

The Transfer of Wartime Operational Control in Korea :

History, Risks and Tasks from a Military Perspective

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· **Key words** : South Korea, Combined Forces Command, unity of command, operational control, wartime operational control

[ABSTRACT]

Recent North Korean military provocations such as the attack on the South Korean warship *Cheonan* in March 2010 and the artillery bombardment on Yeonpyeong Island in November 2010 have increased uncertainty of the Korean Peninsula and heightened the possibility of another serious military confrontation between South and North Korea. This situation may demand the ROK and the United States to reexamine the transfer of operational control authority, which was scheduled to occur in December 2015. Military leaders, political decision makers, and scholars of international relations from both the ROK and the United

States would be well advised to undertake a series of politico-military games to examine how to effectively deal with situations such as North Korea's military provocations, WMD threat, and possible sudden collapse after the scheduled transfer of wartime OPCON. The transfer itself should not be the goal. Also, North Korea's recent military attacks should not be seen as isolated incidents. Rather, they could be the side effects of the change in the ROK-US military relationship and the harbinger of a more serious and uncertain future.

I . Introduction

The Republic of Korea (ROK) President, Lee, Myung-bak, and the United States President, Barack Obama, agreed to postpone the transfer of the “wartime”¹⁾ operational control authority (OPCON) of the ROK-U.S. Combined Forces Command (CFC) to the ROK Joint Chief of Staff (JCS) to December 1, 2015. The wartime OPCON was previously scheduled to be transferred on April 17, 2012. The ROK government requested the postponement due to the insufficient preparation to take over the OPCON and the increase of uncertainty on the Korea Peninsula, including the North Korean attack on the ROK warship *Cheonan* on March 26, 2010.

The transfer of wartime OPCON does not merely mean the change of the hands that hold the OPCON authority. It means the dismantlement of the CFC, which has functioned as a linchpin for the deterrence and victory of war on the Korean Peninsula. If the CFC is dismantled, the ROK forces and the US forces should fight not in unity but in parallel in case of war. Regardless, even in a parallel command relationship, they would do their best to fight together in a closely coordinated way especially on an operation level. However, they would have difficulty in coordinating the objective, strategy and approach, if the conflict of interests or difference of opinions occurs between the two sides regarding the deterrence and conduct of war. The ROK forces may not agree on decisions of US forces and US forces may not

1) The OPCON authority in the armistice period was transferred to the ROK JCS in 1994.

support decisions of the ROK forces. In other words, if the OPCON transfer is implemented or if the CFC is dismantled, the “unity of command,” which has been one of the “principles of war,”²⁾ cannot be ensured in the military operations on the Korean Peninsula.

Unity of command, meaning that “all forces operate under a single commander with a requisite authority to direct all forces employed in pursuit of common purpose,”³⁾ has been considered an essential determinant of victory in war. Without unity of command, the efforts of various forces employed are likely to be dispersed, may even conflict, and cannot be aligned for the maximum contribution to victory. Therefore, upon the outbreak of hostilities in 1950, the United Nations (UN) allowed the United States to establish the United Nations Command (UNC) and appoint the commander, mainly out of concern for unity of command, among forces from UN member nations. ROK President Lee Syng-man also followed the suit by delegating command authority over ROK forces to the Commander of UNC. This unified command structure continued after the Armistice Agreement in 1953 and was succeeded by the CFC which was established in 1978. The commander of CFC has the responsibility and the final decision authority regarding the deterrence of North Korean attack and the defense of South Korea, and exercises operational control (OPCON) over the ROK forces, which was provided to CFC by the ROK government.

In retrospect, the issue of transfer of wartime OPCON authority from CFC to the ROK JCS was not raised through in-depth, active and balanced discussions among the Korean people. The possible ramifications, risks and complementary measures of the transfer were not fully discussed due to the strong anti-US campaign by the so-called “386 generation” progressive

2) The “principles of war” were selected to help military leaders find the way to win a war or military operations. It was first introduced by an English General J.F. C. Fuller in the early twenty century and most militaries in the world came to have their own version of the principles. For example, in 1949, the US military decided its nine principles of war: principle of objective, offensive, mass, economy of force, maneuver, unity of command, security, surprise, and simplicity. The ROK military adopted the US version with slight change. For current discussions on the principles of war, see Hwee Rhak Park, “Proposals for More Useful Principles of War,” *The Korean Journal of Security Affairs* 13-1 (June 2008), pp. 155-176.

3) US Joint Chiefs of Staff, *Joint Operations*, Joint Pub. 3-0, Incorporating Change I (Washington DC: Department of Defense, 13 February 2008), p. A-2.

political and opinion leaders in the Roh Moo-hyun administration from 2003. They appealed to the ROK people in the name of sovereignty and pressed the United States to agree to their request. The US government also came to understand the necessity to reduce their responsibility for the defense of South Korea. As a result, in 2007, the United States and the ROK agreed to transfer or transition⁴⁾ that authority to ROK JCS by April 17, 2012 and “to develop the new operational plans based on the new command structure created by the transition of wartime OPCON”⁵⁾ between US forces and ROK forces.

