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Factsheet: WEST SEA CRISIS IN KOREA

Contested Waters: Background to a Crisis

1. On November 23, 2010, military troops from the Republic of Korea (ROK, or South Korea) and the United States conducted war-simulation exercises, dubbed “*Hoguk*” [“Defend the State”], a massive joint endeavor involving 70,000 soldiers, 600 tanks, 500 warplanes, 90 helicopters, and 50 warships. It was slated to take place over a period of nine days.

2. The Democratic People’s Republic of Korea (DPRK, or North Korea) issued repeated warnings to South Korea, demanding that ROK military halt the war exercises and cease its firing of artillery into North Korean territorial waters.

3. South Korean artillery units located in the West Sea Islands, just seven miles from the North Korean coast, engaged in firing exercises on November 23, 2010, for four hours. According to the South Korean Ministry of National Defense, the units on those islands, including Yeonpyeong Island, fired 3,657 times, or over 900 shells per hour, into contested waters claimed by both Pyongyang and Seoul near the Northern Limit Line (NLL). Drawn unilaterally by the US Navy in 1953, the NLL is not internationally recognized and has never been accepted by North Korea.

4. North Korean artillery units responded by shelling Yeonpyeong Island. The South Korean military responded by firing at North Korean bases. On Yeonpyeong Island, a site with South Korean military bases and a fishing community of 1,300 residents, North Korean artillery killed two South Korean marines and two civilians, who were military contractors building new barracks on a military installation. The attack left at least sixteen others injured. North Korea is reported to have suffered at least two casualties as a result of South Korean fire.

5. President Obama dispatched the nuclear-powered aircraft carrier, the USS *George Washington* (carrying 75 warplanes and a crew of over 6000) and other warships to conduct additional joint war exercises with the South Korean military beginning November 28th.

6. Amid the recent hostilities, modest mitigating gestures have emerged, though compromised by a confrontational war footing in the region. North Korea issued a statement calling the civilian deaths “very regrettable,” but it also criticized South Korea for creating what the North called “a human shield by placing civilians around artillery positions and inside military facilities.” On November 29th, South Korea canceled a series of scheduled artillery drills from Yeonpyeong Island, offering no explanation for the change. The massive US-ROK joint war exercises did resume in the Yellow Sea (or West Sea), but they have taken place outside the immediate zone of contested waters, staged approximately 125 miles south of the NLL.



Naval Skirmishes Amid an Ongoing State of War

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- The Korean War has never formally ended. Only a temporary armistice suspended the military hostilities in 1953, but peace treaty talks in Geneva broke down in 1954. Millions of Koreans remain separated from their family members due to the continued state of war and division in Korea.
- Without a permanent peace treaty, the two Koreas have not agreed upon a mutual recognition of maritime borders, and they lack the formal diplomatic channels that could help prevent the escalation of border clashes both on land and at sea, particularly in the contested waters off Korea's west coast. According to Leon Sigal, former editorial board member of the *New York Times*, "Those waters have been troubled ever since... 1953, when the US Navy unilaterally imposed a ceasefire line at sea north of the Military Demarcation Line (MDL) on land. North Korea has long objected to this Northern Limit Line (NLL), which is not recognized internationally. It wants the MDL line extended out to sea" (*Arms Control Today*, Nov 2010).
- Naval firefights over the NLL have intensified in recent years. In June 1999, one such skirmish led to the sinking of a North Korean vessel, killing "at least 17 and as many as 80 North Korean sailors." [Reuters, Jan 26, 2010] In June 2002, "A clash between South and North Korean naval vessels in the Yellow Sea [sank] one South Korean frigate and [killed] six South Korean sailors and an estimated 13 North Koreans." (Reuters, Jan 26, 2010) In 2009, both sides threatened each other with a third West Sea skirmish.
- Prior South Korean administrations made progress in resolving the mutual claims over contested waters, but those diplomatic efforts were abandoned by the current Lee administration, which has taken a hostile stance toward North Korea.
 - In October 2007, an inter-Korean summit meeting between Roh Moo-Hyun, the previous South Korean president (2003-2008), and Kim Jong Il yielded a declaration that committed both sides to concrete measures toward improving inter-Korean relations. Both pledged to negotiate a joint fishing area and agreed to a proposal to create a "peace and cooperation zone" in the West Sea, which was aimed at transforming the heavily militarized waters into a maritime region for economic cooperation. Significantly, in that declaration North Korea agreed to leave the NLL intact.
 - Yet, within months, President-elect Lee Myung-bak rescinded the October 4 Declaration and later abrogated the inter-Korean accord from the historic 2000 summit, which had provided a common approach for both North Korea and South Korea to work toward reconciliation and eventual reunification.
- Relations deteriorated further in 2009 when North Korea protested South Korea's decision to fully participate in a US-led naval interdiction initiative, which North Korea regarded as a violation of its national sovereignty. In response, North Korea renounced all diplomatic and military agreements with South Korea.
- In November 2009, "a North Korean patrol boat crossed the NLL into the contested waters—precisely what the 2007 summit had sought to forestall—and a South Korean vessel fired warning shots at it. The North returned fire and the South opened up, severely damaging the North Korean vessel and causing an unknown number of casualties." [Sigal, *Arms Control Today*, Nov 2010]
- In March 2010, the *Cheonan*, a 1,200-ton South Korean navy corvette, was severed in half and sank in the waters off Baengnyeong Island, the northern-most of the West Sea Islands in the contested waters near the NLL. Forty-six South Korean sailors died in the sinking.
 - The Joint Civil-Military Investigation Group (JIG), a multinational commission led by South Korea, concluded after nearly two months of investigation that a North Korean torpedo sank the *Cheonan*. This interpretation has been accepted, with few exceptions, as incontrovertible fact by most mainstream media outlets.
 - However, the plausibility of the JIG's conclusions has been challenged by rigorous scientific and empirical analyses by scholars such as physicist Seunghun Lee (University of Virginia) and political scientist Jae-Jung Suh (Johns Hopkins University) as well as by independent investigations carried out by the South Korean news organization *Hankyoreh* and civic groups such as People's Solidarity for Participatory Democracy. They have uncovered tampered evidence and a long list of factual inconsistencies.
 - For a detailed synthesis of the multiple independent investigations into the *Cheonan* sinking, see the Hani.tv documentary, "Beneath the Surface" (<http://bit.ly/cheonan>).
 - Perhaps the most compelling evidence that casts doubt upon the JIG's findings is the fact that, despite the tragic loss of 49 lives, nearly all of the 58 surviving crew members escaped serious injury, and the ship's internal instruments remained intact. In contrast, scientists have modeled that a torpedo explosion would have sent crew members "flying like bullets" into the surrounding equipment, fracturing bones and likely resulting in fatalities from the explosion's concussive force. Yet, autopsies revealed that all of the *Cheonan* victims died of drowning, not from the injuries they sustained. As Lee and Suh explain, "the ship's and crew's condition is not consistent with the damage expected of an outside explosion" caused by a torpedo, which would have produced a tremendous shock wave (*Asia-Pacific Journal*, July 12, 2010).
- In an article published in July that assessed the evidence regarding the *Cheonan* sinking, historian Mark E. Caprio (Rikkyo University, Tokyo) wrote: "Confrontational conditions have existed along the Korean peninsula since its division at the end of World War II in 1945. The exceptionally aggressive attitude taken by the present ROK regime increases the potential for more tragic incidents—planned or accidental—between the two Koreas, which may also pull in allies on both sides. The US-ROK refusal to participate in negotiations until Pyongyang apologizes for an incident it insists it did not commit, and their decision to pressure the DPRK by holding massive new joint war exercises and by inflicting still more economic sanctions, demonstrates macho but also greatly increases the possibility of more *Cheonan*-like incidents, and in the gravest scenario a second Korean War." (*Asia-Pacific Journal*, July 26, 2010)

