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DEPARTMENT OF STATE

Washington, D.C. 20520

Please Return to Solomon

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February 3, 1975

MEMORANDUM TO: NSC - Mr. Solomon

FROM: S/P - Michael H. Armacost *MA*

SUBJECT: US Policy on Korea and the UN Command

Dick:

Here is my redraft of Dan's paper. I regret that I have been unable to devote much time to it. It might be more useful if it spelled out at the end some additional measures that might be undertaken to prepare the ground for the day when substantive discussions might be taken up with Pyongyang. A few measures occur to me:

What is the...

-- Efforts to soften up the Russians and Chinese for contacts with Seoul. I believe that our own discussions with the North Koreans would be much easier to handle politically (with Congress and with the ROKG) if they take place in the context of reciprocal contacts. You will have noted that we have indicated to the ROKG our intent to allow North Koreans to attend various non-governmental conferences in this country. This is a small gesture, defensible in terms of our desire to remain a suitable site for major international conferences. It may also make it easier for the Russians and Chinese to justify some marginal contacts with the South. It is a small step, but an unavoidable and useful one.

thinking omitted?

-- If we move to eliminate "op con," the ROKG ought to benefit in its diplomatic competition with the North. I suspect this evidence of our involvement in the ROK command chain does damage South Korean credibility with a number of Third World countries.

No

-- We might also want to draw attention to marginal changes anticipated in our force levels. Heretofore we have emphasized the stability of our deployments. But some adjustments are being considered, most particularly draw downs in our air defense units as Nike Hawk units come out. What would you think about calling attention to such cuts through a statement indicating that they reflect

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~~SECRET~~ - GDS

E.O. 12958 (as amended) SEC 3.3

State Dept Guidelines

By *MA* NARA, Date *2/3/11*

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NO!

growing South Korean air defense capabilities? We could note in passing that future adjustments are to be anticipated in the context of growing South Korean strength, particularly if there is evidence of North Korean moderation and steps to improve relations between North and South. At the same time we could note that we anticipate the continued presence of US air units on the peninsula for the indefinite future. This would leave our most flexible military power there--and the element of our power most highly valued, I suspect, by the Chinese.

ground forces are drawn upon as the ROK.

A statement of this kind would introduce a slight element of movement re our force levels, but leave us in control of the timing and pace of redeployments. It would signal some further future draw downs in our ground forces. These have long been anticipated. They would be welcome in the Congress. They are unlikely to unsettle the ROKG if they do not apparently presage a general disengagement. By coupling them with a statement of our disposition to keep air units there a good long time, we might convey to the North both a measure of flexibility and a determination not to withdraw unilaterally.

as trend developed

In short, a statement of this kind might amount to a sort of unilateral "Shanghai Communique" for the Korean peninsula. It would not break very much substantive ground, but it would give a slightly different nuance to our public posture that could help us in the diplomatic-political competition while marginally enhancing future possibilities for negotiating something with the other side.

Attachment

S/P:MHA:mjk
2/3/75:x21095

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16
DRAFT 2/3/75

ACTION MEMORANDUM

To: The Secretary
From: EA - Philip C. Habib
IO - William P. Buffum
S/P - Winston Lord

DECLASSIFIED
E.O. 12958 (as amended) SEC 3.3
State Dept Guidelines; state review 12/4/03
By MA NARA, Date 2/3/11

US Policy on Korea and the UN Command

The Problem

Although we achieved a satisfactory outcome in the recent UNGA debate on the Korea item, we now need to devise a strategy for dealing with this issue during the period ahead. We should devote priority attention to (a) enhancing our chances of negotiating a termination of the UNC in return for North Korean and Chinese agreement to preserve the essentials of the armistice; (b) failing that, positioning ourselves more effectively to avoid a UNGA debate on this issue next Fall if possible, and to prevail in that debate if the issue proves unavoidable; (c) establishing a clearer distinction between the future of the UNC and decisions on US forces in Korea; and (d) laying the ground work for future initiatives which may help to stabilize the situation in the peninsula.

