

Theater-level Command and Alliance Decision-Making Architecture in Korea

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Abstract

The theater-level command relationships in the Republic of Korea are complex and nuanced. They are often misunderstood by American and South Korean military and civilian leaders. Available open source resources often focus on specific elements of the command relationships, sometimes over-relying on official rhetoric from the respective commands. These narratives don't provide a complete picture of how these distinct organizations work together towards the common goal of defending South Korea from North Korean aggression. This paper consolidates and amalgamates relevant open source resources to provide clarity to what was previously an opaque understanding of the interconnected, yet distinct relationships between the four concurrently operating theater-level commands that have roles in defending South Korea. In particular, this paper dissects each command's roles, its relationships with the commands, and guidance and direction governing each command.

Key Words: United States, Republic of Korea, Alliance, U.S. Forces Korea, Combined Forces Command, Republic of Korea Joint Chiefs of Staff, United Nations Command, Senior United States Military Officer Assigned to Korea, Military Committee

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Introduction

Theater-level command in Korea is distributed across four separate and distinct commands. Each command maintains its own clear-cut, higher authority and a unique set of imperatives. This complex, nuanced command structure is often misunderstood by military and civilian

leaders in both the Republic of Korea (ROK) and the United States (U.S.), particularly those with casual or new relationships to the commands or the U.S. / ROK security framework. This essay is intended to provide a concise description of the command structure in Korea to help correct existing—and prevent future—misunderstanding of the commands, their respective roles, the relationships between the commands, and where each receives guidance and direction. While all four theater-level commands operating in Korea are addressed, this essay largely focuses on the three U.S.-affiliated commands.

The four theater-level commands in Korea are: U.S. Forces Korea (USFK), a American unilateral command; the ROK Joint Chiefs of Staff (JCS), a Korean unilateral command; the Combined Forces Command (CFC), a U.S. / ROK bilateral command; and, the United Nations Command (UNC), an American-led multinational command.

The U.S. Government (USG) attempts to mitigate the numerous administrative and logistical challenges of managing such a complex structure in a relatively confined area through the practice of simultaneously appointing, or “triple-hatting” service members for duties across all three U.S. affiliated staffs (USFK, CFC and UNC). For example, the Senior U.S. Military Officer assigned to Korea (SUSMOAK), a flag/general officer (FO/GO) in the grade of O-10, is triple-hatted as the Commander of USFK, CFC, and UNC.¹ For its part, the ROK Government (ROKG) considers its Chairman of the JCS (CJCS) to serve as the senior military advisor (similar to the U.S. CJCS) as well as the senior operational commander of the Korean Armed Forces. Comprehending the individual roles, authorities, and the relationship between SUSMOAK and ROK CJCS is fundamental to understanding the command structure in Korea.

While the practice of triple-hatting on the U.S. side may create efficiencies in the allocation of resources, it also contributes significantly to the confusion about theater-level command structures in Korea. An unintended, expedient outcome of “triple-hatting” is a “slash-bar” mentality that groups USFK / CFC / UNC together in discussions and documents. Grouping these commands based on the SUSMOAK’s appointed duties improperly intermingles one command’s authorities, responsibilities, and equities with another.²

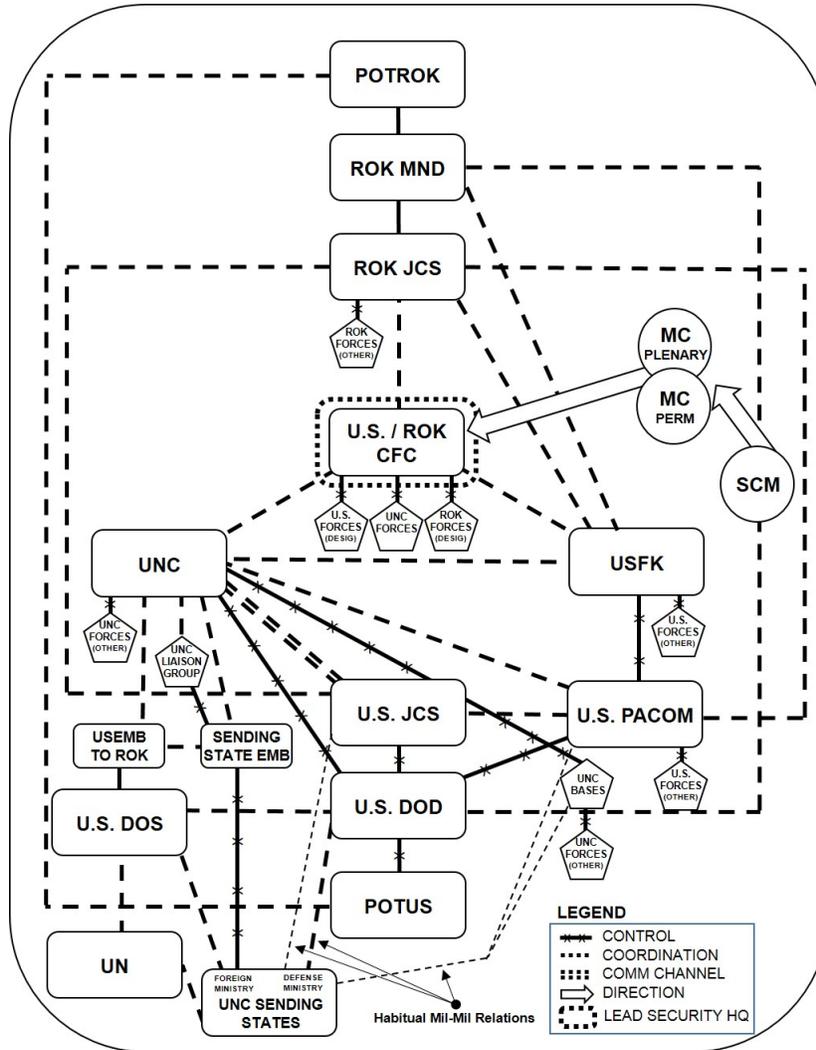
The only effective method to overcome the inherent challenges associated with “triple-hatting” is a skilled staff with a clear understanding of each command’s unique set of roles, missions and

authorities. This staff should be adept in performing their duties while maintaining the ability to change their conceptual focus. The staff, leaders in particular, must be able to instantaneously transition between their appointed duties and internally wrestle with, and adjudicate among, the competing command imperatives.³ As an example, in a crisis the SUSMOAK must resolve the competing imperatives of UNC to deescalate the crisis situation and return to Armistice (cease fire) conditions. As the CFC Commander, the SUSMOAK is responsible for preparing for hostilities, and should hostilities begin, to decisively win.⁴ Further complicating the internal dialogue and decision making process for the SUSMOAK are his USFK Commander duties, in which he is subject to orders from the USG. Likely actions would include beginning the Reception, Staging, and Onward Movement of U.S. forces, or to support Non-Combatant Evacuation Operations (NEO).⁵ A second consideration for the USFK Commander might be supporting a USG decision to disassociate the U.S. from a crisis and treat it, for the time, as a North-South issue. As the Commander of UNC and USFK, he is acting on possibly competing guidance from the USG, while as the Commander of CFC, he is responding to guidance from the bilateral Military Committee.⁶ The conflict of de-escalation measures with preparation for combat and non-combatant evacuation convey different, polar-opposite messages to our opponents and complicates the bilateral U.S. relationship with the ROK.