A New Cold War?

Some analysts have perceived the emergence of a “new Cold War” in Northeast Asia. President Obama has identified South Korea as “a cornerstone of US security in the Pacific region,” a characterization that he has also used to describe Japan. Meanwhile, South Korea, Japan, and the US have refused to return to negotiations with North Korea, as the North Korean leadership has recently strengthened ties with counterparts in China.

Since 1945, the US has maintained a continuous military presence in South Korea, with an estimated 28,500 US troops currently stationed in South Korea. Sixty-five years later, the US still retains wartime operational control over South Korean forces, and the US and South Korean militaries routinely conduct joint war-simulation exercises near the DMZ and within contested waters off the Korean peninsula. These combined drills are an overt show of force, displaying the sophistication of US and South Korean military technology. North Korea condemns the military exercises as provocative because it regards these maneuvers as a possible smokescreen for a real attack.

The Way Forward

These recurring tragic incidents off Korea’s west coast have resulted from the unending state of war and continued national division on the Korean peninsula.

They underscore the frailty of the Armistice Agreement of 1953 and confirm the urgent need to replace that temporary truce with a permanent peace treaty.

As tensions continue to mount, it is critical that we urge President Barack Obama, 2009 Nobel Peace Laureate, to stop the US-ROK joint military exercises and to recognize that such war-simulation maneuvers inevitably increase the risk of an uncontrollable and unacceptable escalation that would threaten millions of lives.

The US must return to negotiations to reach a peace agreement that would finally end the Korean War.

South Korea must return to a peace process with North Korea in order to reduce the heightened volatility on the Korean peninsula that has endangered the entire region.

Direct negotiations, as a first step toward a peace treaty or agreement, are the only viable option in a heavily militarized region characterized by recurring naval conflicts, disputed borders and unresolved grievances.

The stakes for peace in Korea are enormous, and the time for a genuine peace process is now.

Voices of Reason

“We demonize [Kim Jong Il] as a “nut case,” but I have talked to Russians, Chinese, South Koreans and Americans who have met with him at length, and all say he is extremely intelligent. What Kim wants is sustained, serious talks with the US, leading to a comprehensive peace treaty....Our problem is that every time we elect a new president, we seem to feel that we have to start from scratch with North Korea.” – Donald P. Gregg, US ambassador to South Korea (1989–1993) and National Security Advisor to Vice-President George H.W. Bush

“... One item should be at the top of the agenda, however, in order to remove all unnecessary obstacles to progress, that is the establishment of a peace treaty to replace the truce that has been in place since 1953. One of the things that have bedeviled all talks until now is the unresolved status of the Korean War. A peace treaty would provide a baseline for relationships, eliminating the question of the other’s legitimacy and its right to exist.” – James Laney, US Ambassador to South Korea (1993-1997) and President Emeritus of Emory University

“Pyongyang has sent a consistent message that during direct talks with the United States, it is ready to conclude an agreement to end its nuclear programs, put them all under IAEA inspection and conclude a permanent peace treaty to replace the ‘temporary’ cease-fire of 1953.” –Jimmy Carter, 39th President of the United States

For more information and to join the National Campaign to End the Korean War: www.endthekoreanwar.org