Now that the ROK and the US militaries came to have about five years to prepare for the transfer of the OPCON, the ROK and the US administrations must review all aspects of the transfer of that authority in a more balanced and professional way. They should identify the risks and find prescriptions to mitigate those risks before implementing the agreement in 2015. Considering the unchanged North Korean goal of unification of the Korean Peninsula through communization and an aggressive military posture (including development of nuclear weapons and missile arsenals, chemical and biological weapons), the two administrations must be utmost concerned with deterrence and prevention of the war. The North Korean attack at the ROK warship *Cheonan* in March 2010 and another artillery attack on Yeonpyeong Island in November 2010 clearly demonstrated the complex situation on the Korean Peninsula. The transfer itself should not be the goal. This issue should be handled in a way that can guarantee the deterrence of war and victory of a possible war.

In this sense, this article, from a military perspective, identifies the risks of the transfer of wartime OPCON authority from CFC to the ROK military in terms of unity of command and makes some suggestions to mitigate or negate these risks. While the pros and cons of the transfer of wartime OPCON differ according to one’s perspective, the recent North Korean military provocations have dramatically changed the situation on the Korean Peninsula, elevating

4) US and ROK militaries are using the word “transfer” or “transition” of the operational control authority in order to avoid more provocative wording concerning “retaking” or “return.” However, the ROK government is to retake the authority, which is a part of sovereignty.

5) Secretary of Defense of US and Minister of National Defense of Republic of Korea, *The 38th Security Consultative Meeting Joint Communiqué* (Seoul: 7 November 2007), para. 8.

the need for a military perspective by which to examine the issue.

II. The Principle of Unity of Command

Throughout history, military theorists and generals have striven to uncover principles which would increase the probability of victory. Their findings have been accumulated and incorporated under the title of “the Principles of War” as articulated by among others J. F. C. Fuller in the early twentieth century. Since then, those principles have been used by almost all militaries in the world for the analysis of past wars, the education of future military leaders, and the search for the best approaches for victory in future wars.

The US military has identified nine principles of war—objective, offensive, mass, economy of force, maneuver, unity of command, security, surprise, and simplicity⁶⁾—and these function as the “foundation” of their military doctrines.⁷⁾ ROK armed forces also learned those principles from the US military and adopted them with little change. The principle of unity of command has been included among these principles from the beginning and remains as an integral component.

Unity of command, which means that “all forces operate under a single commander with a requisite authority to direct all forces employed in pursuit of common purpose... ensures the unity of effort under one responsible command for every objective.”⁸⁾ It guarantees the ultimate decision by one commander and acceptance of that decision by all other commanders, emphasizes concentration and the prevention of dispersion for every military activity, and is supposed to result in the most efficient employment of forces and, ultimately, victory in war. Most militaries in the world included the concept in their respective versions of principles of war, although under different titles.⁹⁾ ROK armed forces use the title “Unity of Command.”¹⁰⁾

6) US Joint Chiefs of Staff, *op. cit.*, p. A-1-3.

7) *Ibid.*, p. II-1.

8) *Ibid.*, p. A-2.

9) The US armed forces call it “Principle of Unity of Command”; the United Kingdom, “Principle of Cooperation”; Japan, “Unity”; and China, “Unity of Command and Cooperation.” For the Principles of War of Japan and China, see Hwee Rhak Park, *Jeong-bo-hwa Si-dae Jen-jang-won-chic Bal-jeon-bang-hyang (The Development of Principles of War in Information Age)*, Research Report of Joint Staff College of ROK (Seoul: Joint Staff

Although it may not be the iron rule for the success of military operations, most countries fully appreciate the importance of unity of command in their planning and execution of military operations and try to develop the best ways to realize that principle in their military activities.

However, unity of command has become very difficult to achieve in modern times especially in combined or coalition operations among nations. The sovereign nations in a coalition may not be willing to delegate their command authority over their forces to a commander from another nation. Even unity of command among various government agencies in the same country may not be easy. That is the reason why the US military invented another term, “unity of effort,” in order to ensure the minimum necessary concentration of all efforts available. According to the US military, “During multinational operations and interagency coordination, unity of command may not be possible, but the requirement for unity of effort becomes paramount.” As a second best option, the military should pursue “the unity of effort,” which means coordination and cooperation toward common objectives, even if the participants are not necessarily part of the same command or organization and through which they are able to achieve “successful unified action” as a result.¹¹⁾

Unfortunately, the unity of effort has its limits. Problems can be avoided as long as the lead nation succeeds in drawing voluntary cooperation from all participants. However, failing to do so, and if the situation is too desperate to be effectively responded to through voluntary cooperation, the unity of effort will not work. The unity of effort cannot ensure that the participants will do what is necessary for the whole and cannot guarantee the accountability of participants for their negligence or mistakes. That is the reason why the military does not prefer coordination and cooperation but rather emphasizes absolute obedience to orders in the name of command authority.

College, 2006), p. 18 (in Korean).

10) ROK Joint Chiefs of Staff, *Hap-dong-gi-bon Gyo-ri (Joint Capstone Doctrine)* (Seoul: ROK JCS, 2009), pp. 78-79 (in Korean).

11) U.S. Joint Chiefs of Staff, *op. cit.*, p. A-2.