Furthermore, the four theater-level commands in Korea also wrestle with synchronizing competing government policies. American and Korean policies are shaped by their respective domestic population's expectations and influenced by changes in the security environment. Pressure from regional powers and international community is also a significant factor, but not near as influential as those by the domestic audience. The UNC is the outlier among the four commands, in that the international community and contributing nations have greater influence on the UNC's decision-making process than on the other commands.⁷ The ability, or inability, of the ROK and U.S. Governments to bridge policy differences dramatically influences the ability of these four theater-level commands to achieve their end states, individually and in concert for the collective good. Should Washington and Seoul be unable to resolve competing policies, tension may arise between the ROK JCS, UNC, and USFK, leading to paralysis in the CFC on combined reactions to threats against the ROK.⁸

Source: Created by the author from multiple sources.⁹

Figure 2: Theater Command Relationships During Hostilities, circa 2016



Source: Created by the author from multiple sources.¹⁰

U.S. Forces Korea

The U.S. Department of Defense's Unified Command Plan establishes the missions and geographic responsibilities among combatant commanders. The Unified Command Plan designates USFK as a subordinate unified (sub-unified) command. Current U.S. joint doctrine does not contain detailed information on the roles, organization, and structure of sub-unified commands. When doctrine does exist, it tends to be emphasis Title 10 of the United States Code, which focuses on responsibilities of the individual services, as opposed to functions of an operational headquarters.¹¹ Sub-unified commands are something of an anomaly, having been largely replaced operationally by joint task forces.

USFK is the senior military command for American forces in Korea. A FO/GO in the grade of O-10 commands USFK. USFK reports to the U.S. Pacific Command (USPACOM), and represents USPACOM to the ROK JCS. USFK and its subordinate service components perform Title 10 functions for U.S. forces in the ROK. The Korea-based service component headquarters, maintain varying degrees of control over permanently stationed and rotational forces. Korea-based service components also report to Hawaii-based component headquarters that are subordinate to USPACOM or other functional Combatant Command (COCOM) service component commands. USFK's mission, functions, command relations, and support relations are codified in standing USPACOM Instructions.

In the event of crisis or hostilities, USFK performs a supporting role to CFC. As a supporting command, USFK executes critical supporting tasks such as NEO for American citizens and designated third country nationals, and RSO for American and multinational augmentation forces. USFK also provides reach-back support for CFC to USPACOM, the functional COCOMs, the U.S. Joint Staff, and, when authorized, agencies of the USG.¹²

Republic of Korea Joint Chiefs of Staff

The ROK JCS is the senior military command and the second-highest deliberative organization for military policy in the ROK; the State Council, which includes the ROK President (POTROK) and the Minister of National Defense, is the nation's highest policy-making entity.¹³ The ROK JCS headquarters staff is similar to the U.S. Joint

Staff and performs comparable functions. These include, providing strategic direction of the service departments and operational commands, and integrating them into an efficient team of land, naval and air forces. Service departments in Korea are charged to man, train, and equip forces similar to their American counterpart's Title 10 responsibilities. However, unlike the U.S. CJCS, the ROK CJCS is the senior commander in their armed forces, and maintains executive authority over forces in an operational role.¹⁴

Although the ROK CJCS has a greater operational role than its American counterpart, he has less authority and a more limited role in inter-governmental discussions. The ROK CJCS, also a FO/GO in the grade of O-10, is less influential in formulating national security and defense policy. This often results in the ROK CJCS deferring decisions his American counterpart would routinely make while awaiting policy guidance from the Ministry of National Defense or Blue House.¹⁵ Nevertheless, the chairman is a national military authority and sits on the bilateral Military Committee in this capacity. As the senior commander in the ROK Armed Forces, the ROK CJCS is an operator and responds to ROK National Authority when executing unilateral missions, and Military Committee guidance for agreed-upon Alliance missions.¹⁶ The ROK military has many roles and responsibilities that they choose not to partner with the U.S. Yet, at the same time, there have been numerous occasions when the ROK has partnered with the U.S. outside its Mutual Defense Treaty obligations.¹⁷

The ROK JCS controls daily security operations in Korea, including the initial responses to North Korean provocations and attacks.¹⁸ Following a bilateral consultative process and decisions by the ROK and U.S. National Authorities, control of operations is transitioned from unilateral Korean control to bilateral (U.S.-ROK) control of operations. In select, agreed-upon cases during crisis, Korean forces may transition to operate under CFC control in support of UNC.

Combined Forces Command and Alliance Decision-Making Architecture

The CFC is the bilateral (U.S. / ROK) command in Korea. It is the designated theater-level operational command for bilateral responses in crisis and for U.S. / ROK Alliance actions during hostilities. CFC has a standing headquarters and component commands, but no permanently assigned forces. The forces CFC would lead during a crisis response or

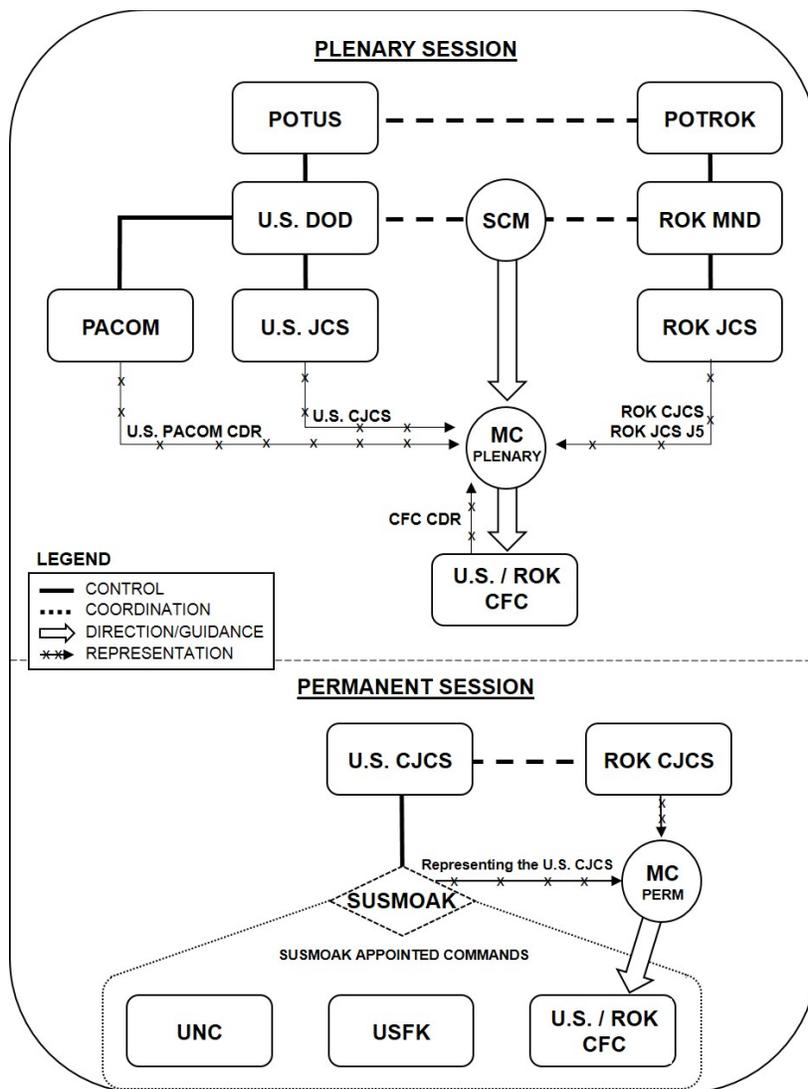
hostilities remain under their respective governments during the Armistice. Once Washington and Seoul reach a bilateral decision to provide CFC with necessary authorities and resources, the respective National Authorities approve the change of operational control of forces over to the bilateral command's control.¹⁹

Although CFC has no permanently assigned forces, the command exercises Combined Delegated Authority (CODA) over Korean forces designated by the ROKG.²⁰ CODA provides the CFC Commander nominal authority to prepare forces for hostilities during the Armistice. CODA only applies during Armistice and early phases of a crisis, periods when CFC doesn't have direct control over Alliance forces.²¹ Furthermore, CODA only applies to Korean forces as the ROK Armed Forces are solely responsible for daily security operations. In addition, standing USPACOM instructions to USFK and Korea-based service components, allow CFC to obtain support from American forces during the Armistice, including planning and training for missions during hostilities.²² CODA and the standing USPACOM Instructions related to supporting the Alliance command are exercised daily in tasks ranging from bilateral contingency planning, to combined training and exercises, to Command, Control, Communications, Computers, and Intelligence (C4I) network integration efforts.

