

# Foreign Relations

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# Seventy Years of North-South Division and Tasks for Reunification



*Chung Tae-ik\**

The year 2015 marks the 70th anniversary of the independence and division of the Korean Peninsula into North and South Korea. The arrival of the year of Eulmi thus provides a timely occasion to reflect upon the vestiges of this past as well as the tasks that need to be undertaken for reunification.

Over the course of its 5,000-year history, the Korean nation has time and again risen up to defend its national sovereignty against foreign intruders and found a way to overcome daunting challenges in order to eventually enjoy the glory of victory and independence.

After falling to the Japanese imperialism that arrived on Korea's shores as part of the historical consequences of the Western world's expansionism of the early 20th century, the Daehan Empire disappeared from the global map. This loss of national sovereignty was followed by the emergence of several independence movements, including the landmark March 1st Movement. The national struggle for independence was led by such patriots as An Jung-geun, Yi Sang-seol, Choe Jae-hyeong, Son Byeong-hee, An Chang-ho, Yi Hoe-yeong, Kim Jwa-jin, Shin Chae-ho, Syngman Rhee, and Kim Gu.

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The subsequent victory of the Allied Powers in World War II enabled Korea to regain its independence. However, Korea's liberation was accompanied by internal conflicts within Korean society, deeply rooted corruption left over from the Japanese colonial era, the emergence of Soviet territorial ambitions, and the U.S. acceptance of ill-advised postwar arrangements, which eventually brought about the division of the Korean Peninsula into North and South Korea.

### **Unprecedented Achievement of Economic Development and Democracy**

Blessed with astute political skills and leadership ability, President Syngman Rhee inaugurated the Republic of Korea amid widespread social turbulence and managed to safely navigate the new fatherland through perils of the Korean War. President Rhee's decision to pursue agricultural reform, along with defining Korea's identity as a liberal democracy and market economy, prevented the communization of the Korean Peninsula by fostering staunch resistance among the people after North Korea invaded the South. In addition, President Rhee's foresight to conclude the Korea-U.S. Mutual Defense Agreement, as a prerequisite to the signing of the armistice agreement, helped consolidate the foundation for Korea's security and economic development.

Of course, President Syngman Rhee can be faulted for having trampled upon democratic principles by engaging in wrongdoings, like the rigging of elections, to maintain his long-term control of power. Nevertheless, the time has come to reevaluate President Rhee's achievements of transforming the Joseon Dynasty, which was like a frog living in a well for 500 years while yearning for China, and its successor the Daehan Empire that became a Japanese colony, into a liberal democracy known as the Republic of Korea, and for rescuing the fatherland from national crisis.

Critical assessment of the May 16th Incident that brought Park Chung-hee to power remains a matter of considerable controversy. However, the May 16th Incident was more than a coup by military officials to grasp political power, similar to the episode that ushered in an era of military rule during the Goryeo period. Based on his achievements, which included the development of Korea as a trade-centered economy, normalization of Korea-Japan diplomatic relations, and the Saemaueul Movement, President Park helped to bring the Republic of Korea to the threshold of being an advanced country. As for presidents Kim Young-sam and Kim Dae-jung, they fulfilled their periodic missions by actualizing democratization and opening the window for North-South Korea talks. In addition, other presidents also helped make the Republic of Korea what it is today by successfully implementing their own meaningful objectives. It took about 40 years to establish a country worthy of its name, through a process that began when Korea declared its establishment of the Republic of Korea to the international community on August 15, 1948. Of particular note, when the Summer Olympic Games were held in Seoul, Korea, in 1988, this served an occasion to show off the country's remarkable economic development and institutionalization of democracy, which enabled Korea to stand tall on the global stage and be recognized as an independent nation of its own right.

In 2012, the Republic of Korea joined the "20-50 club" comprised of countries with a per capita GDP of \$20,000 and a resident population of 50 million or more. This made Korea the seventh member, following Japan, the United States, Germany, France, Italy, and England. Korea is now well on track to join the "30-50 club" as soon it reaches a per capital GDP level of \$30,000. These achievements are the direct result of the blood, sweat, and tears of the Korean people during the 70 years since the country's independence.

## **A Unified Korea and New Global Order**

The ultimate mission of the Republic of Korea is the unification of the Korean Peninsula. The failure to achieve unification over the past 70 years is the result of a wide range of complex factors which includes the conflict and strife between the two Koreas with polar-opposite ideologies and systems, the North Korean regime that relies on a unitary leader-centered system which has undergone a hereditary succession of power for three generations, Korean society's lack of consensus on strategic policy toward North Korea, and the two-Koreas policy adopted by surrounding powers that seem to favor continuance of the status quo for the Korean Peninsula.

The unification of the Korean Peninsula will only be possible when the reality of division can be eliminated. And for this reason, it is necessary to approach the Korean Peninsula's unification from a multi-dimensional and long-term standpoint. The unification of Korea will require more than the mere integration of the political systems of North and South Korea; it will also involve a process through which the lifestyles that have moved in different directions during the division can be meshed together to create and actualize a new style of existence and accommodate the internal integration of a newly unified Korea. Viewed from a standpoint of diplomacy, this can also be seen as the process needed to transform the heretofore passive and static status quo diplomacy into a new dynamic and proactive foreign policy.

In times when Korea's national power was relatively weak, such as during Japan's invasions of Korea (1592-1597) and the final years of the Joseon Dynasty, the Korean Peninsula routinely found itself serving as an arena for competition between the continental and maritime powers. Korea's destiny may once again be decided by the surrounding powers unless our national power can be bolstered so that the ongoing division will not continue unabated. However, once our national capability can be pooled together as a result of unification, a Unified Korea will be posed to play the role of a balancer in the Northeast

Asian region and serve as a beacon for global politics, economy, and culture.

## **Stabilization of Northeast Asia Depends on North-South Relations**

The political situation of Northeast Asia has more often been marked by instability and uncertainty rather than regional peace and cooperation. Nowadays, it seems that we have entered a volatile phase of heightened conflict and confrontation. The recent political situation in Northeast Asia has been characterized by self-centered attitudes, with countries making moves based solely on their own interests.

The United States and China are engaged in a competition beneath a thin veneer of cooperation with one another. While the Obama government's rebalancing policy shift toward Asia is intended to contain the rise of China, Beijing has engaged in its own form of cooperation and restraint toward the United States in line with its New Type of Relations Between Major Powers initiative. The United States intends to constrain China via such means as its upgraded military cooperation with Japan and the Korea-U.S.-Japan tripartite relationship. For its part, China is attempting to create cracks in Korea-U.S.-Japan cooperation along with advancing a more closely integrated Sino-Korean relationship. While China has increasingly utilized Korea as part of its countermeasures toward Japan, the United States has actively stepped up its cooperation with Japan in conjunction with its rebalancing policy for Asia.

North Korea has attempted to overcome its frosty relations with China at a time when U.S.-North Korea negotiations and inter-Korean talks are at a standstill by seeking to break out of its diplomatic isolation in Northeast Asia by holding high-profile talks with Japan. The recent efforts by North Korea to strengthen its cooperation with Russia should also be seen in this same light. North Korea's rapprochement

overtures toward Russia have led to the Russian Vice President's visit to North Korea, announcement of Russia's plans to invest in North Korea projects, and the visit of a North Korean economic delegation and Special Envoy Choe Ryong-hae to Russia. Japanese Prime Minister Abe, whose handling of the abduction issue helped to solidify his political influence, has sought to offset the diplomatic frictions with Korea and China by focusing on reinforcement of the U.S.-Japan relationship, improving North Korea-Japanese relations, and boosting cooperating with Russia.

Based on these circumstances, direct North-South Korea dialogue can be seen as the most effective diplomatic card for Korea. Korea's ability to somehow increase its leverage over North Korea will result in a commensurate increase of Korea's influence and political standing in regard to its relationships with the U.S. and China. Conversely, the continued suspension of North-South relations and emergence of conflicts between them would leave Korea with no other choice than to appeal to the United States and China to wield their influence over North Korea.