III. The History Regarding Unity of Command

Because the unity of command has functioned as an essential element in most military operations since the beginning of warfare, discussions concerning it tended to focus on cases which violated the principle. One of the oldest violations frequently discussed in history of war classes is that of the Battle of Cannae between the Roman army and Hannibal's troops from the Carthaginian Empire in 216 B.C. Even though Hannibal, the commander of the Carthaginian Empire, decisively defeated the numerically superior Roman army thanks to his excellent strategy, the violation of unity of command by the Roman Republic also helped his success. The Roman army was commanded by two consuls, Lucius Aemilius Paullus and Gaius Terentius Varro, who alternated command. Thus, the army could not be trained or employed according to a unified concept and plan. The Roman army could not fight in accordance with preparations and could not swiftly adjust its maneuver in response to the envelopment strategy of Hannibal due to the lack of unity of command. That was the key lesson the Roman Republic learned from this battle and it decided to appoint a single commander, Scipio Africanus, who ultimately succeeded in destroying Carthage.

Discussions concerning the unity of command in modern times have focused on the risks of combined military operations among different nations. Because command authority over military forces constitutes an essential part of national sovereignty and is rarely delegated to officers of another nation, unity of command among coalition operations has proven very difficult to realize and has raised many risks.

In the early years of World War I, command arrangements among the Allies were extremely loose, at best relying on coordination and cooperation. Not until the near collapse of the Western Front in March 1918 following the major German offensive were changes in command arrangements made (such as the designation of a Supreme Commander, General Ferdinand Foch). US General John J. Pershing advised the political leaders of France and United Kingdom (UK) as follows:

The principle of unity of command is undoubtedly the correct one for the Allies to follow. I do not believe that it is possible to have unity of action without a supreme commander. We have already experienced enough in trying to coordinate the operations of the Allied Armies without success. There has

never been real unity of action. Such coordination between two or three armies is impossible no matter who the commanders-in-chief may be. Each commander-in-chief is interested in his own army, and cannot get the other commander's point of view or grasp the problem as a whole. I am in favor of a supreme commander and believe that the success of the Allied cause depends upon it. I think the necessary action should be taken by this council at once. I am in favor of conferring the supreme command upon General Foch.¹²⁾

Political leaders from the Allies even provided General Foch with the authority for the "strategic direction of military operations." Even though General Foch had to mobilize his personal influence rather than the authority and staff provided for his job by the Allies, the experience in World War I expedited the evolution of command and control in coalition military operations from a parallel command concept to unity of command, and strongly influenced the conduct of the later Anglo-American alliance of World War II.¹³⁾

World War II gradually drove coalition warfare to the great level of integration among all involved forces. In the beginning, the Franco-British alliance of 1939-40 showed that some of the lessons of 1914-18 had been assimilated. Even though a Supreme War Council was established by the two prime ministers, foreign ministers, and their senior military leaders, real unity of command was not well achieved. Therefore, after the attack on Pearl Harbor, US General George Marshall had to raise the necessity of a supreme commander at the Arcadia Conference in Washington D.C. in December 1941. He advocated that, "the adoption of unified command (in the theater) would solve nine-tenths of the risks of British-American cooperation."¹⁴⁾ The resulting Australian, British, Dutch, American Command (ABDACOM) under General Archibald Wavell firmly reflected the principle of unity of command and that principle was proved to be fundamental to success. General Dwight Eisenhower was appointed the Supreme Commander for the

12) John J. Pershing, *My Experiences in the First World War*, vol. 1 (New York: Da Capo Press, 1995), p. 38, cited in Anthony J. Rice, "Command and Control: The Essence of Coalition Warfare," *Parameters* (Spring 1997), p. 155.

13) Anthony J. Rice, *op. cit.*, pp. 155-156.

14) The War Department, *Strategic Planning for Coalition Warfare 1941-42*, in the series *US Army in World War II* (Washington: US Department of the Army, 1953), pp. 123-124, cited in *Ibid.*, p. 156.

allied forces and successfully integrated all powers for the surrender of Germany. However, the unity of command among Allies was confined to the Western Mediterranean and later to the Western European and South East Asian theaters.¹⁵⁾

Unity of command was realized well in the Korean War. As a number of member nations dispatched their forces to the ROK in response to UN Security Council resolution 83, June 27, 1950, which recommended that “the member of the United Nations furnish such assistance to the ROK as may be necessary to repel the armed attack and to restore international peace and security in the area,”¹⁶⁾ they felt the necessity of the measure for a unified command over those forces. As a result, the Security Council recommended that all member nations should provide military forces and other assistance “available to a unified command under the United States of America.”¹⁷⁾ Therefore the United States decided to create the UNC and appointed General Douglas MacArthur as its commander. As the 27th UK Infantry Brigade arrived at Busan to join the UNC, troops from Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, Thailand and Turkey followed suit. After repelling the North Korean invasion, the UNC forces moved into North Korea in order to “ensure the conditions of stability throughout Korea... and for the establishment of a unified, independent and democratic government in the sovereign State of Korea” by the decisions of the UN General Assembly on October 7, 1950.¹⁸⁾ The Korean War was conducted by a single commander with complete unity of command.

The Vietnam War was less satisfactory in terms of unity of command. According to John M. Collins, who introduced his own twelve principles of war, stated that

no master plan ever integrated US and South Vietnamese effort. Commander in Chief, Pacific, headquartered in Hawaii, was responsible for the air war. COMUSMACV [Commander, US Military Assistance Command, Vietnam]

15) Anthony J. Rice, *op. cit.*, p. 157.

16) *United Nations Security Council Resolution 83* (27 June 1950).

17) *United Nations Security Council Resolution 84* (7 July 1950).