The USG appoints the CFC Commander and the ROKG appoints the Deputy Commander; both officers are FO/GOs in the grade of O-10.²³ Although the senior commander is an American, he responds to orders from the Military Committee in performing the duties as the CFC Commander. Many people do not fundamentally understand this nuance of the Alliance command. There are several strategic documents that codify the standing guidance and authorities from which the CFC Commander operates.²⁴

The bilateral Military Committee provides guidance and direction to the CFC commander.²⁵ The Military Committee consists of two sessions, a Plenary session and a Permanent session.²⁶

Figure 3: U.S.-ROK Military Committee Structure, circa 2016



Source: Created by Author from multiple sources.²⁷

The plenary session is a meeting of the full Military Committee that traditionally has been used to deliberate and achieve concurrence on Alliance business. Although the Military Committee frequently decides routine issues, it often forwards recommendations on more sensitive matters to American and Korean National Authorities for ultimate resolution. The plenary session normally meets once a year, but can, and does, meet in crisis situations.²⁸

The Military Committee's plenary session is composed of the U.S. CJCS, the USMACOM Commander, the ROK CJCS and another ROK FO/GO, normally the ROK JCS J5 (Strategic Plans). The CFC Commander also sits on the plenary session. Both countries are equally represented in the plenary session: there are two U.S. members, two ROK members, and one combined member, the CFC Commander.²⁹ The CFC Commander does not represent the U.S. or the ROK in the plenary session meetings. Rather, the CFC Commander represents and advocates for bilateral alliance interests. The Military Committee reaches its decisions through concurrence between both sides, rather than a numerical vote. Thus, the plenary session's decisions represent agreement between the American and Korean views.³⁰

A standing Military Committee body is held in permanent session. The permanent session provides the Alliance with a decision-making body capable of providing the CFC with both routine and time-sensitive guidance.³¹ The permanent session is composed of two members: the Koreans are represented by the ROK CJCS and the Americans are represented by the SUSMOAK.³² Understanding the permanent session, the relationship between the SUSMOAK and the ROK CJCS, and their authoritative relationship to CFC (and ROK JCS) is also key to comprehending the command relations in Korea. Permanent session actions are normally validated at the annual meetings of the plenary session.³³ In addition, the plenary session generally provides the permanent session with alliance management tasks to be implemented over the next year. Lastly, the permanent session's individual members serve as the respective country's senior-level conduit for seeking additional clarifying policy and decision guidance between plenary sessions.

The U.S. Secretary of Defense and the ROK Minister of National Defense provide guidance to—or validate the decisions of—the Military Committee decisions through the Security Consultative Meeting (SCM) mechanism.³⁴ Similar to the Military Committee, the SCM generally

meets annually, but also has established procedures to meet in crisis situations, as required. SCM-level decisions are made anytime the SCM comes to an agreement on an Alliance issue. For extremely sensitive situations, the American and Korean Presidents will be consulted, and will ultimately approve recommendations or provide guidance to the SCM.³⁵ Lastly, it is important to highlight that the U.S./ROK Alliance is bilateral and consultative, with neither partner possessing the authority to unilaterally issue guidance to CFC.³⁶

United Nations Command

The USG established the UNC to lead UN member nation's forces in the summer 1950 following North Korea's invasion of the ROK. The U.S. was already supporting the ROK with ground, sea and air forces when the United Nations Security Council enacted Security Council Resolution 84. The UN Security Council requested UN member nations provide military forces under a U.S. unified command, and the U.S. appoint a commander of such forces.³⁷ The UN Security Council resolution did not authorize the establishment of a command, but sanctioned the command's actions on behalf of the UN's first collective security effort. It did this by authorizing the U.S. command to fly the UN flag during the course of its operations and by requesting the USG to submit reports on the command's activities.³⁸ The USG coined the unified command's naming convention.³⁹

The UNC Commander is a FO/GO in the grade of O-10 appointed by the USG. The UNC works for, and reports to, the USG. The UNC's reporting channel runs through the U.S. CJCS to the Secretary of Defense, and culminates with the U.S. President. USPACOM is not within UNC's command or reporting chain; however, the UNC is expected to inform USPACOM on its communication with the U.S. CJCS.⁴⁰ The UNC provides routine status reports through the U.S. Joint Staff and U.S. Department of Defense, to the U.S. Department of State and its UN delegation, and onward to the Security Council and the UN Secretary General.⁴¹ The UNC's mission, command relations, support relations, functions, and communications channels are codified in Memorandum, Joint Chiefs of Staff 9-83 (MJCS-9-83), a Terms of Reference (TOR) document issued in 1983.⁴²

The UNC was established as a belligerent, not a peacekeeper.⁴³ The "UN" in the UNC's naming convention often confuses the casual observer in that the command has more affiliation with the UN body than

it actually does.⁴⁴ The UNC is more akin to contemporary UN authorizations for collective security actions such as the American and Saudi Arabian-led coalition mission for Operation Desert Storm in Kuwait and Iraq, than to other UN missions including the UN Protection Force (UNPROFOR) in the former Yugoslavia.⁴⁵ This dichotomy has resulted in the UN Security Council and the wider UN system having distanced itself from the UNC since the conclusion of active hostilities in Korea in mid-1953. Despite the UN's distancing itself from the UNC, the UNC-related UN Security Council Resolutions remain active.

Though a USG-established command, the UNC has served since its inception as the venue for UN member nations to provide military forces to the defense of the ROK. These nations are referred to as the UNC Sending States.⁴⁶ Multinational Sending States maintain their interests and equities in the UNC through liaison teams, as well as their ambassadors to the ROK; there are currently 16 active UN member nations.⁴⁷ Some of these nations have formalized Foreign Exchange Officer agreements with the USG. Foreign officers have been formally appointed to UNC staff positions, although this is a recent phenomenon.⁴⁸