As such, improvement of North-South Korea relations will serve as a precursor to enhancing Korea's diplomatic influence and leadership within Northeast Asia. As such, North-South Korea dialogue should begin with an understanding of each other's requests and recognition of each other's positions.

### **Practical Approach and Preparations for Unification**

Seoul's North Korean policy should be focused on the introduction of market mechanisms and inducing the North to implement needed reform and opening. The rebuilding of the North Korean economy will help to narrow the significant gaps between the two Koreas, which in turn will lower the costs and burdens involved with unification. This is the reason why Korea should actively push for expanded



economic cooperation with North Korea. Accordingly, the emphasis of Korean diplomacy should be focused on a separation of the security issue, characterized by the North's nuclear situation, from economic matters, such as North Korea's reform and opening, through a two-track approach on both fronts. There are those who assert that the North Korean nuclear problem can be countered by the South's development of its own nuclear arsenal. However, this is a very dangerous strategy because any nuclear armament of South Korea may have a domino effect and lead to its diplomatic isolation in Northeast Asia. The North's nuclear problem should thus be resolved within the framework of the six-party talks, which should further contribute to the formation of a Northeast Asian community.

The establishment of a Northeast Asian multilateral mechanism will be advantageous to the building of an environment that is conducive to unification. This is because such a cooperative mechanism can, to some extent, help to absorb the impact of the unification of the Korean Peninsula.

The adoption of a multilateral cooperative system will serve to mitigate the damages resulting from the Cold War structure of the past and encourage the international order surrounding the Korean Peninsula to replace the previous bipolar structure with a multipolar system.

In addition, domestic political support will need to be unified in order to implement unification diplomacy in an effective manner. To this end, it is incumbent upon Korea to build a broad-based national consensus on unification that encompasses the ruling and opposition parties, left and right wings, and conservative-progressive political factions. Furthermore, the steady implementation of a consistent unification strategy requires the operation of institutional devices so that the work responsibilities of ministries engaged in the diplomacy, security, unification, and economic sectors can be properly overseen and coordinated.

Along with concerted efforts to realize peaceful unification, Korea

should also be prepared for the possibility of a sudden emergency arising in North Korea. Preliminary responses based on various scenarios should be drawn up in preparation for a potential rapid unification. In this regard, the cases of Germany, Hong Kong, and Austria can serve as useful references when drawing up such scenarios.

The ability to promote social integration during the unification process and after unification, based on the will of the Korean people, depends entirely on the capabilities and resolve of Korea, in regard to its ownership of the Korean Peninsula, as well as its domestic policies and the global community's involvement.

### **Korea can Demonstrate Its Leadership Ability by Bringing about Peaceful Unification**

The unification of the Korean Peninsula, which represents the central task to overcome the 70 years of North-South division, will have to be carried out in a gradual and peaceful manner. However, South Korea's Constitutional Court ordered the disbandment of the United Progressive Party (UPP) in 2014, as part of a process that exposed the reality of the security threat posed by North Korea in the South. This incident shows that North Korea continues to cling to a belief of "unification under communism." To begin with, North Korea launched a full-scale war when it reached a conclusion that it was stronger than South Korea. Thereafter, the North committed terrorist acts such as the deadly bombing at Aung San Martyrs' Mausoleum (Rangoon, Burma) in 1983 and bombing of a KAL passenger airliner in 1987, in addition to engaging in military provocation and the development of nuclear weapons and long-range missiles, and has made efforts to foment unrest within South Korea through its support for pro-North Korean groups, and more recently has launched cyber-attacks.

The direct challenges posed by North Korea should provide an impetus for the South Korean people to support an acceleration

of peaceful unification in order to move toward a safer and brighter future. The attainment of unification will require a further strengthening of Korea's national power, with a particular focus on national defense and diplomacy. Having now entered the third year of her term, the time has come for President Park Geun-hye to exhibit the leadership needed to establish the basis for peaceful unification within 10 years and for the 100 years following such unification. President Park should reinforce Korea's defense capability by reforming defense policy and building global support for unification through active promotion of unification-related diplomacy. The advent of omnidirectional diplomacy calls for earnest efforts to deepen the Korea-U.S. alliance and Korea-China relations, build a future-oriented relationship with Japan, and advance cooperative relations with Russia. In particular, it is imperative for Korea to use the opportunity created by the 50th anniversary of the normalization of Korea-Japan diplomatic relations, in 2015, to reset the direction of Korea-Japan relations based on a more objective and broad-minded outlook that takes into account our national interests. Cooperation with Japan will be essential to move forward with the efforts to effectuate the Northeast Asia Peace and Cooperation Initiative that President Park Geun-hye has proposed as a solution to the complex challenges of the Asian region.

Now in his fourth year in power, the supreme leader Kim Jong-un has engaged in "terror" politics, which has included the execution of long-time aide Jang Song-thaek and arbitrary reassignment of senior-level military officers. He has also emphasized a need to strengthen military power through such means as the Mashikryong Speed initiative, which is designed to differentiate himself from previous leaders. Kim Jong-un's rule with an iron fist has created tension between Beijing and Pyongyang. To make matters worse, the UN General Assembly's adoption of the Resolution on Human Rights in North Korea and the UN Security Council's discussion of the human rights issue in North Korea have emerged as serious challenges that cannot be ignored by the North's leadership.

## **Peaceful Unification will be One of the Greatest Achievements in World History**

The timing is ideal for efforts to restrain Kim Jong-un, who finds himself isolated both domestically and internationally as a result of the North's nuclear and human rights issues. In having declared a so-called "jackpot bonanza" following the reunification of the two Koreas, President Park Geun-hye has also initiated a Unification Preparatory Committee to overcome the division's problems and pave the way for a unification era on the Korean Peninsula. The Unification Preparatory Committee should focus its attention on persuading the international community that a South Korea-led unification process is justified as well as optimal for all concerned parties. In particular, Northeast Asian countries should be active supporters of a Korea-led unification, which will represent a breakthrough for the security and economic development of the region during such transition of power.

Under these circumstances, it behooves me to implore President Park Geun-hye to exhibit the bold and farsighted leadership needed to dramatically overhaul the existing framework of the inter-Korean relationship. This can be achieved through the holding of a North-South Korean summit with Kim Jong-un, on the occasion of the 70th anniversary of the Battle of Stalingrad, in May 2015.

Russian-American sociologist Pitirim Alexandrovich Sorokin has pointed out that social change can be brought about when a vision, the people, and institutions come together to embark on a new journey. The road to peaceful unification will appear when the vision needed to create a new lifestyle the North and South Korean people is unveiled, the brave-hearted people of the two Koreas move to fulfill this vision, and the institutions required to assure the mutual advancement of North and South Korea are put in place.

The peaceful unification of the Korean Peninsula, based on the trials and tribulations of the past 70 years, will undoubtedly be hailed as one of the great achievements in world history. On the occasion of the New

Year 2015, the Korean Council on Foreign Relations once again pledges to participate in creating history by playing a vital role in helping the dream of unification to come true. (January 2015 Issue)

# New Security Environment in Northeast Asia and Korea's Response

*Shin Beom-chul\**



## I. Introduction

“If we could first know where we are, and whither we are tending, we could then better judge what to do, and how to do it.”

-Abraham Lincoln (June 6, 1858)-

Changes in the security environment are caused by various factors such as the balance of military power, shifts in economic power, global trends, and the will of political leaders. As a result, the security environments of all nations are in a constant flux, and they evolve continuously under the influence of a range of variables. The security environment of the Korean Peninsula and Northeast Asia are also changing constantly. However, even by normal standards, Korea has been experiencing great changes in its security environment; in fact, it is facing the biggest transition after the Cold War.