Background

Efforts to negotiate a mutually acceptable consensus arrangement with the Chinese and North Koreans on the UNC issue failed last Fall. In the ensuing UNGA debate we declared our willingness to terminate the UNC if continuation of the armistice agreement is ensured. Our position was embodied in the

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resolution adopted by a substantial margin in the UNGA. At the same time the other side's resolution--calling for the unconditional termination of the UNC and for the withdrawal of US forces from the peninsula--was barely defeated by a tie vote in the First Committee.

Both we and the South Korean Government agree that:

-- We have nothing to gain from another sterile UN debate on the UNC question.

-- The momentum on this issue rests on North Korea and its supporters, and they will presumably introduce another hostile resolution on the UNC and our troop presence at the 30th UNGA.

-- Barring some adjustments in our policy there is a strong possibility--USUN believes a near certainty--that such a resolution will pass with a substantial margin.

While our UN resolution opened the door to future Security Council consideration of the UNC issue, China and the USSR are likely to block Council action, and efforts to stimulate Security Council action on the issue could complicate our relations with both.

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At present the North Koreans seem less interested in an early negotiated resolution of this problem than in using it to place South Korea on the defensive in the UNGA, to cast in the role of international "pariah," and to generate additional pressures for the withdrawal of US forces from the peninsula. The prospects for leveraging a settlement through Peking seem distinctly limited. Authoritative North Korean statements suggest that they are not interested in conceding Peking a major role as interlocutor with us on this issue; they apparently prefer to deal directly with the ROKG and with us.

The conditions for productive bilateral discussions between the North and South or between ourselves and Pyongyang, however, do not appear encouraging at this time. North-South talks are stalled. The North Koreans are calling openly for President Park's overthrow. The North insists that the DPRK is "the only legitimate government in Korea." Pyongyang's propaganda mills have recently directed vitriolic tirades against you and Phil Habib, denouncing in particular the idea of reciprocal recognition. President Park is highlighting the Northern "threat," and pushing dual membership in the UN, a move which the North denounces as an effort to ratify the division of Korea. While the North continues to put out feelers for contacts with us, they doubtless intend to utilize such contacts to build pressures for US troop withdrawals and to sow discord between ourselves and Seoul.

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Policy Options

Under these circumstances, we have essentially four broad options:

1. Stand pat. We have set forth reasonable conditions for the termination of the UNC. We could just sit tight and hope through persuasion and arm twisting to prevail once again this year. Gloomy USUN prognostications on our voting prospects have been wrong before. More truculent North Korean behavior--for example, their tunneling activities in the DMZ--might help us preserve a majority. In any event, we could live with the passage of a hostile resolution, or alternatively the passage of our own and a hostile resolution. GA resolutions are unenforceable; we could ignore a hostile resolution, arguing that since the UNC was created by the Security Council, only the Council can dissolve it.

There are, however, serious disadvantages. This option offers no hope of avoiding a UNGA debate, and it ensures that the initiative will rest with the supporters of the DPRK. Even if it is unenforceable, passage of a hostile UN resolution would undermine the legitimacy of the UNC, blur the distinction between decisions on the UNC and US force levels, and diminish our prestige and that of the ROKG. The prospect of another debate would also stimulate a variety of third parties to undertake unhelpful initiatives.

2. Unilaterally Dissolve the UNC. We could declare the Commanders of US forces in Korea and of South Korea's armed

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forces as "successors in command" to CINCUNC, announce our intention to continue to honor the armistice agreement, and indicate our expectation that other parties to the armistice will likewise uphold their obligations under that agreement.

By dissolving the UNC, we might possibly short circuit the prospect of another UNGA debate on Korea. We would dissolve the link between the UN's involvement in Korea and the continuing presence of our forces. This course of action would rest on the premise that the PRC/DPRK stake in stability on the peninsula would inhibit them from using this move as a pretext for renouncing their commitment to the armistice.