The UNC is no longer the theater-level warfighter command it was in the 1950-1953 Korean War; it is not the headquarters responsible for the defense of the ROK. These roles and missions were transferred to the CFC in 1978, at which time the UNC became a multinational supporting command. Despite this change of mission focus, the UNC retains the responsibility for maintaining friendly force compliance to the Armistice Agreement. Regardless of the changes to UNC's role and missions, the command remains a belligerent and an active participant to the Armistice. However, the UNC no longer has an active enemy counterpart per the terms of the Armistice Agreement; the Korean People's Army (KPA) and the Chinese People's Volunteers (CPV) withdrew their Military Armistice Commission (MAC) representatives in the mid-1990s.⁴⁹ In spite of the KPA and CPV withdrawal, the UNC continues to appoint its MAC delegation (UNC MAC). The KPA's successor to the KPA MAC, the Panmunjom Representatives delegation, formally notified the UNC MAC delegation on April 4, 1996 that it intended to withdraw from the Armistice Agreement, as well as its responsibilities related to the maintenance and administration of the Korean Demilitarized Zone and Military Demarcation Line.⁵⁰ Regardless of the CPV and KPA withdrawal from the Armistice Agreement and its

provisions, the UNC adheres to the letter and spirit of the cease fire document, including maintaining the formal mechanisms codified in the Armistice. These include continued support to the UNC MAC delegation and the Neutral Nations Supervisory Commission.⁵¹ However, despite the opposing side's withdrawal from the Armistice and its mechanisms, the KPA still tacitly complies with the Armistice, periodically meeting with the UNCMAC delegation via the General Officer Talk venue, concluding several supplementary agreements to the Armistice, and largely respecting the Military Demarcation Line, Han River Estuary, and Demilitarized Zone.⁵²

Small-scale engagements and battles have occurred repeatedly since the cease fire was concluded 63 years ago. Historically, the UNC Commander's most effective tool to maintain the Armistice Agreement following initial self-defense actions by ROK (and U.S.) forces has been to separate friendly forces from the opposing enemy forces, and prevent the resumption or escalation of localized hostilities.⁵³ Since 1978, and in particular after the 1994 ROKG's withdraw of operational control, the UNC Commander can request the CFC Commander to exercise CODA over ROK forces through the ROK CJCS to direct this separation of friendly forces.⁵⁴ CODA requests can be time consuming, as it is difficult to reach units in contact and depends on Korean compliance. Since it was developed in 1994, CODA has only been exercised once with troops in contact or immediately following an engagement. This occurred after a 2002 ROK-DPRK naval engagement. CODA was exercised to support a recovery operation of the sunken ROK ship. The operation was carried out under a UN flag.⁵⁵

Conclusion

In closing, the four separate, distinct, and concurrently operating theater-level commands in Korea are unique, and can be a challenge to negotiate. However, experienced staff members who understand the commands and command relations—particularly the multiple hats worn by senior leaders—can address the challenges that regularly present themselves during the course of daily activities. Leaders can positively shape the command environment by clearly delineating specific commands, discouraging slash-bar grouping in staff actions, and distinctly assigning the various command missions.⁵⁶ Better understanding each command's roles, functions, communications and

reporting chains, as well as the relationships among the commands, will address some of the misperceptions of command relations in Korea.

Notes:

¹ When acting in the official capacity as the SUSMOAK, the U.S. O-10 FO/GO in Korea is serving as the senior U.S. military representative for the U.S. Chairman of the Joint Chiefs of Staff (CJCS). Documentation on the SUSMOAK and his authorities within the U.S. Armed Forces is sparse due to its unique disposition as a Korea-only entity. Interpretation is often determined by the leadership personalities for the threshold of decisions and work the U.S. Secretary of Defense and U.S. CJCS empower the SUSMOAK to perform. Some analysts in Korea speculate that the ROK appreciates the value and is protective of its unique relationship it has with the U.S. CJCS (and access to U.S. National Authority) through his representative in Korea, the SUSMOAK. This relationship allows for streamlined access to the U.S. CJCS without going through the geographic combatant command, USMACV, where it is competing with 35 other nations for attention. Kwang Sub Kwak, *The US-ROK Alliance, 1953-2004: Alliance Institutionalization* (Ann Arbor, MI: ProQuest Books, 2006), 131-139; ROK Ministry of National Defense, *The History of the ROK-US Alliance, 1953-2013* (Seoul, ROK: Ministry of National Defense Institute for Military History, 2013), 167-168; Jeongwon Yoon, "Recalibrating the US-ROK Alliance, Chapter 6, Alliance Activities: Meetings, Exercises and CFC's Roles." May 2003, <http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB53.pdf> (accessed January 18, 2016), 92 and 106 (endnote #3); Combined Forces Command (CFC) Activation Press Briefing, briefing slides with scripted commentary, Yongsan Garrison, Seoul, ROK (document provided by the CFC Historian Office) November 1978.

² The challenges of competing imperatives within multiple dual/triple-hatted commands is not a new or unfamiliar phenomenon. GEN Ridgway, upon appointment to the United Nations Command (UNC) and Far East Commands identified this and addressed it with the U.S. JCS in late spring/summer 1951. His solution was to distinctly separate the two command's roles, responsibilities and functions by demanding separate and distinct instructions (with prioritization) from his higher headquarters. James F. Schabel, *United States Army in the Korean War – Policy and Direction: The First Year* (Washington, DC: U.S. Army Center of Military History, 1972), 380-387; Doris M. Condit, *History of the Office of the Secretary of Defense, Volume II, The Test of War: 1950-1953*, (Washington, DC: Office of the Secretary of Defense Historical Office, 1988), 110-114; CFC Assistant Chief of Staff C-5 BGen T.R. Morgan, "Policy on UNC Command Relationships," policy memorandum for the CFC and UNC staff on inappropriate and incorrect messaging by staff members on the UNC, Yongsan Garrison, ROK, (document provided by the CFC Historian Office), document undated: likely early 1979 following the CFC activation; GEN John W. Vessey Jr., *Headquarters United Nations Command / United States Forces Korea / Eighth United States Army Annual Historical Report, 1978*, (Yongsan Garrison, ROK: Command Historian Office), 14, 16. One contemporary example of slash-bar confusion is the incorrect use of signature blocks or letter head for memorandums and correspondence. While it may seem minor, it results in significant confusion at times, like when a formal letter is submitted to the ROKG regarding UNC matters, but the signature block includes the CFC signature block, thereby conveying to the ROKG that

the U.S. appointed officers within CFC are acting on unilateral U.S. guidance. Other examples include conducting unilateral U.S. only work and appearing to pass it off as CFC products in public bilateral forums when the ROK CFC staff were not involved, nor did they provide any input on the supposedly combined product. Lastly, UNC/CFC/USFK establishes yearly priorities, yet does not distinguish, nor prioritize between the priorities or commands. Instead, the slash-bar staff just lumps them together as one list of priorities, which leaves some ROK officers scratching their heads on why one of their priorities is to support the U.S. DoD Sexual Assault Prevention and Response (SAPR) program. Small issues individually, but cumulatively causes a lot of confusion. Clumsy staff work feeds ROK perceptions (and narrative) that CFC is not bilateral, but in fact is tacitly a U.S. command.

³ At times it has proven difficult for some individuals to adequately conceptualize how to properly perform their duties when they are simultaneously appointed to multiple duties. When an individual is unable to achieve the proper level of understanding on their duties, the net result is this individual will be disposed to disproportionately prioritize one duty appointment at the expense of others. On occasion, the use of a metaphor describing a dissociative identity disorder conversation to conceptually depict the internal decision-making process of a “triple-hatted” officer has been useful in educating and highlighting that when one is appointed to duties at multiple commands that they are in fact individually serving in different capacities (i.e. as if they are separate individuals representing the various commands meeting to discuss a particular subject for decision, hence the metaphor). In many cases the various command positions may share many of the same goals and objectives. However at other times, these duty capacities may conflict in prioritization, and it is up to the individual staff officer’s discretion and professional judgment to adjudicate and choose one command imperative over another. Sometimes the “greater good” requires one command imperative (i.e. a multinational command) to be prioritized over another equally compelling command imperative (i.e. the national command).

⁴ General (Ret) BB Bell, “The Evolution of Combined Forces Command,” June 9, 2012, <http://www.brookings.edu/~media/events/2012/6/08%20korea%20foundation%20global%20seminar/69%20bell%20evolution%20of%20combined%20forces%20command> (accessed January 18, 2016), 2.