18) The General Assembly, *The Problem of the Independence of Korea, Resolution 376* (v). (7 October 1950), available at <<http://www.un.org/documents/ga/res/5/ares5.htm>> (accessed on 14 November 2010).

conducted ground operations. The US Ambassador in Saigon handled diplomatic matters. Nearly forty South Vietnamese organizations engaged in rural reforms in 1966. The resultant patchwork made it impossible for US Armed Forces and their allies to prosecute the Vietnam War most effectively.¹⁹⁾

The parallel command structure even stretched to include the ROK forces, thus the unity of command became more difficult to achieve.²⁰⁾ Therefore, the almost excessive war efforts of the United States and its allies in Vietnam could not achieve any productive results. Although other important factors contributed to the defeat of the United States in Vietnam, the lack of the unity of command seriously undermined the efficiency of military operations and limited the US options.

Some risks existed regarding the unity of command in the 2003 Iraq War, especially during the stabilization period,²¹⁾ but major combat operations were completed in a unified fashion. The US forces overwhelmed the Iraqi forces from the beginning and the coalition forces other than US forces were not significant in size.

However, serious risks in terms of unity of command have emerged for NATO forces in Afghanistan. Even though NATO was supposed to lead the military operations there under the structure of the International Security Assistance Forces (ISAF), it did not have sufficient authority for the effective control of US and Afghan forces. This is the reason why the Afghan situation has been deteriorating in contrast to the improving situation in Iraq. Therefore, the former US presidential candidate for the Republican Party, John McCain, a retired US Navy Captain, suggested his “New Comprehensive Strategy for Victory in Afghanistan” and demanded measures to “ensure unity of command in Afghanistan” and to “appoint an Afghanistan czar... because unity of command is a principle lacking in Washington.”²²⁾ As a result, the United States had to take over the commandship of the ISAF in

19) John M. Collins, *Military Strategy: Principles, Practices, and Historical Perspectives* (Washington, DC: Brassey's Inc., 2002), p. 84.

20) Anthony J. Rice, *op. cit.*, p. 161.

21) Ross Coffey, “Revisiting CORDS: The Need for Unity of Effort to Secure Victory in Iraq,” *Military Review* (March-April 2006), p. 24.

22) John McCain, “A Comprehensive Strategy for the Victory in Afghanistan,” available at <<http://www.johnmccain.com/Informing/News/PressReleases/Read.aspx?guid=e92e0317-02b3-4345-82f9-9eac8bb0a50>> (accessed on 18 November 2008).

2007. That may be the most critical reason for the recent improvement of the situation in Afghanistan.

IV. Background of OPCON Authority over ROK Forces

The term, command, which is the “exercise of authority and direction by a properly designated commander over assigned and attached forces in the accomplishment of the mission,”²³⁾ has become familiar to the general public. However, the term, operational control (OPCON) has not spread much outside the professional military arena and still remains difficult to understand without specific explanation. OPCON “includes authoritative direction over all aspects of military operations and joint training necessary to accomplish missions assigned to the command,” but “does not, in and of itself, include authoritative direction for logistics or matters of administration, discipline, internal organization, or unit training.”²⁴⁾ It is usually applied to the “temporary” and “limited” command and control over forces from different services or nations. That’s why most command relations in the ROK and the US alliance forces are described as OPCON.

1. Operational Control by the Commander of UNC

The exercise of OPCON over ROK forces became an independent issue when President Rhee Syng-man delegated it to the commander of UNC, General MacArthur. President Rhee sent a letter on July 14, 1950 and assigned “the command authority over all land, sea and air forces of the Republic of Korea” to the commander “during the period of the continuation of the present state of hostilities.”²⁵⁾ The letter could be his response to the UN demand. Regardless, that letter endured that all the forces on the Korean Peninsula would be put under the control of a single commander, General MacArthur.

23) US Joint Chiefs of Staff, *op. cit.*, p. GL-8.

24) *Ibid.*, p. GL-21.

25) Gwang-chan Ahn, “Hyun-byub-sang Goon-sa-je-do-ae Gwan-han Yun-goo” (Study on the Military System Regarding the Constitution: Focused on Operational Control in the Korean Peninsula), (Ph.D. Dissertation, Dong-kook University, 2002), p. 67 (in Korean).

Because the war stopped with the armistice agreement instead of a permanent peace and the United States and ROK subsequently signed an alliance agreement in 1953, the command authority over ROK forces needed to be retained in the hands of the commander of UNC. That is why the United States and ROK included the stipulation regarding command authority in the “Agreed Minutes and Amendments between the Government of the Republic of Korea and United State of America” and confirmed that the ROK forces would be under the “operational control (OPCON)” of the UNC “while that Command has responsibilities for the defense of the Republic of Korea.”²⁶⁾

The OPCON over ROK forces became a confrontational issue when ROK forces exited their area of responsibilities during the military coup d’etat in May 16, 1961 without reporting to the Commander of UNC, General Carter Magruder. General Magruder became angry, ordered the units to go back to their bases and expressed his opposition to the coup d’etat. However, the ROK and the United States later resolved the problem and allowed a few exceptions from OPCON of the Commander of UNC, including the 30th Infantry Division, 33rd Infantry Division, 1st Special Operation Team, and five military police companies.

The exceptional units from that OPCON expanded during the Vietnam War. ROK forces dispatched to Vietnam from 1965 to 1973 were exclusively controlled by the ROK military commander and operated in cooperation with forces from the United States. As a result of these experiences the Korean people realized that OPCON could be changed. They also came to recognize the disadvantage of UNC OPCON over their forces, especially in January 1968 when UNC responded actively to the kidnapping of U.S. intelligence ship *Pueblo* while taking no significant measures concerning the North Korean commandos’ attempted raid on the ROK presidential residence two days later.