Over the past 20 years, countries in Northeast Asia have been witnessing the rise of China, nuclear weapons development in North

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Korea, growing historical revisionism in Japan, and the United States' rebalancing towards the Asia-Pacific. Today, these factors, as though they have reached a critical point, have begun to surface simultaneously and are causing a seismic impact on the regional security environment. State-centric behavior rooted in realism dominates the region, and this has brought about insecurity with competition prevailing over cooperation in inter-state relations.

In such a rapidly changing security environment, if we fail to seek the path we should take, remain stuck in our old habits, and do not proactively and preemptively take control of our environment, then the Korean Peninsula may very well return to the chaotic period that characterized the final days of the Daehan Empire during the 1890s. This paper addresses the fundamental causes of changes in the security environment of Korea, the potential problems these changes might entail, and the responses we should take in order to construct a security environment that is more advantageous to Korea.

## **II. Security Environment in Mid-2014**

### *1. Impact of Global Developments*

The Korean Peninsula is located in Northeast Asia, but since the world has become more interconnected and the Korean economy more globalized, it is not free from the impacts of global affairs. It was so in the bipolar world order of the Cold War era and during the ensuing unipolar era dominated by the US. Even today, Korea is still greatly influenced by global developments in taking on and responding to challenges caused by the rise or the reemergence of regional powers. Therefore, there is a need to continuously observe and analyze the direction toward which the international order is moving.

Let us look at some of the changes in the global order that have influenced Korea. The first has been the increase of regional disputes in

today's weakening unipolar system. Although most agree that the US will maintain its status as the sole global superpower for the foreseeable future, its influence has clearly been on the wane. The Obama administration maintains the position that it will resort less to the use of military force to address major regional disputes.<sup>1</sup> Accordingly, the US has taken multilateral approaches to resolve proliferation issues and the turmoil that have emerged in countries like Syria, Iraq, Iran and Ukraine while refraining from using military force. The simultaneous emergence of various regional disputes may make it difficult for the US to focus on a specific dispute, and what's more, push back Korean Peninsula issues on its list of foreign policy priorities.

The next factor influencing Korea is the slow recovery and the intense competition in the global economy. While military power may be perceived as the key element for dominating the international order, economic power lies in fact at the core of such power. The US' attempts to resolve international crises with its allies, the continued rise of Chinese influence, and Russia's renewed confidence in voicing its opinions on international issues can all be traced back to economic reasons. Although the global economy, which fell into a downturn after the collapse of Lehman Brothers in 2008, is now showing signs of improvement, the recovery is still slow. In the last few years, the global economy has experienced the European financial crisis and the adjustment of the US national debt ceiling and concern over weakening economic growth in nations such as China, India, and Brazil has become a potential source of instability. Meanwhile, the competition to secure natural and energy resources such as oil, gas, (shale gas), and rare earth materials is only expected to further intensify. The delay in the recovery of the global economy and the competition over resources are hurting relations among countries and are making it more difficult for countries to find the impetus for cooperation. Korea whose

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1. President Obama, "Remarks by the President at the United States Military Academy Commencement Ceremony," West Point New York, (May 28, 2014)



economy is already largely dependent on trade and most of whose energy sources must be imported from abroad may face increased competition in the future.

Lastly, the world faces new risks in the form of transboundary threats. Climate change raises the possibility of regional disputes over water and creates natural disasters such as large-scale typhoons. The expansion of cyberspace in the IT era has produced cyber security issues that go beyond mere cybercrimes. International terrorist groups have become highly sophisticated and are increasing their influence. Northeast Asia (and the Korean Peninsula) is also inevitably influenced by these risks that undermine the peace and stability of the international community. Therefore, it is necessary to make thorough preparations so as to avoid, or at the very least, lessen the negative impact of these risks.

## *2. Competition Structure of Northeast Asia*

Currently, Northeast Asian country is wrapped up in fierce competition instead of cooperation. From the security perspective, this means that the countries are undermining their own security environments. The following are the causes and triggers of such fierce competition in the region.

The causes of competition can be traced back to the competitions between the US and China and between China and Japan, which are also inextricably linked with each other. The Sino-American competition goes beyond the Northeast Asian region and is taking place on the global level in what has come to be known as the G2 era of today. Advocating a “new type of great power relations,” Beijing has gone to great lengths to be recognized as an equivalent counterpart in terms of its relationship with the US. China is continuously taking steps that imply its intention to rise not only economically but also militarily. The US is seeking to maintain its strong influence in the Asia Pacific region through its rebalancing strategy. To this end, the US is

working closely together with its allies and partners while beefing up its military power in the region. The steps that the US and China have taken recently show that they are mindful of possible conflicts in the South China Sea and the East China Sea, highlighting that the region is prone to conflicts.

The competition between China and Japan has also been a major cause of the aggravating security environment in Northeast Asia. Relations between these traditional rivals entered a new phase after China outpowered Japan in terms of the size of economy in the 2000s. This has created a sense of crisis within Japan, a country that had wielded the biggest influence in Asia over the past 100 years.

Amidst the fierce competition between the US and China, Japan is taking actions that are in line with the interest of the US such as enhancing the US-Japan alliance and strengthening its own military role. By doing so, it is signaling a full-fledged competition with China.

Historical and territorial issues can be regarded as key precipitating factors that ignite regional competition. Historical revisionism among Japanese political leaders - such as Prime Minister Abe's visit to the Yasukuni Shrine and the review of the Kono Statement - has greatly alarmed neighboring countries that have experienced the Japanese colonial rule, such as Korea and China. Concerns are raised that the territorial disputes between China and Japan over the Senkaku(or Diaoyutai) Islands and related actions such as China's unilateral proclamation of an air defense identification zone (ADIZ) and close flybys of Japanese and Chinese warplanes may escalate to an armed clashes. What is more worrisome is that if the current environment persists, this may result in further entrenchment of conflicts, and in turn, increase instability in Northeast Asia.

There is no denying that the post-war structure that has been in place for the past 60 years served as a basis for regional peace in Northeast Asia, a region that suffered from Japan's invasion and the ensuing World War II. Under such circumstances, the Abe administration's current moves to become a normal state-such as

seeking to exercise the right to collective self-defense-without making sincere apologies for Japan's past wrongdoings are enough to create worries about the country's future steps. Currently, Japan is asserting increased contribution to world peace under the slogan of "proactive pacifism". However, Japan's efforts to alter the current system of the San Francisco Peace Treaty of 1951, which has long served as the basis for peace in Northeast Asia, without repenting for its past atrocities are creating concerns among its surrounding countries. As a result, perception of history has become an important element of the security environment in Northeast Asia in addition to realist pursuit of national interests.

### *3. Uncertainty on the Korean Peninsula*

North Korea's development of nuclear weapons and the continuing uncertainty surrounding the Kim Jong-un regime have also had a negative impact on the security environment of Northeast Asia. North Korea's continued refusal to take the path toward change despite the denuclearization efforts of the international community that have continued for some 20 years has led many to conclude that the instability on the Korean Peninsula will persist for the foreseeable future.

The biggest security threat to South Korea is the North's nuclear weapons program. In fact, the North Korean nuclear issue constitutes not only the biggest military threat to South Korea but also a clear and present danger to other countries in the Northeast Asian region. If North Korea continues to develop nuclear weapons and decides to deploy them, South Koreans will have to live under constant fear of nuclear weapons, and Northeast Asian countries will get caught up in an arms race, possibly resulting in a nuclear domino effect.

The North Korean nuclear issue is not limited only to the threat it poses, but is also complexly related to conventional weapons as well as the instability of the Kim Jong-un regime. If the international

community unitedly pressures North Korea to give up nuclear weapons, it may give up its nuclear weapons, attempt military provocations against South Korea or go through internal conflict and instability. However, the possibility of North Korea voluntarily forgoing its nuclear weapons is in fact very low. Therefore, in the process of pressuring North Korea to denuclearize, either continued military provocations or political instability is highly likely-regarding political instability within North Korea. In this context, neighboring countries have different opinions. Even though they recognize the importance of denuclearizing North Korea, China and Russia wish to take mid-to long term approach to the problem utilizing the six-party talks rather than putting too much pressure on North Korea because they do not want to further destabilize North Korea. As a result, there is a disagreement as to the conditions for the resumption of the six-party talks, and the Kim Jong-un regime is taking advantage of this situation to continuously develop nuclear weapons.