⁵ The “I”, integration function, in RSO&I would be performed by the gaining unit, in this case by CFC. Secondly, military support to a U.S. Department of State ordered departure directive in Korea is executed after a Department of Defense execution order is issued to USPACOM (and functional COCOMs). USPACOM then directs U.S. Forces Korea (USFK) to conduct Non-Combatant Evacuation Operations (NEO) in support of the U.S. Department of State operations.

⁶ Competing guidance generally comes in the form of the USG issuing simultaneous / combined orders or guidance to both USFK and UNC, in which the combined instructions can, at times, conflict with the responsibilities and authorities of one or both commands. In addition, the members of both commands at times can find difficulty in execution of these higher headquarters instructions because the instructions are not adequately prioritized. While improved over time, this challenge has been around since the early days of UNC, when GEN MacArthur and Ridgeway each identified this problem, although GEN Ridgeway was far more successful in resolving this challenge than his predecessor. Schabel, *United States Army in the Korean War*, 380-387.

⁷ As described later in the document, UNC is a U.S. command. As such its decision making is unilaterally conducted by the USG. However, the UNC is a multinational force command that flies the UN flag during the course of its operations. Therefore, while the contributing nations and international community do not have a formal role in the decision-making process, the contributing nations ultimately significantly shape U.S. decision making through their willingness to provide forces. The international community also shapes the UNC decision making process due to the USG desire to retain a semblance of UN legitimacy as it visibly displays the UN flag.

⁸ There have been numerous ROK and U.S. policy divergences throughout their shared history since 1950. Examples include, but are not limited to: In early October 1950, the Korean President ordered the ROK Army I Corps (forces under the operational control of UNC) to continue its attack across the 38th Parallel over the objections of the UNC Commander. In June 1953, the Korean President again issued orders to ROK Army units (forces under the operational control of UNC) to release Korean prisoners of war (POW) held in four UNC POW camps in an attempt to derail the Armistice negotiations. In the mid-1970s the ROKG had a clandestine nuclear weapons program, which the USG actively worked and succeeded in halting. In May 1980, a major policy divergence occurred between the ROK and U.S. Governments when the ROK used military forces under its operational control to suppress the democracy demonstrations / rebellion in Kwangju. Lastly, the ROK and U.S. Governments have an ongoing policy divergence since the early 1970s with regard to the Northern Limit Line (NLL) in the West (Yellow) Sea; the U.S. position is the NLL is a friendly control measure, while the ROK position is the NLL is a de facto border to be defended. William S. Richardson, "The North/South Korea Boundary Dispute in the Yellow (West) Sea," November 14, 2002, <https://www.law.hawaii.edu/sites/www.law.hawaii.edu/files/content/Faculty/N-SKoreaBoundary2003.pdf> (accessed August 09, 2016), 1.

⁹ Glenn Rice, "CFC Command Relationship Orientation," briefing slides and scripted commentary, Yongsan, ROK, U.S. / ROK CFC, circa-1986, *Nautilus Institute Freedom of Information Act (FOIA) document*, <http://nautilus.org/foia-document/cfc-command-relationships-orientation/> (accessed September 16, 2016); ROK Ministry of National Defense, *History of the ROK-US Alliance*, 162, 172, 285; Min-Koo Han, *2014 Defense White Paper*, (Seoul, ROK: ROK Ministry of National Defense, December 31, 2014), 126; CFC Activation Press Briefing, 3, 5, 7, 9; LTG Randolph House, *Headquarters UNC/CFC Organization and Functions Manual*, (Yongsan, ROK: United Nations Command and Combined Forces Command, November 7, 1997), 2-3-1, 4-3-1, 4-3-2; GEN John A. Wickham Jr., *Headquarters United States Forces Korea / Eighth United States Army Annual Historical Report, 1979*, (Yongsan Garrison, ROK: Command Historian Office), 5-6; USFK Assistant Chief of Staff J3 MG Richard L. Prillaman and ROK JCS Assistant Chief of Staff J5 MG Jang-Nai Sohn, "Joint Recommendation for the Activation of the Combined Forces Command," memorandum for the Commander USFK and ROK CJCS, Seoul, ROK, December 13, 1977, 7a-8.

¹⁰ Ibid.

¹¹ Title 10 is the area in U.S. code that governs the U.S. Armed Forces. It provides the legal basis for the Department of Defense and the respective service's roles, missions and organization. The services, and in the case of sub-unified commands, are charged with the responsibility for ensuring the personnel readiness, equipping, and training of the forces under their control.

¹² Two examples where USFK may provide reach-back support for CFC with the U.S. interagency is for the CFC Combating Weapons of Mass Destruction (CWMD) and humanitarian assistance support missions during hostilities and post-hostilities.

¹³ Article 74 of the ROK Constitution states the ROK President is the Commander in Chief of the Armed Forces. Article 89, of the ROK Constitution states that the State Council is the highest deliberative body for important military affairs, to include imposition of martial law, declarations of war, etc. Article 87 and 88 of the ROK Constitution mandates that the State Council be made up of no less than 15 members, but no more than 30 members, all of which must be civilian (retired military is authorized).

¹⁴ The ROK CJCS, in his command role, does not have authority to promote, demote, or take administrative action against ROK officers. This authority is retained by the respective ROK Service Chiefs, which in the ROK are the Army, Navy and Air Force.

¹⁵ The ROK CJCS is far more involved in implementing national decisions than he is in making them. In addition, an interesting development occurred in the early to mid-2000s whereby the ROK National Security Council (NSC) began to encroach upon defense-related issues that previously had been the exclusive purview of MND. Bruce E. Bechtol Jr., “The ROK-US Alliance During the Bush and Roh Administrations: Differing Perspectives and Their Implications for a Changing Strategic Environment,” *International Journal of Korean Studies Vol IX, no 2 (Fall/Winter 2005)*, <https://www.ciaonet.org/attachments/10783/uploads> (accessed August 29, 2016) 98; Evan S. Medeiros, Keith Crane, Eric Heginbotham, Norman D. Levin, Julia F. Lowell, Angel Rabasa, and Somi Seong, *Pacific Currents: The Responses of U.S. Allies and Security Partners in East Asia to China’s Rise* (Santa Monica, CA: RAND Corporation, 2008), 88. This encroachment into defense issues mirrors the recent developments within the U.S. national security realm whereby the U.S. NSC has encroached upon and inserted itself into areas previously the exclusive domain of the U.S. DoD. Needless to say the addition of both NSCs into the management of the U.S. / ROK Alliance has increased the level bureaucracy and partisan politics into Alliance decision-making.

¹⁶ In some forums ROKG officials have distanced themselves from acknowledging that their CJCS will take guidance from the Military Committee when acting in an Alliance capacity. The concept was articulated in a non-binding agreement by the Permanent Military Committee to address scenarios in a crisis where the Alliance is jointly responding, but the situation is so fluid that a transition from ROK JCS to CFC would disrupt friendly force operations in progress. The fact that the concept was stipulated in a high-level, but non-binding fashion below the National Authority level threshold does give credence to ROK arguments that it is not ROKG policy. However, should such a situation arise and the ROKG not agree to Military Committee control over the bilateral operation, the USG is unlikely to concur with allowing an “Alliance” activity to be only responsive to one partner’s unilateral direction.