There are obvious risks. The armistice agreement, despite occasional incidents, provides an essential political framework for stability, and this action would raise uncertainties about its continuing validity. Since neither the ROK nor the US military representatives per se signed the armistice, the North Koreans could claim that it had lapsed with the dissolution of the UNC. Opening such uncertainties would be the more dangerous given the currently fragile state of North-South relations. Of special concern in this connection is the Northwest Islands question. The armistice clearly stipulates that the Islands fall within our jurisdiction. If the validity of the armistice were called into question, however, we could not rule out DPRK territorial claims and possible military moves to buttress them.

Dissolution of the UNC would obviously necessitate the creation of new command relationships between US and ROK forces,

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but these may be justified and advisable even in the absence of action to terminate the UNC.

3. Seek a better "holding position" without essentially altering the substance of our policy. While holding out for a negotiated settlement of the UNC issue, we could seek to position ourselves more effectively on this question.* The objective would be to seize the initiative, place the North on the defensive, and complicate its efforts to mobilize active support from the PRC and the USSR. *f 3d world*

* A variety of tactical initiatives have been proposed. The British have suggested early Security Council consideration of the UNC issue. The ROKG has proposed various tactical ploys, e.g., reduce the visibility of the UNC by appointing a lower ranking General as CINCUNC and issuing a public statement close to the next UNGA debate emphasizing our readiness to terminate the UNC and proposing concrete steps to transfer armistice agreement responsibilities to a successor entity, subject only to prior agreement by the other side. We have also given some thought to publicizing at some point our past contacts with the PRC as evidence of the efforts we have made to reach an understanding with the other side. Such tactical gambits as these might produce some temporary illusion of movement, but none would fundamentally alter our situation; each could be counterproductive.

Efforts to stimulate Security Council action could complicate our relations with the PRC and USSR, meet obstruction from both, and thus assure that the issue is thrown back into the UNGA. Purely cosmetic changes in the UNC would invite suspicion without winning any votes. Disclosure of our past contacts with the PRC would embarrass Peking and further diminish chances that they could play a constructive role.

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A better holding position might be achieved by:

-- Stripping the UN Command of all functions except those directly related to administering the armistice.

This would dissolve the link between the UN's involvement in Korea and the presence of US forces in the peninsula. It would reinforce for UN members the logical premise underlying our policy, i.e., the need to assure continuity in the armistice arrangements in return for UNC dissolution.

A by-product of such a decision would be to relinquish operational control over South Korean forces. Operational control is a wasting asset in any event. It is doubtful that it gives us real control over ROK forces in an emergency. It may threaten to automatically involve us in hostilities arising out of incidents over which we exercise no direction or control. The exercise of operational control is not consistent with the spirit of the Nixon Doctrine, it is untenable in the long run given the evident ROK determination to stake out a self-reliant defense posture, and it may assist Pyongyang to drive home to Third World visitors their point that the pressure of foreign troops is evidence of the ROK's subservience to the US.

In working out alternative command arrangements we should place a premium upon informal agreements which assure a coordinated approach to such issues as rules of engagement, contingency planning and the performance of those defense tasks in which we retain a significant role, e.g., air defense.

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Coincident with changes in these command relationships we might contemplate broadening the focus of consultative arrangements with the ROK to emphasize the broader strategic-diplomatic context in the Far East.

-- Announcing these changes in the character and role of the UNC in a letter to the President of the Security Council sometime this Spring. In this letter we would indicate also our willingness to terminate the residual component--i.e. armistice-monitoring element--of the UNC, subject to agreement of the parties most directly concerned on alternative means of preserving the armistice or replacing it with more durable peacekeeping arrangements. We could affirm our readiness to meet directly with the parties concerned at an early date to discuss this matter either in Panmunjom or any other mutually acceptable site. We would also note our intention of reporting progress toward this objective to the Security Council at periodic intervals.

A letter of this kind would not require Security Council action. Consequently, it should not give the Chinese or Russians any great heartburn. It would define the continuing UN role in terms more likely to be acceptable to a broad segment of the UNGS. It puts forward our negotiating proposition in a forward-looking way, making no reference to the discussions we conducted through the Chinese last Fall. By announcing our intention to report to the Security Council

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at some point in the future it will keep the Security Council "seized" with the issue. That should give us a legal position from which to argue against a UNGA debate on this issue next Fall. Our political defense would be the inherent reasonableness of our position. We would also signal to the North-- and to the rest of the world--our willingness to negotiate the UNC issue and to take up other questions related to stability on the peninsula.