Security on the Korean Peninsula is also affected by the uncertainty of the North Korean regime. The insecurity of the Kim Jong-un regime manifests in the form of the leadership's loose control, internal conflicts and even military tensions created for the purpose of serving the interests of the regime. Setting aside unexpected incidents such as the execution of Jang Song-taek, the North Korean regime could collapse anytime owing to the totalitarian political structure akin to those of the 19th century. The possibility of the North Korean regime collapsing at any moment or attempting military provocation has brought about uncertainty in the security environment of the Korean Peninsula, which has in turn, negatively impacted on the peace and stability of Northeast Asia.

Amidst increasing threats and uncertainty within North Korea, further deepening of historical and territorial conflicts causes some to believe that we could see an arms race or even a return to a new Cold War era in Northeast Asia. In other words, realism seems to better explain the current situation in Northeast Asia as opposed to the trend

of economic interdependence, which has been a major driving force of regional peace and stability during the post-Cold War era.

### **III. Strategic Considerations**

The constitutional values of the Republic of Korea make it amply clear that the security policy Korea should pursue is one that secures peace and stability on the Korean Peninsula and lays the foundation for prosperity regardless of changes in government. We should bear this in mind when developing plans to respond to the worsening security environment of today and should take a strategic approach in implementing such plans.

#### *1. Preemptive and Proactive Response Based on Active Utilization of Diplomatic Capacity*

In order to respond to the rapidly changing security environment, we need to first thoroughly assess our diplomatic capability and set an appropriate goal. If we take a defeatist approach and underestimate our capability, it will be difficult to respond well to the changes in our security environment. On the other hand, if we try to take the lead in resolving all problems while not taking into account Korea's actual diplomatic capacity, our efforts are likely to yield little tangible results because of the lack of response, or outright disregard, on the part of surrounding countries. Indeed, various proposals for multilateral security cooperation made by previous governments in Northeast Asia quickly went down the drain because of neighboring countries' lack of enthusiasm.<sup>2</sup> Therefore, it is essential that we precisely analyze our capacity and carefully develop an approach that will make full use of our diplomatic capacity.

Korea's diplomatic capacity can be divided into hard, soft, and network power. Hard power refers to material capacity measured by

factors such as economic power, military force, and human resources. Korea is close to joining the top ten hard power countries.<sup>3</sup> Soft power indicates intangible power resources such as national image, agenda setting capacity, and adaptability to environmental change. Korea holds the 13th strongest national brand in the world and is a model country that achieved both democratization and industrialization. It also has a cultural appeal as represented by the world popular K-pop. At the same time, Korea is demonstrating its strong agenda-setting capability in such areas as green growth and international development. Finally, network power refers to the institutional, human, and network infrastructure established at home and abroad through a nation's diplomatic activities. Korea has established diplomatic relations with 190 countries and has 178 embassies and consulates abroad. It is also a member of 26 independent agencies of the UN and 82 intergovernmental organizations.<sup>4</sup> Furthermore, Korea also has networks in the private sector encompassing the academia, the business community, and a host of NGOs, all of which serve as a bridge between Korea's hard and soft power.

Unfortunately, Korea's geopolitical position has made it difficult for Korea to fully exercise its diplomatic power to match its status as the world's top 20 economies. Korea's neighbors in Northeast Asia are all major powers leading the world, and there is also a significant

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2. In Korea, previous administrations made proposals for multilateral security cooperation in Northeast Asia such as the Consultative Conference for Peace in Northeast Asia (Roh Tae-woo administration), Northeast Asia Security Dialogue (Kim Young-sam administration), Joint Statement of the Six-Party Talks for Peace and Stability in Northeast Asia (Kim Dae-jung administration) and Era of Peace and Prosperity in Northeast Asia (Roh Moo-hyun administration). They were eventually shelved after the government failed to obtain support from surrounding countries.

3. According to the statistics for 2013 from the International Monetary Fund (IMF) and the banks in Korea, Korea ranked 15th in terms of GDP, 7th in terms of exports, and 8th with regards to foreign exchange reserves.

4. Refer to the Ministry of Foreign Affairs' report to the Foreign Affairs and Unification Committee of the National Assembly (December 2013).

gap in terms of national power between Korea and our neighboring states. Nevertheless, even though we may not be able to shape the regional security order to our wish, we can create some room for cooperation with our neighbors if we make full use of our country's national capability and international status. This is exactly why we need to conduct preemptive and proactive diplomacy and secure our security interest by taking the lead in setting agenda and persuading our surrounding powers.

## *2. Minimizing the Effects of Challenge Factors and Making Use of Opportunity Factors*

Setting goals that match Korea's diplomatic capacity will not automatically guarantee meeting such goals. Additional efforts must be made to effectively make use of the diplomatic assets of Korea. To this end, we must have a precise understanding of the current challenges and opportunities and adjust our priorities. Considering the fact that strategies are determined by setting policy priorities under a given environment, it is important to choose and concentrate on the right areas to ensure the effective use of our limited resources.

The most daunting challenge under the current security environment of Northeast Asia is the North Korean nuclear issue. Related with North Korea's refusal to change, its continued military provocations and the instability of the regime, the North's nuclear problem is causing great instability on the Korean Peninsula. Fundamental improvements in the inter-Korean relations will not be made unless the nuclear problem is resolved. If the problem is left unresolved, the fear of possible nuclear attack that will be brought upon Korean people will be catastrophic unlike any threat or provocation experienced in the past. Therefore, the North Korean nuclear issue represents the biggest security threat faced by Korea, and we should concentrate our diplomatic resources in addressing the issue as a primary concern.

Japan's historical revisionism may go beyond an issue of past affairs and has the potential to develop into a major security problem. While the competition between the United States and China is expected to continue for some time, the fact that both countries are not interested in engaging in military conflicts in Northeast Asia means that the possibility of the current rivalry escalating into a military crisis is low. However, close attention should be paid to the future direction of the current historical revisionism that has taken hold in Japan. This is because the issue is closely related to Japan's desire to become a normal state and entails changes to the current regional security order, which has been put in place since World War II. We need to take note that the conflicts stemming from historical issues when combined with nationalism, can lead to renewed military adventurism.

Meanwhile Korea must prepare for a scenario in which worsening diplomatic relations between the US and China greatly limits Korea's policy options while falling short of becoming a serious security threat. Korea must maintain a cooperative relationship with both the United States and China if it is to resolve North Korean issue under a peaceful and stable environment. However, a long drawn out conflict between the United States and China - the former being Korea's security partner and ally and the latter, its biggest trading partner - may result in Seoul being faced with either a weakening of alliance or an economic challenge depending on the choice it makes. Therefore, we must take a balanced approach and manage our relationships with surrounding countries well while making consistent efforts to achieve our security goals.

Korea's current security environment is not solely characterized by challenges. Korea can draw on its strong national power mentioned above to help solve problems. Korea's standing as one of the world's 20th largest economies is a big incentive for the US to strengthen the alliance and for China to boost economic cooperation with Korea. In addition, all countries in Northeast Asia attach great importance to domestic economic development and want to avoid the economic



burden caused by tensions in foreign relations. Since all of Korea's neighboring countries are aware that it does not wish to compete for regional hegemony, it can contribute to building a multilateral peace mechanism in the region.