2. Operational Control by the Commander of CFC

When, as a result of the 1969 Nixon Doctrine, which emphasized the increase of the responsibility of friendly nations for their defense, the United States started to review the relevance of the size of its forces in Korea, the

26) *Ibid.*, p. 96.

ROK demanded several measures to compensate for the probable reduction of the US forces on the peninsula. Furthermore, in 1975, a number of Communist countries in the UN raised questions regarding the ongoing relevance of the UNC, suggesting that the command had become meaningless after more than 20 years of armistice on the Korean Peninsula. In these contexts, the ROK and the United States came to an agreement to establish a new command, which could replace the critical function of the UNC and be controlled directly and equally by the two nations. As a result, they created the CFC in 1978. The OPCON over ROK forces began to be exercised not by the Commander of UNC but by the Commander of CFC. Ever since, the UNC Commander only retained the authority and responsibility to maintain the armistice agreement, even though the same US General dual-hatted these two posts.²⁷⁾

In the late 1980s the transfer of OPCON began to form part of the nationalistic agenda in South Korea. The South Korean people have begun to recognize the importance of self-reliance thanks to the significant growth of the ROK's national power as a result of its rapid economic development. The United States also thought about the reduction of its responsibility and troop size on the Korean Peninsula as represented by Senator Sam Nunn and Senator John Warner's initiatives during that period. As a result of these developments, in 1994, the ROK and the United States finally agreed to transfer the OPCON of the armistice period to the ROK military.

One important caveat regarding this transfer was an agreement between the ROK and the United States to leave a few critical authorities of the armistice OPCON to the Commander of CFC. In order to guarantee a seamless transition from armistice conditions to wartime situations, they asked the Commander of CFC to continue to exercise authority for six areas including combined crisis management for deterrence and the maintenance of the armistice agreement, developing Operational Plan (OPLAN), planning and execution of combined exercises, combined intelligence management, and interoperability of C4I (Command, Control, Communication, Computer and

27) One potentially problematic technical issue to be discussed regarding this process is that the two countries did not produce any document for the transfer of OPCON authority from the Commander of UNC to the ROK government and re-delegation of it to the Commander of CFC. Therefore, technically, the Commander of UNC still holds that OPCON authority based on the Agreed Minute and Amendments in 1954.

Intelligence) under the title of “Combined Delegated authority (CODA).”²⁸⁾ As a result, the combined combat readiness between the ROK and the United States on the Korean Peninsula remained the same as before despite the partial return of operational control.

3. *Recent Developments Concerning OPCON Authority*

The wartime OPCON return became a central issue at the beginning of the Roh Moo-hyun administration in 2003. The Roh administration insisted on the rapid retaking of that authority in the name of full recovery of national sovereignty despite strong opposition from retired military officers and conservative Koreans. Nevertheless, the administration managed to lead the United States to an agreement and a joint declaration was issued in February 2007 that OPCON authority would be returned by April 17, 2012. The Roh administration pushed “the new supporting-to-support command relations structure,” in which ROK forces are to be “supported” and US forces are to take the “supporting” role.²⁹⁾

Based on the agreement, the ROK and the US militaries have been preparing and discussing process and complementary measures for the scheduled transfer of the authority. The ROK Ministry of Defense established a special team to handle the process and cooperation with US military. The US and ROK militaries have changed the name and focus of the biggest combined exercise between two nations from “Ulchi-Focus Lenz” to “Ulchi-Freedom Guardian” in order to identify the requirements for the transfer of the OPCON authority to the ROK JCS. However, they have not been eager to identify and rectify the expected risks of the transfer in fear of being looked as naysayers to the ROK people.

Therefore, there has been no meaningful measure in discussion or in place in preparation for the scheduled transfer of OPCON. The US and ROK administrations and militaries have repeated continuously that the transfer would occur in April 2012 as scheduled and the combined readiness would be as strong as always even after the transfer. However, General Walter Sharp,

28) Sang-chul Lee, *An-bo-wa Ja-joo-sung-ei Dilemma (The Dilemma between Security and Self-reliance)* (Seoul: Yeonkyung, 2004), p. 223 (in Korean).

29) Secretary of Defense of U.S. and Minister of National Defense of Republic of Korea, *op. cit.*

commander of the CFC and U.S. Forces Korea (USFK), said at a security forum in Seoul in April 2009 that US and ROK air forces should establish a joint air operations command at the US air force base in Osan for the transfer of the OPCON.³⁰⁾ At the same time, a few concerns started to rise in the ROK and the US military communities, especially regarding the unity of command in case of war.

With the change of the ROK defense minister in September 2009, the issue of wartime OPCON started to be approached in a more balanced perspective. The ROK defense minister expressed his concern that the year 2012 might not be the best time, as that is the year North Korea seeks to complete its plan to establish itself as a “strong and prosperous nation.”³¹⁾ He tried to incorporate the voices of South Korean conservatives, who demanded the revoking of the transfer of wartime OPCON in 2012 and received signatures of more than ten million South Korean people to support that demand. As a result, he recommended the delay to the ROK president as a necessary measure in order to prevent the recurrence of a North Korean provocation such as the one on the Cheonan. The presidents of the ROK and the United States accepted the recommendation and, at their meeting in Toronto in July 2010, agreed to postpone the transfer of OPCON to December 1, 2015

V. Risks of the Transfer of Wartime OPCON

The most critical risk of the transfer of OPCON and the dismantlement of CFC concerns accomplishing unity of command in case of war. As emphasized in the “principles of war” and lessons drawn from military history, the concept of parallel commands with coordination and cooperation relations cannot guarantee the necessary and sufficient unity of effort. Such relationships seldom work, particularly in critical or desperate situations. The more complex the modern war becomes, the more critical is unity of command.