This may not be sufficient to avoid a UNGA debate, but it would give us a better defensive position from which to await signs of North Korean flexibility.

4. Undertake new initiatives to negotiate the termination of the UNC through the Chinese or directly with Pyongyang.

A. With the Chinese. We might tell the Chinese we would be prepared to unilaterally terminate the UNC, and issue a statement designating a successor ROK/US military entity to assume our armistice agreement responsibilities. We would explain that this approach does not demand any formal response from them and from the North Koreans, but would require an explicit informal prior agreement by them. That agreement must include assurances that the present military armistice commission machinery would continue to function when the UNC Senior Member was replaced by the successors in command.

Alternatively we might propose privately and then publicly that the four parties concerned with the Armistice Agreement

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(US, ROK, DPRK, PRC) meet to discuss dissolution of the UNC and continued implementation of the armistice, as was implicitly suggested in the UNGA resolution.

Informal assurances regarding the continuity of the armistice would satisfy our own requirements. Certainly such assurances--if they could be obtained--would make this option preferable to Option 2 (above). If we managed to obtain them, we could announce termination of the UNC's mandate under the pertinent Security Council resolutions in a letter from the USG to the SC President. The problems relate to feasibility. Given the intransigence of the North, the current state of play in our contacts with the PRC, and Peking's limited leverage on Pyongyang, an approach of this kind this year seems no more likely to succeed than last year's scenario. It will probably invite a counter proposal that we terminate the UNC and remove our troops from South Korea forthwith. A call for a four power meeting is little more than a tactical ploy and would be most advantageously put forward in the context of other tactical maneuvers, e.g., Option 3. If the other side responded to such a proposal, their objective would be to utilize that forum to publicize well established positions on UNC and US troop withdrawals.

We might, nonetheless, approach the PRC in the Spring to inform them of our readiness to unilaterally terminate the UNC in return for informal assurances regarding the armistice and

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to explain our intentions of making adjustments in the role of the UNC. We would undertake these actions mainly to avoid misunderstandings with the Chinese and without high expectations of a forthcoming response.

B. With the North Koreans. An alternative approach would explore possibilities for direct negotiations with Pyongyang through an appropriate third party, e.g., Romania (?). Ultimately the concession that would probably evince North Korean flexibility on the UNC issue will be our readiness to establish some official relations with the North. That is the rub. Whereas direct negotiations with the North has utility for us insofar as we can use them to sustain the armistice and stabilize conditions on the peninsula, the North is still interested in such negotiations primarily in order to hasten our withdrawal from the peninsula, stimulate frictions in US/ROK relations, and thus compound the political uncertainties and divisions in the South. Without some indication of DPRK willingness to restrict the scope of initial negotiations and to assume a forthcoming attitude on the armistice issue, the initiation of new contacts with the North would enhance their prestige with no assurance of compensating advantages for us or for the ROK. To explore the possibility of talks with the North without explicit approval by the ROKG would stimulate grave mistrust in Seoul and play directly into the North's hands. Without some prospect of Chinese and/or Russian willingness to establish contacts with Seoul, ROKG approval of direct discussions between Washington and Pyongyang seems problematic.

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Recommendation

In view of the foregoing considerations, the most promising approach appears to be the one outlined in (3) above. This would require the immediate initiation of discussions with DOD on measures to limit the UNC to only those functions which relate to the maintenance of the Armistice Agreement. These discussions must include consideration of alternative US/ROK bilateral military arrangements. We should attempt to prepare a detailed proposal that we might outline to the ROK Foreign Minister during his consultations here in late March.

We recommend that you approve this general approach.