## **IV. Korea's Response**

### *1. Trustpolitik for Peaceful Unification*

To curb the threat caused by North Korea and achieve unification, our diplomatic efforts should be based on trust. This trust-based unification diplomacy should be the backbone of our efforts to implement a sustainable peace on the Korean Peninsula, bring about change in North Korea through international cooperation, and expand the international support base for unification. To this end, the Korean government has further garnered support within the international community for the denuclearization of North Korea based on the belief that it is a prerequisite for the sustainable peace on the Korean Peninsula. As part of its efforts to lay the groundwork for the denuclearization of North Korea, the South Korean government has used bilateral and multilateral summits as well as foreign ministerial-level talks as opportunities to deliver a strong and united message urging North Korea to abandon its nuclear program. In addition, South Korean government has worked closely with the US and China. China has announced on several occasions that it strongly opposes North Korea possessing nuclear weapons. The EU, ASEAN, and MIKTA – a consultative mechanism for middle power countries - have also issued similar statements.

Since March 2014, in response to North Korea's threats of additional nuclear tests and provocations, Korea has strengthened cooperation with the United States, China, the EU, ASEAN and MIKTA to deter North Korea from conducting additional nuclear tests.

Furthermore, Korea has also reinforced its deterrence and preventive diplomacy by making full use of its position as a member of the UN Security Council. This was one of the driving forces behind the UN Security Council press remarks made on March 25, 2014 condemning North Korea's Rodong missile test. Furthermore, in May 2014, the Korean government contributed to consolidating the international community's efforts against North Korea's nuclear program and additional nuclear tests by presiding over the high-level debate on UN Security Council Resolution 1540 as President of the Security Council.

The government is also working closely with neighboring countries and the international community to induce change in North Korea. In particular, it provides support for the implementation of follow-up measures to the COI Report on the human rights situation in North Korea. It has also continuously strengthened cooperation with related countries, international organizations, and other organizations and parties to ensure the prompt and safe relocation of North Korean defectors to Korea.<sup>5</sup>

The Korean government is also making continuous efforts to create an international environment conducive to the expansion of the international support base for unification. By utilizing bilateral and multilateral talks and conducting summit diplomacy, it has gained broader support and understanding from the international community for its Trust-building Process on the Korean Peninsula.<sup>6</sup> The government has in particular strengthened communication channels on North Korea with embassies in Seoul by establishing the Peninsula

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5. 595 North Koreans defected to Korea in 2014 as of May. The total number of North Korean defectors in Korea has now reached 26,700.

6. The Trust-Building Process on the Korean Peninsula takes an integrated approach to achieving sustainable peace by seeking a balance between inter-Korean relations and international relations as well as maintaining a strong deterrence drawing on the 15 years of the experience of past progressive and conservative administrations in implementing North Korean policies. Yun Byung-se, "Trustpolitik, Speeches and Articles by the Foreign Minister" (December 2013, the Ministry of Foreign Affairs), p. 196.

Club (February 18, 2014) and Peace Club (May 30, 2014). The government has also sought to learn from Germany's experiences in reunification and strengthen bilateral cooperation through the Korean-German Advisory Group on Foreign Policy towards Reunification established when President Park visited Germany in March 2014. This gathering is expected to hold its first meeting during the second half of 2014.

A consistent North Korea policy is required in order to resolve North Korea's nuclear and other issues, and achieve peaceful unification. Although the fundamental resolution of the prevailing problems will require more than mere talks, we must also think beyond the confrontational structure. Rather than taking a one-off approach for solving specific issues, a long-term approach that places emphasis on procedure and on accumulating trust is needed. Although such a long-term approach may give rise to criticisms about Korea's lack of efforts to resume inter-Korean or six-party talks, the right balance between power and timing is key to laying the foundation for peaceful unification and the resolution of North Korean problems in a way that serves our interests. In other words, the Korean government should concentrate on strengthening its power and making the situation ripe for North Korea to accept Korea's proposals.

## *2. Strategic Diplomacy for Better Cooperation with Neighboring Countries*

Strategic cooperation with neighboring countries will have to be strengthened if Korea is to overcome the obstacles caused by rapid changes in Northeast Asia. We must take a careful approach so that our alliance with the US and our strategic partnership with China do not come in conflict with each other. Moreover, since economic cooperation with our neighboring countries is directly linked to the well-being of the Korean people, we should take more interest in the matter and implement policies with prudence seeing it separately from

the security situation.

Korea has conducted proactive diplomacy toward the United States and used the past two summits to develop the US-Korea relations into a comprehensive strategic alliance. Building on the close high-level consultations that have been taking place since the beginning of 2014 (e.g. the two rounds of foreign ministerial meetings between the US and Korea), President Obama made his 4th visit to Korea in April 2014. The 2+2 foreign and defense ministerial talks are also expected to take place during the second half of 2014 for the first time since 2012. Referring to such a close relationship built on trust, President Obama recently noted that the US-ROK alliance “is as strong as it ever has been.”<sup>7</sup>

South Korea has been consolidating its strategic cooperative partnership with China. President Xi Jinping’s visit to Korea for the first time since his inauguration at the beginning of July 2014 and President Park Geun-hye’s visit to China in 2013 have had the effect of further solidifying the trust between the two leaders. Both leaders engaged in in-depth discussions on the North Korean nuclear issue and other issues on the Korean Peninsula. Furthermore, the two countries have strengthened bilateral economic and humanities cooperation as part of their effort to lay the groundwork for security cooperation via closer ROK-China relationship.

Although South Korea has also strived to improve and stabilize the ROK-Japan relations, the repeated visits to the Yasukuni Shrine by politicians, the distortion of history in textbooks and the rise of historical revisionism in Japan shown in comments by renowned political figures have become a huge obstacle to advancing bilateral cooperation. South Korea should take a firm stance against Japan’s historical revisionism. There is no doubt that such distorted historical perceptions could lead to further conflicts and disputes in the region.

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7. Refer to the Ministry of Foreign Affairs’ report to the Foreign Affairs and Unification Committee of the National Assembly (June 2014)

Therefore, there is a need to further strengthen cooperation with the United States and the rest of the international community to ensure that such historical revisionism does not undermine the regional security environment. Nevertheless, economic, social, cultural, and common security cooperation (e.g. North Korean nuclear issue.) should be considered separately from historical issues so as to prevent South Korea from being held responsible for deteriorating ROK-Japan relations and causing constraints in the trilateral cooperation among the US, South Korea, and Japan.<sup>8</sup>

South Korea has sought to deepen its strategic cooperative partnership with Russia. To this end, South Korea has attempted to put the rather estranged relations with Russia back on track through active high-level diplomacy and build trust between the two leaders. Two summits were held in 2013 between the two leaders. President Putin visited Korea in November 2013, becoming the first leader among those of Korea's neighboring countries to visit Seoul since the inauguration of President Park. Korea should work hard to ensure constructive cooperation with Russia to resolve North Korean problems by utilizing the trust forged between the two leaders.

Meanwhile, South Korea has also redoubled its efforts to boost multilateral cooperation with neighboring countries, a case in point being its Northeast Asia Peace and Cooperation Initiative. The goal is to build trust by cultivating a habit of dialogue and cooperation, thereby creating a regional order of peace and cooperation. To this end, it is striving to secure the support and consensus of the international community and is carrying out a number of cooperation projects on specific agenda areas such as nuclear safety, energy security, environment and climate change, disaster relief, and drugs. In addition, Korea has secured the momentum to build cooperation for a peaceful Northeast Asia and to conduct its Eurasian diplomacy through the

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8. Refer to the Ministry of Foreign Affairs' report to the Foreign Affairs and Unification Committee of the National Assembly (June 2014)

trilateral cooperation among the two Koreas and Russia.

### *3. Middle Power Diplomacy*

Efforts to elevate the status of South Korea by contributing to the global public good will also improve its security environment. Strategic cooperation with surrounding countries requires more than diplomatic negotiation skills. Korea's national power and its status within the international community is the real impetus for strategic cooperation. Therefore, Korea needs to contribute more to promoting global peace and human rights as well as to exercise preemptive leadership in global development cooperation, an area of strength for Korea. In addition, the number of countries supporting Korea within the international community must be increased through such means as creating sub-regional cooperation mechanisms with diverse countries.