In this sense, the real meaning of “supporting-to-supported” command relations, which the ROK and the United States agreed to, needs to be

30) *Korea Times* (5 April 2009).

31) *Korea Times* (22 March 2010).

examined first. According to the US Joint Publication 3-0 *Joint Operations*, the supported commander has “the primary responsibility for all aspects of a task,” “receives assistance from another commander’s force or capabilities” and “is responsible for ensuring that the supporting commander understands the assistance required.”³²⁾ The supporting commander “provides augmentation forces or other support to a supported commander,” “aids, protects, complements, or sustains another commander’s force” and “is responsible for providing the assistance required by the supported commander.”³³⁾ However, the “supported” relationship does not include the authority to force the “supporting” and cannot punish the failure of support.

If the ROK and the United States are determined to “recognize that an armed attack in the Pacific area on either of parties in territories... would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes” as stated in Article 3 of the ROK-US Mutual Defense Treaty in 1953, then they need to maintain a combined command structure which will guarantee the unity of effort in desperate and dangerous situations. However, the “supporting-supported” relationship would not be equal to such necessity. As demonstrated by the unsatisfactory examples in World War I and World War II, Vietnam War or recent situation in Afghanistan, unity of effort cannot be achieved without a mandatory command or control relationship. Although the situation in Afghanistan had been better than that in Iraq in the beginning of the “war against terrorism,” it has become worse since that time, mainly as a result of the absence of unity of command in contrast to the military operations in Iraq. As a result, ISAF decided to appoint the US General as the commander in February 2007 to ensure the unity of command between ISAF and US forces in Afghanistan.

Another serious risk of the transfer of OPCON would be difficulties in ensuring a seamless transition from peacetime to wartime control. This issue was identified as critical during armistice OPCON transfer negotiations in 1994. At that time, South Korea and the United States agreed to leave necessary authorities with the commander of CFC under the heading of CODA. In particular, if the authorities for the planning of OPLAN and

32) US Joint Chiefs of Staff, *op. cit.*, p. GL-26.

33) *Ibid.*

management of crises cannot be exercised by the same commander who is supposed to command the forces in wartime, the military cannot win the war, as was clearly demonstrated by the Roman failure in the Battle of Cannae in 216 B.C. That was the point the former Commander of CFC, Burwell Bell, raised when saying:

It is important that we organize in peacetime as we will for war. This is particularly true here in Korea, where crisis escalation could quickly—indeed almost instantaneously—lead to combat operations. There could be no time to make changes in our command structure while crisis escalates. Therefore, when Combined Forces Command inactivates, we must organize ourselves so we have unity in our chain of command from armistice through crisis escalation and into war, should war break out.³⁴⁾

Forces should be prepared as they will fight and crises should be managed in concert with a seamless transition to wartime control.

The other risk of the transfer of OPCON concerns how to ensure the rapid and appropriate Reception, Staging, On-ward Movement and Integration (RSOI) of US reinforcements in case of war. In order adequately to support RSOI, the United States should provide all necessary information regarding its requirements and the ROK should respond to these accordingly. As demonstrated by the annual exercise for RSOI and the designation of the Commander of the Second Army of ROK as Combined Rear Area Coordinator, the high quality of RSOI cannot be guaranteed without having clear command relations. The transfer of OPCON authority may slow the flow of US reinforcements and create many unexpected disputes regarding the timeliness and sufficiency of support between the ROK and the United States.

Other risks regarding the appropriate functioning of UNC could also surface as a result of the transfer of the OPCON authority. The commander of UNC, who is responsible for the maintenance of the armistice on the Korean Peninsula, has had easy access to the forces necessary to fulfill his responsibility, because he has been dual-hatted as the commander of CFC. However, if wartime OPCON authority returns to the ROK Joint Chiefs of

34) General Burwell Bell, "Role of United Nations Command," address at the news conference at the foreign correspondents club, Seoul, 18 January 2007.

Staff and the CFC is inactivated, the commander of UNC may have serious difficulty in enforcing the armistice agreement with necessary force. In this regard, former Commander of UNC/CFC Burwell Bell expressed his concern:

The inactivation of Combined Forces Command and the transfer of ROK forces wartime OPCON to an independent ROK military command will, however, create a military authority to responsibility mismatch for the United Nations Command. With the inactivation of CFC, the UNC Commander will no longer have immediate access to ROK combat troops which are postured along the DMZ and elsewhere, as he has had under the Combined Forces Command. Unless addressed, this situation will make it impossible to credibly maintain the Armistice.³⁵⁾

VI. Tasks for the Unity of Command

Necessary preventive measures for the risks of transferring wartime OPCON to the ROK JCS should be clear. The United States and South Korea need to find a way to ensure the unity of command in case of war as instituted in the current CFC structure, NATO, or other combined defense organizations. For example, NATO designated the Supreme Allied Commander Europe (SACEUR), who serves simultaneously as the Commander of the US European Command, as the single commander for all operations. The overall command of any operation, at the strategic level is assumed by SACEUR, who exercises his responsibility at the headquarters of Allied Command Operations.³⁶⁾

