance structure over the years have had significant consequences for the future of the UNC and must be addressed. In the early days of the Korean War, Seoul had placed its disorganized and beleaguered armed forces under the command of General Douglas MacArthur as the commander of UN forces. This arrangement continued after the armistice and for some 25 years. The UNC, which had no ROK military representatives, was responsible for the defense of South Korea with operational control over a majority of the units in the South Korean military. The UNC was the primary peacetime planning organization for an allied response to a North Korean invasion of South Korea and the principal wartime command organization for all South Korean and U.S. forces involved in defending the ROK.

In 1978, a binational ROK-U.S. Combined Forces Command (CFC) was created, and the South Korean military units with frontline missions were transferred from the UNC to the CFC's operational control. The commander in chief of the CFC, a U.S. military officer, answered ultimately to the national command authorities of the United States and the ROK. Under the law, the United States Forces Korea commander is dual-hatted as commander of the joint ROK-U.S. CFC. The deputy commander

is a four-star general from the ROK Army, who is also dual-hatted as the ground forces component commander.²²

In 2006, the United States and the ROK reached a bilateral agreement to transfer wartime operational control of military forces from U.S. to South Korean command—commonly referred to as “OPCON transfer”—which will abolish the U.S.-ROK CFC and create separate U.S. and South Korean military commands. The agreement, which initially called for this transfer to take place by April 2012, has been postponed until December 2015, with political pressure on both sides to renegotiate if not defer these plans indefinitely.²³ Regardless of the date of implementation, restructuring of the CFC cannot be implemented without full consideration of implications for the future role of the UNC.

Another troubling area of ambiguity involves future visions on the peninsula. Scenarios for future unification, including controversial contingency plans that assume the demise of the North Korean regime, have largely ignored the existing framework of the armistice. Although presumably a peaceful unification process involving the consent of the two Koreas and a formal political agreement between them would render the armistice null and void, it is far less clear what the status of the agreement would be if the unification process is not peaceful. Arguably, any crossing of the DMZ by armed forces—whether ROK or U.S.—in the event of chaos or other calamitous collapse of the DPRK would technically be a grave violation of the armistice. Although such an action would ostensibly become moot *ex post facto* assuming the dissolution of the DPRK, the full implications of such actions are critical to consider in any contingency planning.

A Future Permanent Peace

The ambiguities of the armistice agreement, while raising challenging issues for forging a permanent peace, also afford intriguing opportunities for the United States and the ROK in shaping future policies on the Korean Peninsula. Although it is unfortunate that enforcement and maintenance of the armistice have been allowed to languish over the decades, it is not too late to initiate a thorough review and examination of historical and current practices and initiate new practices to strengthen the existing agreement. Eliciting Pyongyang’s cooperation will always present obstacles, but ultimately it is in North Korea’s interests to ensure that the armistice is not abrogated; after all, it has served as effective a deterrent in keeping ROK and U.S. military forces south of the DMZ as it has in keeping large-scale DPRK forces from crossing into the South.

Events in 2010 leading to the worsening of inter-Korean relations have once again brought to the fore tensions on the peninsula that highlight the reality that disagreements stemming from the Korean War remain unresolved and can lead to a dangerous spiral of conflict. As such, the United States in partnership with the ROK and other parties relevant to the UNC should actively engage the DPRK within the

parameters of the armistice to discourage any future recurrence of the deadly provocations that occurred in 2010. Only by reinvigorating and revitalizing the functions of the armistice can it serve as an effective institutional basis for a permanent peace arrangement while ensuring the prevention of further conflict in the interim. This will require a serious reassessment of the armistice and its functions and roles within the relevant bureaucracies of both the U.S. and ROK governments. Otherwise, if the armistice is allowed to continue to stagnate, the cease-fire that has served both Koreas as well as all regional neighbors for the last 60 years may prove incapable of preventing a resumption of the Korean War.

Korea’s modern history and the U.S. role in it is in many ways a tragedy of missed opportunities, overlooked priorities, and ultimately one of reaction rather than proactive engagement. For more than six decades, while the region has braced for the possibility of a resurgence of conflict on the peninsula and, more recently, for the collapse of North Korea, none of the parties has adequately prepared for either scenario in a methodical, comprehensive, and thorough manner. The worst possible outcome is for Washington to find itself once again in crisis management mode and reacting in a hasty, ill-prepared manner to rapidly developing events in Korea.

The last time the United States found itself unprepared and reluctantly entrenched on the Korean Peninsula, it suffered tremendous losses but also set into motion a standoff with the communist world that solidified the Cold War. The stakes are all the more great for the United States today given China’s crucial role in the Korean conflict and the region and the unfathomable cost of reengaging in direct military conflict between the two powers. As the strategic nexus of regional great-power interests, the Korean Peninsula is the key to future stability in the region, and forging a permanent peace there is one of the most important keys to achieving core U.S. strategic interests.