As part of its effort to make concrete contributions to global peace, Korea has been committed to addressing global issues such as nuclear security, cyber, and terrorism issues. In March 2014, President Park Geun-hye attended the Nuclear Security Summit to join the international community's efforts to create a "world free of nuclear weapons." Korea is also playing a bigger role at the United Nations Security Council. In May 2014, it became the chair of the United Nations Security Council for the second time - the first time was in February 2013 - since it became a non-permanent member of the United Nations Security Council for the 2013-2014 term. Korea will continuously carry out principled human rights diplomacy in its capacity as a member of the United Nations Human Rights Council during the 2013-2015 term.

As far as development cooperation is concerned, Korea has played a leading role in setting the international development agenda by participating in the 1st ministerial-level meeting held in Mexico in April 2013 for the Busan Global Partnership. Furthermore, to ensure its position and status as an emerging donor and set an example for

the international community, Korea will actively participate in the discussions on key international development agenda items, including the negotiations over the Post-2015 Development Agenda.

The Korean-led middle powers group known as MIKTA (Mexico, Indonesia, Korea, Turkey and Australia) has also heightened the status of Korea on the international stage. Korea will play an even bigger leading role within MIKTA now that it has assumed the role of coordinator since September 2014. Korea has also agreed to host the meeting for the foreign ministers of MIKTA member states during the first half of 2015. Korea will also increase cooperation with various other country groupings.

## **V. Conclusion**

Phrases such as the “return of history” and the “return of geopolitics” have frequently been used to describe the recent developments in Northeast Asia. This proves that the diplomatic security environment of Northeast Asia is more complex than ever before. The fundamental goal of Korea’s diplomatic and security policy is to achieve peace and prosperity on the Korean Peninsula and lay the foundation for peaceful unification by preventing multi-layered or multi-level challenges from emerging while making full use of the opportunities that the regional security environment presents. Under the overarching goal of achieving unification, Korea also needs to make active peacemaking efforts that involves addressing the current issues along with peacekeeping efforts against North Korea’s threats and provocations so as to remove the threats to peace and achieve sustainable peace on the Korean Peninsula. To ease competition and conflict and build up trust in Northeast Asia, accumulating practices of multilateral cooperation is a must. To this end, it is necessary to have the right historical perception and a sense of calling coupled with strategic thinking and preemptive and proactive action. This will not

only tell us where we are and where we are headed but also enable us to make wise choices about what we should do and how we should go about doing it. This is true today as it was in the past. (July 2014 Issue, Updated by the Author)



# Shift in the East Asian Balance of Power and the Korea-U.S.-Japan Relationship

*Jo Yang-hyeon\**



## I. Introduction

Based on recent changes in the East Asian balance of power, this paper examines the current status of the U.S.-China-Japan trilateral relationship and the key issues affecting Korea-U.S.-Japan relations in 2015.

International relations in East Asia have undergone a rapid reorganization precipitated by the rise of China. The alteration of the balance of power in East Asia has led to rapid changes in regional bilateral relations, including those of Korea-Japan and China-Japan, as well as in the U.S.-China-Japan trilateral relations.

The decline of U.S. economic power following the war in Iraq and the global financial crisis opened the door for China to play a leading role in the recovery of the global economy via large-scale fiscal outlays. Since President Obama's inauguration, the advent of a new bipolar system following the shift of power between the United States and China has led some in the international community to declare the beginning of a "G2" era.

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Since 2010, a series of conflicts emerged between the United States and China over such matters as “China’s core interests” and issues pertaining to the East and South China Seas. China has simultaneously engaged in disputes with ASEAN countries over the South China Sea maritime issue, with the United States over freedom of navigation issue, the Taiwanese situation, commerce and cyber war, and foreign currency matters, with Korea over its response to North Korean military provocation, such as the sinking of the *Cheonan* and artillery shelling of Yeonpyeong Island, and with Japan over territorial disputes related to the Senkaku/Diaoyudao Islands. The inauguration of the Xi Jinping administration in 2013 has heralded a more aggressive approach on Beijing’s part toward maritime access and various other matters, an attitude clearly reflected in its New Type of Relationship between Major Powers initiative aimed at the United States.

In 2009, the Obama administration introduced its so-called “rebalancing policy” that called for the United States to shift its foreign policy focus from the Middle East to the Asia-Pacific region. Thereafter, the United States has responded to the military rise of China by expanding its multilateral engagement and strengthening its traditional alliances in the region. In this process, significantly affected by the global financial crisis which had a negative impact on the U.S. defense budget, Washington has increasingly called on its Asian allies to shoulder a greater share of the relevant responsibilities and roles.

Growingly cognizant of the rise of China following incidents related to the Senkaku/Diaoyudao Islands in 2010 and 2012, Japan heartily welcomed the United States’ rebalancing policy and focused its resources on building up its deterrence against China by strengthening the U.S.-Japan alliance. Japan’s moves toward normalization of its military forces and its advocacy for the U.S.-Japan alliance have been increasingly perceived as a strategic initiative to contain China in conjuncture with Obama’s Asia-Pacific Strategy. While Sino-Japanese relations managed to remain amicable during the Cold War era through a separation of political and economic interests, the post-

Cold War era has been marked by competition and conflicting national interests.

The rise of China has strongly influenced neighboring Korea as well. The two countries have enjoyed remarkable mutual growth, from a quantitative as well as qualitative standpoint, in such areas as the economy, politics, security, society, and culture since the establishment of diplomatic relations in 1992. Moreover, the two sides entered into a “mature strategic cooperative partnership” in 2014. China and Korea have effectively moved past the “potential hostile relations” from the Cold War era and have expanded areas of cooperation for a peaceful resolution of the North Korean issue and reunification of the Korean Peninsula. Civil exchanges between the two countries have increased more than 60-fold in the last 20 years since the establishment of diplomatic relations. Mutual perception between the citizens of the two countries have also improved steadily and continuously.

While there have been efforts to revitalize the relationships with traditional allies, such as the United States and Japan, the rise of China has been perceived as more of an “opportunity” rather than a “threat” within the Korean society. Korea now finds itself at a diplomatic crossroads that calls for a strategic adjustment of its relationships with the United States and China.

The shift in the power relations between the United States and China has created a structural factor that led to a worsening of Korea-Japan relations. While Korea and Japan maintained amicable relations during the Cold War era, communications between the two governments have been essentially suspended, and this despite the fact that the two sides recently celebrated the 50th anniversary of the normalization of diplomatic relations. Japan has become weary of the worsening Korea-Japan relations and concurrent strengthening of Korea-China relations that has been advanced by the Park Geun-hye administration. Japan bears caution that the center of Korean diplomacy has moved from the U.S.-Korea-Japan relationship to a U.S.-Korea-China relationship, claiming that Korea and China have forged

a pact that seeks an “isolation of Japanese diplomacy” or “anti-Japanese alliance.” The worsening of Korea-Japan relations has its roots not only in the issues of history, characterized by the comfort women issue, but also in the differences on how two countries’ perceive the rise of China, or the change in the balance of power in the East Asian region.<sup>1</sup>

In this background, this paper examines the influence of the change in the balance of power triggered by the rise of China in the post-Cold War era on Korea-U.S.-Japan relations. To this end, predictions in regard to a new Northeast Asian order based on the bilateral relations involving the United States, China, and Japan are provided. Based on analysis of Korea-U.S.-Japan relations in 2015, an examination of its implications on Korean diplomacy, centering on the issues of security and history, is also discussed.