1. Ensure the Unity of Command for All Military Operations on the Korean Peninsula

The arrangements for real changes regarding the transfer of wartime OPCON authority should be developed in a way to make sure that all the

35) *Ibid.*

36) For the military command structure of NATO see, NATO Public Diplomacy Division, *NATO Handbook* (Brussels, Belgium: NATO Headquarters, 2006), pp. 88-94.

military operations in case of war or crisis should be planned and executed by a single commander. As recently demonstrated in World War I and the Vietnam War, combined operations are unlikely to succeed without unity of command. The delegation of OPCON authority to a single combined commander under certain conditions is the necessary cost of alliance for the ROK people. Ensured victory in war can be seen as more important than the exercise of absolute sovereignty.

Thus, the ROK and the United States should discuss and agree on conditions regarding the creation of a unified command headquarters in case of war in order to ensure the unity of command for all military operations in and around the Korean Peninsula. They need to discuss the conditions for the delegation of OPCON authority in case of war or serious crisis. These conditions could include that North Korea Forces initiate all-out war against the ROK, Defense Line Alpha is penetrated, or Seoul is in danger, and so forth.

If the ROK and the United States pursue the transfer of OPCON as scheduled, they need to develop additional political measures which can effectively compensate for the loss of unity of command. One of these measures could be that the political and military leaders of the ROK and the United States should consult more closely and become accustomed to the processes needed to reach agreements efficiently, when necessary. As demonstrated by the example of US President Franklin Roosevelt and British Prime Minister Winston Churchill in World War II, a friendly atmosphere and eager discussions among leaders can overcome institutional barriers and prevent the emergence of conflicts. Also, decisions of the political leaders should be effectively translated into military orders through a precise mechanism and executed in a combined and unified manner.

The establishment of a coordination center as a combined and united military mechanism (tentatively named the Alliance Military Coordination Center) between the US forces and ROK forces has been discussed as a possible solution. However, this kind of solution may not be effective especially when the situation is desperate and risky. Coordination cannot guarantee the unity of effort if the two nations put their interest and safety before combined war-fighting and come up with different decisions. Unity of command is the most appropriate method for ensuring the unity of effort among military forces especially when the situation is desperate and risky, as

are most situations in times of war.

2. Ensure the Seamless Transition from Peacetime to Wartime

Regardless of the final arrangements for the transfer of OPCON, the ROK and the United States should ensure that their forces fight as they are prepared. As demonstrated by the defeat of the Roman army in the Battle of Cannae, the separation between preparation and execution can have catastrophic consequences. At the same time, the timely and controlled management of crises should also be ensured. Consistency and unity of effort in periods of crisis can prevent avoidable aggravation and unexpected escalation. Without addressing these risks, the combined posture between the ROK and the United States amounts to a slogan rather than true readiness.

The most critical measure for the seamless transition from peacetime to wartime of all forces would be the development and refinement of a single and common OPLAN between US and ROK forces. They should develop specific process and procedures to write, review, test, and revise the unified OPLAN and ensure the perfect execution of the plan by all included forces. However, if there is no unity of command for wartime operations of forces, the OPLAN cannot be executed in the way it was developed. This difficulty in matching a peacetime OPLAN with wartime execution without unity of command also constitutes a serious risk regarding the transfer of OPCON.

The active engagement in combined exercises would also be critical for the seamless transition. These exercises could be used to evaluate the relevance and feasibility of the OPLAN, to improve it, and familiarize all forces with it. In particular, in the event that command relations are not unified and remain complicated, adaptation to various command relations should be practiced through a variety of general or functional exercises of different sizes. However, the more complicated the command relations, the more exercise needed.

Another important complementary measure for the shortcomings of the parallel commands concept between the ROK and the US forces could be the advance establishment of vital staff organizations in preparation for a new unified command in case of serious crisis or war. Along these lines, as previously mentioned, the ROK and the United States have initiated the creation of an Alliance Military Coordination Center between the separate

commands of the two nations and tested the concept during the Freedom Guardian Exercise in 2008 and 2009. However, coordination through this center was not effective enough, since it did not have the necessary authority to represent the two nations. The coordination between the two militaries is supposed to be done by the Security Consultative Meeting (SCM) or Military Committee Meeting (MCM). That is the reason why the concept of this organization, which emerged early on during discussions regarding the transfer of OPCON authority, has so far failed to produce tangible results.

For this purpose it would be worth considering the Joint Enabling Capabilities Command, which was developed and activated in October 2008 based on the US forces' experience of the Standing Joint Force Headquarters in 2005. This unique command of US forces was established "to provide unique, mission-ready support to joint force commanders aiding in the accelerated establishment and increased effectiveness of their headquarters and the ability to control the integrated employment of air, land, maritime and information capabilities in pursuit of operational level campaign objective."³⁷⁾ It was recommended because the US military had achieved good results in the employment of Standing Joint Forces Headquarters for their military operations in Iraq, Afghanistan, and Africa. It successfully ensured the rapid preparation for the mission until the completion of a newly designated war fighting command headquarters. The US military is expanding the scope of the command and strengthening staff functions including public affairs, communication, and intelligence.