Approve _____

Disapprove _____

S/P:MHarmacost:mjk
2/3/75:x21095

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MEMORANDUM

NATIONAL SECURITY COUNCIL

~~SECRET/SENSITIVE~~

January 15, 1976

MEMORANDUM FOR TOM BARNES

FROM: JAY TAYLOR

SUBJECT: U.N. Command Issue in the United Nations 1976

In looking ahead to the Korean issue in the U.N. this year, we seem to have three general options:

-- Stand on our position that we are prepared to terminate the UNC, provided there are satisfactory arrangements to continue the Korean Armistice; again call for a conference to discuss arrangements with the parties concerned; and muster our forces for the struggle for General Assembly votes.

-- Consider ways in which we could unilaterally terminate the UNC and satisfactorily handle the continued administration of the Armistice and the Panmunjon meetings. The U.S. and the ROK could unilaterally notify the Security Council that the United Nations Command was being terminated and that a new "command in being" composed of U.S. and ROK commanders had been constituted to continue to administer the Armistice on the allied side. A U.S. officer could continue to represent the allied side at the Panmunjon talks, but we could announce that as a member of the new Armistice administering "command in being," the ROK in the future could also represent our side.

-- Make new diplomatic gestures:

- Agree to a one-time bilateral meeting with North Korea to discuss the format of discussions, including the ROK, on the administration of the Armistice.

- Elaborate on our proposal of last year for a meeting of "those concerned" to a formal call for an international conference to conclude a peace treaty for Korea.

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DECLASSIFIED
E.O. 12038 (as amended) SEC 3.3
NSC Memo, 3/30/06, State Dept. Guidelines.
By MM NARA, Date 2/3/11

These moves could be made in conjunction with the unilateral termination of the UNC as proposed in Option 2, above.

Proposed Scenario

- Prepare a NSSM on U. S. security role in South Korea over the next three to five years, include consideration of unilateral withdrawal of the Second Division and elaborate on the conditions necessary for agreement to a total withdrawal of U. S. forces over a set time frame.
- Consult with the ROK over the ending of OPCON by the UNC.
- Inform the Chinese that we are willing to participate in an international conference on Korea and that such a conference could discuss any and all issues, including the question of troop withdrawal. Agreement on troop withdrawal, however, would be possible only in the context of a complex of other agreements that would strengthen stability on the Peninsula.

If the Chinese are prepared to talk seriously about such conference, indicate to them the general outline of the settlement that we would see emerging:

- A pledge from both Korean sides to peaceful unification and the nonuse of force.
- Establishment of a "Korean Union" which would institutionally symbolize the unity of Korea and which would have no political powers. (The Korean Union could be entrusted with the functions of promoting cultural communications and economic links between the two Koreas.)
- A commitment to withdraw all foreign military units within a specified time frame (no less than five years).
- A guarantee by the powers, including Japan, of peace on the Peninsula and an undertaking by the powers not to upset the military balance.
- Continuation of the U. S. -ROK Mutual Defense Treaty and the Soviet and Chinese treaties with the DPRK.
- Recognition of an inviolate "provisional demarcation line" in Korea.



- The establishment of some form of mutual presence in both Koreas by the three powers and Japan.

- The admission of both Koreas to the United Nations without prejudice to the eventual unification of the country.

-- The U.S. and ROK notify the Security Council that the United Nations Command is terminated, and that they have established a "command in being" to continue to administer the Armistice.

-- Concurrently with the above move, the U.S. inform North Korea through the Secretary-General of the United Nations or through the Chinese that we are prepared to meet with them separately to discuss the format of formal talks on the future administration of the Armistice. We would also inform the North Koreans that for the time being the U.S. representative will continue to represent the U.S. -ROK side in the Panmunjon talks.

-- Concurrently, the U.S. or the ROK formally calls for an international conference to conclude a Korean peace treaty.

Obviously, the ROK would have to agree to this strategy. In addition, it would be essential to consult with the Japanese and our other important supporters on the Korean issue in the United Nations.

This scenario would allow us to terminate the UNC in a context that would make it most difficult for the North Koreans and their supporters to oppose our unilateral arrangement for continuation of the administration of the Armistice on our side.