## **II. The Rise of China and U.S.-China-Japan Relations**

### *1. Intensification of Hegemonic Competition between the United States and China*

The rapid economic growth of China in the 21st century has led to the emergence of a so-called “China Threat” concept. Advocates of the China Threat and Sino-American cooperative relations have clashed over such questions as the speed of China’s rise, the extent of the U.S. decline as a hegemonic power, and whether the rise of China has rendered a hegemonic competition between the United States and China all but inevitable. These differences in the perceptions of the rise of China have been reflected in the seemingly contrary proposals put forward by the United States when it comes to East Asian policy.<sup>2</sup>

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1. Lee Jong-won, “The normalization of Korea-Japan relations, how can it be achieved?” NEAR Foundation, *How to restore Korea-Japan Relations*, Gimm-young Publishers Inc. 2015

As mentioned above, while the Obama's administration's China policy was initially amicable, the conflicts between the United States and China from 2010 onward, in conjunction with the South China Sea issue, have resulted in policy shift toward containment. While strengthening its economic cooperation with China, the United States has also realigned its military strategy and upgraded security cooperation with its allies in Asia to counter the security threats posed by China. In other words, it has pursued an engagement policy toward China in order to expand and reinforce bilateral economic relations and assure China's participation in major international organizations, while putting in place a balancing policy designed to ward off China's challenge to its hegemony and the existing international order at the same time.

The United States' rebalancing policy most likely continue in 2015, along with an acceleration of both cooperation and competition with China. In order to fortify its military superiority in the East Asian region, the United States will deploy its advanced naval and air resources to Asia, strengthen its missile defense (MD) system and anti-submarine warfare capability based on joint cooperation with Japan under the U.S.-Japan alliance, and seek to further expand its security cooperation with Australia and India. On the economic front, the United States will pursue construction of an advantageous trade order by balancing China's economic influence via Trans-Pacific Partnership (TPP).<sup>3</sup>

While outwardly avoiding direct military confrontation with the United States, China nevertheless appears to be modernizing its military technologies and strengthening its diplomatic capacity

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2. The terms "power shift" and "power transition" are frequently used in regard to the rise of China. The former indicates a change in the distribution of power between countries while the latter indicates a change of hegemonic power through war.

3. The Institute of Foreign Affairs and National Security (IFANS), *Outlook for International Politics and the Economic Situation in 2015* (special edition), January 8, 2015.

to broaden its influence in East Asia. Furthermore, it has sought to accelerate its development of military technology and weapon modernization as part of the Anti-Access/Area Denial (A2/AD) strategy. China is expected to use multilateral initiatives, such as the New Security Concept, Shanghai Cooperation Organization (SCO), and Conference on Interaction and Confidence Building Measures in Asia (CICA) to curb U.S.-led attempts to advance security cooperation designed to contain China. On the economic front, China intends to increase its economic influence in East Asia through such measures as the establishment of the Asia Infrastructure Investment Bank (AIIB), New Silk Road, and Regional Comprehensive Economic Partnership (RCEP).

During the APEC meeting in November 2014, the United States and China concluded a memorandum of understanding (MOU) related to the promotion of military trust and agreed to inform each other beforehand of any major deployment of naval or air forces. A memorandum of understanding on a prospective bilateral investment treaty (BIT) was also concluded. Both countries are expected to pursue mutual cooperation on such issues as trade, climate change, and the North Korean situation, while also seeking to avoid direct military confrontation. Although strategic conflicts will continue over certain issues as cyber security and the East and South China Seas, U.S.-China relations will in all likelihood not reach the kind of conflict level of the U.S.-Soviet Union confrontation during the Cold War era.

## *2. Adjustment of Japan's Defense Power and Enforcement of the U.S.-Japan Alliance*

Since the post-Cold War era, Japan has focused on establishing the institutional framework needed to implement a joint-response system together with the United States based on a redefinition of the U.S.-Japan alliance. It has also pursued an expansion of Japan's role in the military and security sectors by assuring its independent defense

capability and expanding the authorized scope of activities for the Self-Defense Forces. These endeavors have been further accelerated during the second term of the Shinzo Abe administration. As such, 2015 is expected to see a modification of the U.S.-Japan Guidelines for Defense Cooperation to reflect Japan's broadened right to implement collective self-defense as well as the announcement of a new model for U.S.-Japan relations on the occasion of the 70th anniversary of the end of World War II.

Abe cabinet has reinforced its basic policy measures on diplomacy and security and adjusted its defense strategy through the adoption of a series of initiatives related to Japan's diplomacy and security, including the "National Security Strategy," new "National Defense Program Guidelines," and "Medium Term Defense Program" (2014-2018). It established a National Security Council (NSC) to upgrade its national crisis management capability and make policymaking decisions related to any diplomacy and security issues more promptly. In addition, Japan enacted the Act on the Protection of Specially Designated Secrets to formally implement an institutionalization process to share confidential information with its allies.

Abe cabinet has actively sought approval for the right to utilize collective self-defense in line with further strengthening the U.S.-Japan alliance. To this end, since September 2013 it has repeatedly asked for the international community's approval, arguing that such a capability would enable Japan to make a more "proactive contribution to peace." Moreover, the cabinet passed a resolution in July 2014 that called for a new interpretation of the Constitution. In October 2014, the United States and Japan announced an interim report on the U.S.-Japan Guidelines for Defense Cooperation, which reflected Japan's right to exercise collective self-defense, and reaffirmed this stance during the subsequent U.S.-Japan summit held in November 2014.

Through redefined U.S.-Japan alliance, Japan has focused on establishing institutional grounds for the right to dispatch its self-defense forces as part of a joint response, together with U.S. forces,

to any crisis situation. Both countries have pursued an increase in joint drills and exercises, joint use of facilities, sharing of information in the aerospace and cyber sectors, and expansion of the collection of joint information and reconnaissance activities. The adjustment of the shared roles between the United States and Japan, and the integration of military operations, are likely to be effectuated through an amendment of the U.S.-Japan Guidelines for Defense Cooperation in 2015.

The acquiescence of Japan's right to collective self-defense constitutes a fundamental revision of the "exclusively defensive" principle that formed the foundation of Japanese defense and security policy in the aftermath of World War II. As such, this will require an essential overhaul in terms of Japan's security-related laws. In this regard, 2015 might see the amendment of various security-related laws, such as the Basic Security Law, Self Defense Law, Situations in Areas Surrounding Japan Law, and International Peace Cooperation Law.

As part of the events surrounding the 70th anniversary of the end of World War II, the U.S. and Japan have launched a new "Pacific Vision 21" group headed by influential figures from both countries. In the spring of 2015, the two sides are expected to release a report on a new vision for U.S.-Japan relations through 2045 encompassing the areas of diplomacy, security, economy, and people/cultural exchanges, under a broad theme of "Toward the Establishment of a New U.S.-Japan Partnership."

### *3. Pursuit of Stability Amidst Sino-Japanese Strategic Competition*

China-Japan relations in the post-Cold War era have developed based on a so-called notion of "hot economics and cold politics" brought about by a gap in the perceptions of economic and political security. In other words, an asymmetric situation has developed in which political and security conflicts (power balance) have been intensified against a backdrop of deepening economic inter-



dependence (economic integration). While the Abe cabinet appears to be seeking to contain China via restructuring its defense capability and enhancement of multilateral cooperation, it is also making efforts to apply effective crisis management measures, such as the establishment of a maritime network, to prevent outright clashes.

The strategic competition between China and Japan was brought to the forefront as a result of the crises surrounding the Senkaku/Diaoyudao Islands in 2010 and 2012 and China's declaration of its Air Defense Identification Zone (ADIZ) in November 2013. Japan has sought to expand its Dynamic Joint Defense Force, strengthen its defense capability in the southwest region, establish a Marine Corps Air Station, and reinforce its Iron Fist military exercises. In addition to strengthening the U.S.-Japan alliance, it has also expanded its security cooperation with Australia and India. These moves will in all likelihood continue in 2015 with an amendment of the U.S.-Japan Guidelines for Defense Cooperation which will be seen as a continuation of containing China.

Prime Minister Shinzo Abe's policy to strengthen Japan's cooperation with Southeast Asia, Australia, and India, visit some 50 countries over the past two years, and emphasize on the "rule of law" and "freedom of navigation" during international conferences, such as the East Asia Summit (EAS), can be seen as efforts to restrain China's access to certain maritime areas. The Japanese government has made clear its intention to strategically provide official development assistance (ODA) to Southeast Asian countries, such as the Philippines and Vietnam, which are currently engaged in maritime disputes with China. As such, the efforts of the Abe cabinet to promote multilateral cooperation for the purpose of containing China can be expected to continue in 2015.