The ROK and the US militaries could apply the Joint Enabling Capabilities Command model for rapid mission-ready preparation of a unified combatant command, once the political leaders of two nations decide to establish that command in times of serious crisis or war. They could use it as a mechanism to develop a single unified OPLAN, coordinate combined exercises and even ensure combined crisis management in peacetime. They could guarantee seamless transition from peacetime to wartime even without established unity of command.

37) This command can provide the skills to "understand the operational environment, plan fully integrated joint operations at the operational level of war, coordinate unified actions with mission partners and prepare appropriate implementing directives/orders for subordinate tactical formations and rapidly adjust operational level plans." For details, see U.S. Joint Forces Home Page, available at <<http://www.jfcom.mil>>

3. *Ensure the Unity of Effort of Other Countries*

The return of OPCON authority could also affect the management of contributions from nations other than the United States. As long as the commanders of UNC and CFC are dual-hatted by the same US General, the forces from other nations could be effectively handled by him. However, if CFC structure is dismantled as a result of the transfer of OPCON authority, the UNC may not be equal to receiving those forces due to its limited capabilities. As proved in the Korean War, a great deal of hard work is required to integrate the diverse sizes and types of forces from various nations in case of war,³⁸⁾ therefore certain measures should be taken to address this problem.

The most convenient and effective option to solve this problem would be to strengthen the roles and capabilities of UNC. Although almost 60 years have passed since its creation and its capabilities have been reduced significantly, UNC retains a substantial legal basis for the acceptance of forces from UN Member nations. It can still use the title and flag of the United Nations Command and rely on several UN Security Council resolutions for its necessary functions. The United States and ROK need to discuss the best ways to take advantage of the UNC and strengthen its roles and capabilities accordingly.

The legal bases of UNC could also be very useful for the democratic unification of Korea. UNC could exploit its mandate given by the UN “to repel the armed attack and to restore international peace and security in the area” as stated in Security Council Resolution S/1511 in June 27, 1950. Although the legitimacy of it remains somewhat controversial, the UN General Assembly Resolution 376(v), which recommended the UNC “to ensure the conditions of stability throughout Korea,” also could be taken advantage of.³⁹⁾ Based on the mandate, UNC could move into North Korea and achieve unification for the restoration of international peace and security in the area, if the situation dictates. As the Chairman of the Defense Committee of the National Assembly rightly pointed out, the ROK may not have any legal basis to move into North Korea⁴⁰⁾; thus the UNC could be very

38) Anthony J. Rice, *op. cit.*, p. 165.

39) The General Assembly, *op. cit.*

a useful mechanism for democratic nations to deal with a possible North Korean implosion or military attack.

VII. Conclusion

After the North Korean attack on the South Korean warship Cheonan, the presidents of the ROK and the United States decided to delay the transfer of wartime OPCON authority until December 2015. However, the postponement itself may not be sufficient enough to rectify the possible risks of the transfer. Recent North Korean military provocations in March and November 2010 have heightened tensions and uncertainty on the Korean Peninsula and increased the possibility of another serious military confrontation between South Korea and North Korea. Without a single command, as demonstrated by the numerous defeats in military history, various efforts in a war or contingency cannot be concentrated for victory. The current situation and the possible future uncertainty on the Korean Peninsula may demand the ROK and the United States to reexamine the transfer.

As long as the ROK and the United States are determined to maintain peace on the Korean Peninsula as allied nations, it is necessary for them to discuss all aspects of the transfer of wartime OPCON from balanced and practical perspectives. They have to review in depth the possible ramifications or risks of the transfer in light of recent North Korean aggressions. They should at least come up with a reliable mechanism which can ensure the unity of command in case of possible serious contingencies. Without strong conviction of the stability after the transfer of the OPCON or the dismantlement of the CFC, they should not exclude any options including another postponement.

At the same time, the ROK and the United States need to develop a bigger picture for the future of the alliance and handle the OPCON issue accordingly to that picture. The benefits or risks of the transfer of the OPCON cannot be rightly assessed without such a long-term vision. They at least have to find

40) Hak-Song Kim, *Jeon-si Jak-jeon-tong-je-gwon Jo-gi-hwan-soo-ui Soo-ryeong (The Trap of the Early Return of Wartime OPCON Authority)*, Policy Papers No. 5 (Defense Committee in National Assembly, September 2007), p. 50 (in Korean).

solutions regarding how to dismantle or deter the development or use of weapons of mass destruction (WMD) by North Korea before the dismantlement of CFC.

As a practical recommendation, I would like to suggest a series of politico-military games be conducted among military leaders, political decision makers, and scholars of international relations from both the ROK and the United States. They should examine how to effectively deal with situations such as North Korean military provocations, WMD threat, sudden collapse, and so forth after the scheduled transfer of wartime OPCON. They should be able to identify possible risks of the transfer and recommend plausible solutions. The games could give North Korean leaders an impression that the combined defense posture between the ROK and the United States would be strong even after the transfer of OPCON.

For their part, the South Korean government and people need to be more open-minded. The transfer itself should not be the goal. The government needs to demand more research be conducted by scholars and government officials on the ramifications of the dismantlement of CFC on the current target date (i.e., December 1, 2015) of the transfer. The people also need to balance their emotions and desire for self-reliance with the reality of the Korean Peninsula. The two recent North Korean military attacks on South Korea should not be seen as isolated incidents. These attacks could be the side effects of the change of the military relationship between the ROK and the United States and the harbinger of more serious provocations and an uncertain future.

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