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Endnotes

1. Secretary of War is equivalent to today's Secretary of Defense in the U.S. government.
2. Don Oberdorfer, *The Two Koreas: A Contemporary History* (Reading, Mass.: Addison-Wesley, 1997), 4–5.
3. The two officers were Lieutenant Colonel Dean Rusk, who would later become secretary of state under President John F. Kennedy and President Lyndon B. Johnson, and Charles Bonesteel, later U.S. military commander in Korea.
4. Rusk would later write in his memoir: “Had we known that, we almost surely would have chosen another line of demarcation.” See Dean Rusk, *As I Saw It*, ed. Daniel S. Papp (New York: W. W. Norton, 1990), 124.
5. Dean Acheson (speech at National Press Club, Washington, D.C., 12 January 1950).
6. Fifty-three nations provided support to the UN Command; of these, 16 nations sent combat forces (United States, United Kingdom, France, New Zealand, Canada, Australia, Philippines, Thailand, Colombia, Netherlands, Belgium, Greece, Turkey, Luxembourg, Ethiopia, South Africa); and 5 nations sent medical forces (Norway, Sweden, Italy, India, Denmark).
7. Oberdorfer, *The Two Koreas*, 7–10.
8. The full title of the armistice is “Agreement between the Commander-in-Chief, United Nations Command, on the One Hand, and the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, on the Other Hand, Concerning a Military Armistice in Korea.” The full text of the armistice can be found at <http://news.findlaw.com/hdocs/docs/korea/kwarmagr072753.html>.
9. For a comprehensive and detailed study of the armistice negotiations, see Rosemary Foot, *A Substitute for Victory: The Politics of Peacemaking at the Korean Armistice Talks* (Ithaca, N.Y.: Cornell University Press, 1990); and Herbert Goldhamer, *The 1951 Korean Armistice Conference: A Personal Memoir* (Santa Monica, Calif.: RAND, 1994).
10. Between April 20 and May 4, the communists handed over 684 sick and wounded prisoners in exchange for 6,670 from the UNC. Between August 5 and September 6, the communists handed over 12,773 prisoners in exchange for 75,801 prisoners from the UNC. This left about 23,000 nonrepatriates to be moved to the neutral zone to await their decision on choice of asylum. See Foot, *A Substitute for Victory*, chap. 8.
11. See Article 1, paragraph 1, and Article 2, paragraph 13, respectively, of the Korean War armistice agreement, signed at Panmunjom, Korea, 27 July 1953.
12. See Article 2, paragraphs 36 and 41, and Article 2, paragraph 19, respectively, of the Korean War armistice agreement.
13. According to Article 2, paragraph 36, of the armistice, the NNSC shall be composed of four senior officers: two appointed by neutral nations nominated the UNC, and two appointed by the KPA and CPV. The term “neutral nations” was defined as those nations whose combat forces did not participate in the hostilities in Korea.
14. United National Command Public Affairs Office, “Backgrounder No. 7: The Armistice and the Military Armistice Commission,” January 2000.
15. The MAC was originally formed as a joint military organization, without a chairman, consisting of 10 members: five senior officers appointed by commander in chief of the UNC and five senior officers appointed jointly by the commanders the KPA and the CPV.
16. Notably, the withdrawal of the KPA from the MAC must be regarded as legally ineffective, as unilateral withdrawal is prohibited under the armistice agreement (Article V, paragraph 62). Similar precedents are akin to the purported Israeli withdrawal from the Egypt-Israel Mixed Armistice Commission in 1956, which was also legally not binding.
17. For a detailed list of North Korean provocations and violations of the armistice, see Hannah Fischer, *North Korean Provocative Actions, 1950–2007*, Report no. RL30004 (Washington, D.C.: Congressional Research Service, 20 April 2007).
18. Moo Bong Ryoo, “The Korean Armistice and the Islands” (report prepared for U.S. Army War College, 11 March 2009); Jon Van Dyke, Mark Valencia, and Jenny Miller Garmendia, “The North-South Korea Boundary Dispute in the Yellow (West) Sea,” *Marine Policy* 27 (2003).
19. Some of the larger clashes have included the First Battle of Yeonpyeong (1999), in which four North Korean patrol boats and a group of fishing boats crossed the NLL and initiated a gun battle that left a North Korean vessel sunk, 5 South Korean patrol boats damaged, and 21 ROK sailors killed; the Second Battle of Yeonpyeong (2002), when two North Korean patrol boats crossed the NLL near Yeonpyeong Island and fired on ROK patrol boats; the Battle of Daecheong (2009), in which a North Korean gunboat crossed the NLL and entered waters near Daecheong Island and suffered damage from ROK artillery fire; the sinking of the Cheonan (2010), in which an ROK corvette was sunk by a torpedo, killing 46 ROK sailors, and the resulting South Korea–led international investigation blamed North Korea, which has denied any involvement; the shelling of Yeonpyeong (2010), when North Korean forces fired approximately 170 artillery shells at the island, killing four South Koreans and causing widespread damage to the island's civilian fishing village. See 2010 Defense White Paper (Seoul: Ministry of National Defense, 31 December 2010).
20. In the armistice, the actual reference is to CPV without any reference to an army.
21. Of the 22 U.S. military bases in Japan, 7 fall under the UNC: Yokota Air Base (U.S. Air Force), Camp Zama (U.S. Army), Sasebo (U.S. Navy), and Yokosuka (U.S. Navy) on the mainland; and Kadena Air Base (U.S. Air Force), Futenma Air Station (U.S. Marine Corps.), and White Beach (U.S. Navy) on Okinawa.
22. United Nations Command, United States Forces Korea, www.usfk.mil/usfk/content.united.nations.command.68.
23. “U.S., S.Korea Delay OPCON Transfer Until 2015,” *Stars and Stripes*, 27 June 2010.

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