¹⁷ The ROK military has its own unilateral responsibilities to its government outside the scope of the Alliance that it chooses to not involve its U.S. partner. Examples include any contingency plans it may or may not have to address disputes with adjacent regional parties (outside of the DPRK), its bilateral military relationship with Russia or the People’s Republic of China, or plans to respond to its own domestic disasters. Furthermore, ROK support to U.S. treaty responsibilities to the defense of Japan or the Philippines, participation in USPACOM Theater Security Cooperation exercises / multilateral training events, and military deployments in support of humanitarian

operations in the Indo-Pacific are prime examples of where the ROK, at times, distances itself from partnering with the U.S. However, it is valuable to acknowledge that throughout the shared U.S. and ROK history, the ROK has deployed in support of U.S.-led operations outside the scope of the U.S. / ROK MDT, of which the ROK military deployments to South Vietnam, Iraq and Afghanistan are prime examples.

¹⁸ The ROKG has exercised command of its forces throughout the history of the U.S. / ROK security relationship. From 1950 through 1978 the ROKG delegated operational control of its armed forces to the USG, which exercised control through the UNC. From 1978 to 1994 the ROKG delegated the operational control of the majority of its armed forces (those aligned to the Korea defense operational plan) to the bilateral command, CFC. In 1994 the ROKG withdrew operational control from CFC during peacetime. Since 1994, the U.S. and ROK Governments have maintained standing plans to delegate operational control of their forces under CFC for the prosecution of the bilateral campaign during hostilities. Furthermore, as part of the 1994 operational control transition, the two countries developed and instituted CODA (delegated by the ROKG) as a peacetime linkage mechanism between the ROK armed forces and CFC to ensure those forces were interoperable, trained and ready to perform Alliance missions during hostilities.

¹⁹ USPACOM retains COCOM of U.S. forces, ROK JCS retains OPCOM (COCOM equivalent), and command authority is retained by the respective President.

²⁰ At times ROKG officials will erroneously allude that CODA equates to U.S. control over ROK forces and that the ROK has not gained true “operational control” over its armed forces. At times these officials will also tacitly suggest that the U.S. has taken this control and not allowed it to return to the ROK. What these officials fail to acknowledge is that the ROKG delegated this control and it is fully within their sovereign right to withdraw any bilateral control measures they deem necessary. In addition, these officials also gloss over that CODA and wartime operational control are bilateral constructs guided by the Military Committee. These statements are often used to gain sympathy and leverage in bilateral or multilateral settings to gain a position of advantage in the ensuring discourse.

²¹ ROK Ministry of National Defense, *History of the ROK-US Alliance*, 171 and 456 (endnote #15); Sam Yeol Jang, *The Role and Command Relationship of the USFK in the Changing Security Environment*, Strategic Research Project (Carlisle Barracks, PA: U.S. Army War College, Class of 2001), 29-31 (copy of the 1st Steering Committee Memorandum No 1).

²² Bell, “Evolution of CFC,” 3.

²³ ROK Ministry of National Defense, *History of the ROK-US Alliance*, 168.

²⁴ Yoon, “Recalibrating the US-ROK Alliance,” 102-104; Early unclassified descriptions of the relationship can be found at: Kwak, “US-ROK Alliance,” 131-136 and 142-144; MG Richard L. Prillaman and MG Jang-Nai Sohn, “Joint Recommendation for the Activation of the Combined Forces Command,” CFC Activation Press Briefing; Rice, “CFC Command Relationship Orientation,” 4.

²⁵ Mr. Glenn Rice, former chief of the Policy Operations Branch at CFC, identifies five functions the Military Committee performs. 1) Develop and transmit strategic direction and missions to Commander CFC from the ROK and U.S. Governments; 2) Provide a channel of communication between the two Governments and Commander CFC; 3) Respond to guidance of the ROK and U.S. Governments for urgent matters; 4) Make

recommendations to the Governments concerning the military forces under the operational control of Commander CFC; and 5) Provide appropriate support for the strategic plans of both country's Governments. Rice, "CFC Command Relationship Orientation," 3-4.

²⁶ Bell, "Evolution of CFC," 3; ROK Ministry of National Defense, *History of the ROK-US Alliance*, 125-128 and 171; Kwak, "US-ROK Alliance," 132-134 and 136-139; Donald A. Timm, "Chapter IX, Visiting Forces in Korea," in *The Handbook of the Law of Visiting Forces*, ed. Dieter Fleck (New York, NY: Oxford University Press, 2001), 447; Yoon, "Recalibrating the US-ROK Alliance," 91-92; CFC Activation Press Briefing.

²⁷ Glenn Rice, "CFC Command Relationship Orientation," 2-4, 7-8; CFC Activation Press Briefing, 3, 9; MG Richard L. Prillaman and MG Jang-Nai Sohn, "Joint Recommendation for the Activation of the Combined Forces Command," 7a-8; Timm, "Chapter IX, Visiting Forces in Korea," 447.

²⁸ Typically through a combined live and secure video teleconference medium.

²⁹ Timm, "Chapter IX, Visiting Forces in Korea," 447; Jang, *Role and Command Relationship*, 9 and 36 (footnote 21).

³⁰ CFC operates on its standing guidance and bilateral guidance that it receives, not responding to unilateral guidance, whether it be ROK or U.S. Bilateral concurrence within the Alliance construct is both a strength and a possible weakness of the bilateral command. As a strength, it provides a mechanism for achieving unity of effort in the Alliance Command's actions, ensuring the individual member nations are committed to the decision and resulting action. It hedges against a single member forcing its agenda, but exposes the Alliance to decision paralysis when the member nations cannot achieve agreement. Timm, "Chapter IX, Visiting Forces in Korea," 447.

³¹ Even though modern communications allow for the plenary session to meet, in a crisis it may require several hours to coordinate and conduct a plenary session meeting. The permanent session allows for near real time bilateral consultative discussions to occur, setting the stage for initial bilateral concurrence for the respective governments to consider, decreasing decision space and reaction time in crisis. Furthermore, the permanent session also reflects the dichotomy of an Alliance, with one member with a one-nation theater responsibility and another with global responsibilities. The care and feeding of the Alliance command with routine (daily, monthly, quarterly, etc) course corrections by the permanent session ensures the Alliance command is not completely paralyzed with indecision by distant decision bodies.

³² Timm, "Chapter IX, Visiting Forces in Korea," 447; CFC Activation Press Briefing.

³³ Unless otherwise stated, permanent session's decisions are accepted as valid by the plenary session. However, at times the plenary session has chosen to provide additional legitimacy to the Permanent session's decision by including endorsement of decisions in official statements, additional signed documents or inclusion in the meeting's joint communique.

³⁴ SCMs have been held since 1968 to establish a formal dialogue between the U.S. Secretary of Defense and the ROK Minister of National Defense. The body has been used as a senior policy consultative forum on the U.S. / ROK security relationship and to conclude high-level military agreements between the two countries. Since 1978, it has been used to ratify Military Committee decisions, adjudicate divergences in Military Committee reaching decisions, and to provide synchronized, bilateral national level

guidance to the Military Committee for implementation by the Alliance command. For a description of the SCM: Seong Tae Cho, *2000 Defense White Paper*, (Seoul, ROK: ROK Ministry of National Defense, December 31, 1999), 115-116; Yoon, "Recalibrating the US-ROK Alliance," 88-91. For an example narrative on the relationship between the permanent and plenary Military Committee sessions and the SCM: Min-Koo Han, *2014 Defense White Paper*, 123-125. For a topical overview of Military Committee plenary session and SCM sessions, and to see the linkages between them: ROK Ministry of National Defense, *History of the ROK-US Alliance*, 120-128 and 418-422.

³⁵ Examples of decisions that the respective National Authority would approve and then provide through their military Secretary / Minister include, but are not limited to, transitioning the Alliance Defense Condition; chopping forces from national to bilateral control; declaration of H-Hour, C-Day, etc; and transitioning phases in the Operational Plan. Bell, "Evolution of CFC," 3;

³⁶ The foundation of the consultative process is the ROK and U.S. Mutual Defense Treaty concluded on October 17, 1953 and mutually ratified (and entered into force) on November 17, 1954. CFC Activation Press Briefing.

³⁷ The U.S. was already militarily engaged with ground, sea, and air forces under a unified command and a Commander in the field in support of the ROK when United Nations Security Council Resolution 84 was enacted. The unified command was the U.S. Far East Command and the Commander was General of the Army Douglas MacArthur. There already was discussion of GEN MacArthur being designated as the unified commander for UN forces prior to United Nations Security Council Resolution 84 being enacted, since he and the U.S. Far East Command were already leading U.S. (and several other nations to include the United Kingdom, Australia, etc) operations in support of the ROK. Telegram from U.S. Representative at the UN (Warren Austin) to the U.S. Secretary of State (Dean Acheson), dated July 06, 1950, linked from the U.S. Department of State Home Page at "Foreign Relations of the United States, 1950, Volume VII, Korea," <https://history.state.gov/historicaldocuments/frus1950v07/d233> (accessed April 27, 2016). One might even assert that the Far East Command continued to be the unified command which conducted the war based on message traffic from the USG, with the UNC being established as a paper headquarters to marshal and highlight the UN member states forces operating underneath – at least for the early part of the war. The UNC as a separate and distinct command really came more into its own at GEN Ridgeway's insistence of separating the UNC functionally from the Far East Command in the spring of 1951 and once the Armistice negotiations started in mid-1951. Furthermore, the UNC staff was not officially established until October 11, 1950 when the headquarters published UNC General Order Number 14. Although the command did back-date the staff's establishment to July 24, 1950, the day the command was formally established. MG Doyle O. Hickey, UNC Acting Chief of Staff, "UNC General Order No 14," Tokyo, Japan, GHQ UNC, October 11, 1950. "The armed forces from 15 satellite countries and south Korea mobilized for the Korean War engaged in combat operations under the direct command of the U.S. commander-in-chief of the armed forces in the Far East veiled as the commander-in-chief of the "UN Forces" in the whole period of the war. However, the U.S. commander-in-chief of the armed forces in the Far East never answered to the UN, but to the U.S. President, Pentagon, and the headquarters of the Joint Chiefs of Staff." The author of this quote is a researcher for the DPRK's Institute For American Studies (IFAS), and reflects an opinion held by the opposing side of the UNC's naming

convention and attempts to affiliate the command with the UN body. Jong Nam Hyok, “Replacing Armistice Agreement with Peace Agreement is the best way for ensuring peace on the Korean Peninsula and the rest of the northeast Asian region,” March 10, 2016, linked from the *Center For Strategic & International Studies Home Page* at <https://www.csis.org/analysis/pacnet-25-replacing-armistice-agreement-peace-agreement-best-way-ensuring-peace> (accessed August 9, 2016).

³⁸ *United Nations Security Council Resolution 84*, Fifth Session of the United Nations General Assembly (July 7, 1950); United Nations, *United Nations Juridical Yearbook, 2003*, (New York, NY: United Nations Publication, 2006), 553-555. UN Security Council Resolutions are a source of responsibility, but have erroneously been believed at points to be a source of authority. Resolutions are internationally approved mandates, communiqués to national governments, which each UN member state elects to accept and undertake, decline, or ignore.

³⁹ United Nations, *United Nations Juridical Yearbook 2003*, 525; James F. Schnabel and Robert J. Watson, *The Joint Chiefs of Staff and National Policy, 1950-1951, The Korean War, Part One* (Washington, DC: History of the Joint Chiefs of Staff, Volume III, 1998), 55-59, 63-67; Donald W. Boose Jr., “The United Nations Command in the Korean War: A Largely Nominal Connection,” paper presented to the 2000 Conference of Army Historians for “The U.S. Army in the Korean War, the Fiftieth Anniversary,” 12. It is important to remember that the use of “UN forces” as an idiom during this period (1950) was an accepted practice since 1942. The phrase was developed and used during the Second World War (albeit limited during the war) by the Allied Powers, following their “Declaration of United Nations” on January 1, 1942. The phrase continued to be used to denote UN actions following its establishment in 1945. So it was not out of place nor inappropriate when the UN, U.S. and others used the term to coin the UN collective security effort in Korea as the UNC. “1942: Declaration of the United Nations,” *United Nations Homepage*, <http://www.un.org/en/sections/history-united-nations-charter/1942-declaration-united-nations/> (accessed March 16, 2017).

⁴⁰ Timm, “Chapter IX, Visiting Forces in Korea,” 445.

⁴¹ *Ibid*, 445-446.

⁴² This MJCS TOR from the U.S. JCS is the only standing written guidance issued to the Commander, UNC. Consolidated, standing Joint Staff instructions to the Commander, UNC have occurred five times in the sixty-six years of the command’s existence. The Joint Staff issued MJCS 9-83 in 1983, which superseded MJCS 108-73 dated April 12, 1973. The Joint Staff issued JCS Message 955314 on February 20, 1959, following the implementation of the 1957 Unified Command Plan. Although there are secondary source references to the 1959 instructions, no known copy remains. The 1959 instructions superseded JCS Message 968900 issued October 06, 1954, which provided the Commander, UNC his post-Armistice instructions. The Joint Staff first issued stand-alone, consolidated instructions to the Commander, UNC in JCS Message 95977 dated July 10, 1951. Prior to July 1951, the Joint Staff issued joint instructions to UNC and the Far East Command or iteratively as the situation required. GEN Ridgeway found the iterative and jointly issued instructions to be confusing and replete with contradictions between what the Joint Staff expected from the UNC and Far East Command.

⁴³ The “belligerent” word choice is intentional. It was selected over more benign terms, so as to be absolutely clear what UNC is. This was done because there is an erroneous perception amongst some groups that the UNC is a neutral party between the ROK and

DPRK, and from time to time the case is made that the UNC could or should transform into a peacekeeper. Both assertions are false, grossly ignoring the UNC's origin and the command's history.

⁴⁴ Schnabel and Watson, *Joint Chiefs of Staff and National Policy*, 59;. "There was no organic connection between the United Nations Organizations and the UNC. Strategic policy and direction of the field force were vested in the United States." Boose, "United Nations Command in the Korean War: A Largely Nominal Connection," 15; United Nations, *The United Nations Today*, (New York, NY: United Nations Publication, 2008), 77.

⁴⁵ United Nations, *United Nations Juridical Yearbook 2003*, 554.

⁴⁶ There is no definitive definition of a UNC Sending State, however, it is a generally accepted naming convention used to identify the nations that contributed combat, combat support, and combat service support forces to the United Nations Command between 1950 through 1953. Sending States have also been referred to as "contributing nations", "member nations" or "member states" throughout the UNC history, however the naming convention used today by UNC is "Sending State". The earliest documented use of the term "Sending State" found by the author was the February 19, 1954 reference in the "Agreement Regarding the Status of United Nations Forces in Japan," also known as the UN-Government of Japan (GOJ) Status of Forces Agreement (SOFA).

⁴⁷ There are sixteen active UNC Sending States: United Kingdom, Philippines, Thailand, Canada, Turkey, Australia, New Zealand, Greece, France, Columbia, Belgium, South Africa, The Netherlands, Italy, Denmark, and Norway. Ethiopia, Luxembourg, India and Sweden are currently not active nations with the UNC; while India was a sovereign nation during the war, it provided forces under the British Commonwealth umbrella and its forces equities were represented by the United Kingdom's UNC representatives; additionally, Sweden did not assign a liaison to the UNC headquarters during the war. Nations that contributed humanitarian forces for civilian purposes to the ROK or UNC such as West Germany (provided a Red Cross field hospital for civilian usage only), are not considered Sending States; thirty-nine UN member nations and several non-member nations answered the call and provided some form of support to the ROK during the conflict. Paul M. Edwards, *United Nations Participants in the Korean War: The Contributions of 45 Member Countries* (Jefferson, NC: McFarland & Company, 2013), 143-144. While the ROK placed its forces under the UNC throughout the duration of the war, it is not considered a UNC Sending State for the reason that the UNC mission was to provide assistance to the ROK to repel DPRK aggression. Timm, "Chapter IX, Visiting Forces in Korea," (footnote 22) 446. The U.S. is also not considered a Sending State since UN member states were called upon by the authorizing UN Security Council Resolution to provide forces to the American-led unified command.

⁴⁸ Multinational interests were first represented in UNC by a FO/GO from the United Kingdom that was appointed to the UNC staff as the Deputy Chief of Operations from 1952-1956. After the United Kingdom and Commonwealth forces departed Korea there were no non-U.S. members of the UNC staff until 1978, when in an informal, non-binding agreement via an exchange of letters between the Commander CFC and the ROK CJCS, select ROK members of the CFC staff were given duties (later appointed to specific staff billets) in support of UNC. Commander CFC GEN John J. Vessey, "Designation of Certain CFC Staff Members to Serve on UNC Staff" letter for ROK Chairman of the Joint Chiefs of Staff GEN Jong-Hwan Kim, Yongsan, ROK, January 16,

1979; ROK Chairman of the Joint Chiefs of Staff GEN Jong-Hwan Kim, "Letter concerning the 'Designation of Certain CFC Staff Members to Serve on UNC Staff'," letter for Commander CFC GEN John J. Vessey, Yongsan, ROK, January 19, 1979. Sending State interests were not formally represented on the UNC staff until early 2015, when an Australian FO/GO was assigned to the USFK staff through the U.S. Department of Defense Foreign Exchange Officer (FEO) program. This officer was subsequently appointed for duty to the UNC staff as the Deputy U-5. In late 2015 a similar FEO arrangement was concluded with the United Kingdom for two field grade officer FEOs being assigned to USFK and appointment to the UNC staff.

⁴⁹ The MAC had ceased functioning as outlined in the Armistice Agreement in early 1991 after conducting 459 plenary sessions since 1953, although it still did meet informally up through 1994. Chi Young Pak, *Korea and the United Nations* (Cambridge, MA: Kluwer Law International, 2000), 228-229; Timm, "Chapter IX, Visiting Forces in Korea," 445. The CPV formally withdrew their representative to the MAC in December 1994 and officially departed the DPRK. The KPA concurrently withdrew their MAC representative, leaving the UNC to honor and independently conduct the business of the MAC. The KPA established a "Panmunjom Representatives," which since 1998 meets periodically with the UNC MAC representatives in a "General Officer Talks" capacity. These General Officer Talks perform many of the KPA/CPVs MAC crisis management and dialogue functions. General Officer Talks have continued to conclude former MAC business on behalf of their respective sides, to include negotiating and concluding Subsequent Agreements to the Armistice Agreement. However, it is important to note that the DPRK has been adamant that its KPA Panmunjom Representatives are not members of the MAC.

⁵⁰ UNC Commander GEN Gary E. Luck, "Special Report of the United Nations Command to the United Nations Security Council on the Korean People's Army Non-Compliance with the Provisions of the Military Armistice Agreement" communication to the U.S. Director, Joint Staff, Yongsan, ROK, April 11, 1996. The DPRK and the Korean People's Army have repeatedly stated that it has withdrawn or no longer recognizes the Korean Armistice Agreement (1976, 1994, 1996, 2003, 2006, 2009, and 2013). Korean War Armistice Agreement, <http://www.cfr.org/north-korea/korean-war-armistice-agreement/p22481> (accessed August 8, 2016); Madison Park, "North Korea declares 1953 armistice invalid," March 13, 2013, <http://www.cnn.com/2013/03/11/world/asia/north-korea-armistice/> (accessed August 8, 2016); Robert F. Dorr, "North Korea Invalidates Armistice," March 11, 2013, <http://www.defensemedianetwork.com/stories/north-korea-declares-armistice-invalid/> (accessed August 8, 2016).

⁵¹ The KPA "decredentialed" the Czechoslovakian NNSC delegation when the country split into the Czech and Slovak republics in 1992 and ceased logistically supporting the Polish NNSC delegation in 1995 following the Polish transition away from Communism. Poland continues its NNSC activities albeit limited and out of Poland with periodic visits to Korea. This left the UNC's Swiss and Swedish NNSC delegations alone to perform their limited duties, without a full-time counterpart on the northern side. Timm, "Chapter IX, Visiting Forces in Korea," 445.

⁵² Hyo-Jin Kim, "Armistice Agreement is valid, but not functional," February 12, 2015, *The Korea Times*, http://www.koreatimes.co.kr/www/news/nation/2016/06/180_173288.html (accessed

August 8, 2016). “It is a universally acknowledged international practice and the requirement of any international law that if an agreement between any countries becomes essentially nullified due to one party, such an agreement would no longer be valid and subsequently, there would be no reason for the other party to stay bound by that agreement.” The author of this quote is a researcher for the DPRK’s IFAS, and reflects an opinion by the opposing side of why it no longer maintains the mechanisms of the Armistice. Hyok, “Replacing Armistice Agreement.”

⁵³ Friendly forces are largely limited to ROK forces today since they are singularly responsible for daily security operations, but could include U.S. forces forward stationed in the ROK. The opposing enemy forces today are the DPRK’s KPA, and formerly included the CPV when it had sizable forces still deployed to the DPRK (prior to 1958).

⁵⁴ ROK Ministry of National Defense, *History of the ROK-US Alliance*, 171; Rice, “CFC Command Relationship Orientation,” 1.

⁵⁵ In 2002, a ROK Navy patrol craft capsized following a sea engagement in the West Sea (Yellow Sea) at the Second Battle of Yeonpyeong. Following the CFC request for CODA of designated ROK forces from the ROK CJCS, CFC placed the selected designated forces under temporary UNC control for the execution of the recovery operation. Senior U.S. Military Officer Assigned to Korea (SUSMOAK) GEN Leon J. LaPorte and ROK Chairman of the Joint Chiefs of Staff GEN Nam-Shin Lee, “ROK/U.S. Military Cooperation for the West Sea ROKN Vessel Salvage Operation,” ROK/U.S. Military Committee Permanent Session Memorandum, Yongsan, ROK, July 25, 2002.

⁵⁶ As an example, routinely the staff is directed/tasked to provide a briefing or a product to the “Commander.” While it is clearly understood which physical person to whom the briefing is intended for, the fundamental question leaders and staff must ask is, “Which Commander?” so that the briefing or product is tailored to the specific roles, responsibilities and authorities the (respective) Commander is acting under. It often takes some months for many staff officers to understand this important question, and far too many never conceptually grasp this nuance for operating in Korea. Yet, by understanding the question and the role of the respective commander, the staff officer provides clarity rather than compounding the confusion often associated with assignments in Korea.