Meanwhile, the first-ever summit between Xi Jinping and Shinzo Abe was held on the sidelines of the APEC Summit in Beijing in November 2014. Prior to this encounter, both the Chinese and Japanese governments have accepted the fact that the two countries

held different opinions toward the Senkaku/Diaoyudao Islands issue and agreed to restart the “strategic reciprocal relationship” that had been agreed upon during the previous Abe cabinet in 2007. In addition, both countries agreed to reopen talks to establish a maritime communication mechanism in regard to the East China Sea, which has been suspended since the spring of 2012, thus raising a possibility for the establishment of a maritime crisis management mechanism that would serve to prevent unintentional clashes in the East China Sea between the United States, China, and Japan.

### **III. Key Issues in the U.S.-Korea-Japan Relations in 2015**

#### *1. Security Cooperation*

An intensification of the strategic competition between the United States, China, and Japan will pose a daunting challenge to Korea, which is seeking to ensure peace and stability on the Korean Peninsula by maintaining close cooperation with the surrounding countries. Korea’s relations with the United States and China represent an opportunity as well as a challenge for Korean diplomacy. In this regard, it would be safe to assume that Korea-Japan and United States-Korea-Japan security cooperation, along with a resolution of the historical issues, will determine the course of U.S.-Korea-Japan relations in 2015.

As for Korea’s perception of the rise of China, it is a combination of realistic pessimism and forward-looking optimism. Proponents of China threat have highlighted the need for Korea to take steps in conjunction with the United States and Japan to prepare for China’s military expansion, and have pointed to a possibility of China openly clashing with the United States for hegemony in East Asia. Meanwhile, advocates of a peaceful transition, in which the United States and China avoid direct conflict, have stressed the need for Korea to safeguard its security and economic interests by establishing balanced

and stable relationships with both the United States and China.<sup>4</sup>

Korea's and Japan's differing perceptions of China have become even more pronounced amidst a worsening of Korea-Japan relations and the rise of pro-Chinese sentiments in Korea. China's emergence as Korea's No. 1 trade partner and the rising influence of pro-Chinese interest groups have set off alarms in Japan over Korea's growing inclination toward China. Japan regards Korea's rapprochement with China as a policy choice rooted not only in their shared historical experiences and nationalistic tendencies but also in the balance of power shift between China and Japan.<sup>5</sup> Under such circumstances, security cooperation between the United States, Korea, and Japan has emerged as a hot button issue.

The geopolitical importance of the Korean Peninsula is intricately related to the ongoing power struggle between the United States and China. Korea's outward inclination toward China would inevitably hinder the United States' East Asian strategy and place China in a more advantageous position vis-à-vis the United States. While Washington will approach the U.S.-Korea partnership as a means to balance the rise of China, Beijing will appeal to Korea to jump on the bandwagon as it marches toward hegemony. President Park Geun-hye received a hearty welcome during her visit to the United States in 2013, which included an opportunity to address the U.S. Congress. President Park also received an unexpectedly warm welcome from the Chinese leadership during her visit to China in 2013. As such, Korea can use the current state of Sino-American relations to give itself a strategic and diplomatic leeway.

In contrary, Korea could find itself being criticized by both the United States and China if it does not put forward a proper diplomatic

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4. Lee Hee-ok, "The characteristics of the rise of China in Korea: Viewpoints and Actuality," *Korea and International Politics*, Vol. 25 (4), 2009.

5. Kawashima Shin, "岐路に立つ中韓関係" (Sino-Korean relations at the crossroads) 外交 (*Diplomacy*), Vol. 27, September 2014; Hideshi Takesada, "なぜ韓国は中国へ接近するのか" (Why does Korea lean toward China?), 外交 (*Diplomacy*), Vol. 23, January 2014.

response, as was the case during the Roh Moo-hyun government when Seoul pursued a balancer role in Northeast Asia.<sup>6</sup> Korea's hesitation to participate in the security cooperation efforts led by the United States and Japan to counter the rise of China could result in a weakening of the U.S.-Korea alliance as well as the U.S.-Korea-Japan cooperative arrangement. This could eventually lead to a challenge of Korea's deterrence vis-à-vis North Korea as it experiences an erosion of support from its traditional allies, the United States and Japan.

As previously mentioned, despite its current financial difficulties, the Obama administration has responded to the long-term threat posed by China by strengthening its security cooperation with Australia, India, and Southeast Asian countries. An American think tank has recently proposed a formation of a "federated defense" in view that Washington's increased military response capability through joint purchase of military equipment, control of exports, and legal institutionalization in cooperation with regional partners as running parallel with the strategic goals of the U.S. and regional partners.<sup>7</sup> Based on this context, the pressure on allies, such as Korea, to participate in United States-led security cooperation will undoubtedly be stepped up.

The debate over deployment of the Terminal High Altitude Area Defense (THAAD) system to Korea in 2014 raises a likelihood that linkage between the Korea Air and Missile Defense (KAMD) and the U.S. Missile Defense systems will become a key issue in the U.S.-Korea relationship in 2015. While the U.S. Congress may be inclined to pass the National Defense Authorization Act, the U.S. Department of Defense is expected to review measures to strengthen U.S.-Korea-Japan MD cooperation and coax more active participation from Korea. As

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6. Lee Sang Hyun, "Outlook of the international political situation in 2015," *Current Issues and Policies*, Sejong Institute, January 2015.

7. Michael Green, Kathleen H. Hicks and Zack Cooper, "Federated Defense in Asia," CSIS, December 2014.

such, Korea may well find itself in a situation in which it has to choose between accepting the demands of the United States, despite Chinese opposition, and pursuing an independent MD policy distancing from its ally the United States.

The United States has increasingly called for an expansion of Korea-Japan security cooperation. In December 2014, the United States, South Korea, and Japan signed a military pact that called for sharing of sensitive information on North Korea's nuclear and missile threats. However, domestic opinion in Korea toward Korea-Japan security cooperation has been negative, in large part, due to the current strain in their bilateral relations. Korea-Japan security cooperation, even at the most limited level, runs the risk of being perceived as Korea's acquiescence of Japanese rearmament and responsibilities for historical aggression especially amidst the current reorganization of the U.S.-Japan alliance based on Japan's right to collective self-defense. Furthermore, others have highlighted the potential for a new "South Korea-U.S.-Japan versus North Korea-China-Russia" confrontation on the Korean Peninsula.<sup>8</sup> As such, the effectuation of information sharing between Korea and Japan may become an especially thorny political issue in Korean society.

The United States and China are countries that are integral to Korea's interests. Korean diplomacy currently depends on the United States for its security, China for its economy, and the United States and China to help resolve the North Korean problem. This stands in stark contrast to Japan which, based on a premise of potential conflict between the U.S. and China, chose to strengthen the U.S.-Japan alliance as a counterweight to China. The worst-case scenario for Korea is one in which it is forced to choose a side amidst an escalation of the U.S.-China conflict. Korea's diplomatic capability to arbitrate between the United States and China is inherently limited. The current

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8. Seo Dong Man, "Korea-Japan Security Cooperation"; Kim Yeongjak and Lee Wondeok, *What is Japan to Korea?* Seoul: Hanul Academy, 2006.

challenges of Korean diplomacy can be traced back to its establishment of a diplomatic strategy based on a premise of amicable U.S.-China relations, of which there is no guarantee.<sup>9</sup> As such, Korea needs to focus on solidifying the U.S.-Korea alliance so as to better balance the asymmetric Korea-China relationship.

## 2. *History-related Issues*

Japan's right-wing conservatism and historical revisionism have greatly influenced regional relations as well as the U.S.-China-Japan tripartite relationship. As previously mentioned, Korea-Japan relations have remained in such a deep freeze over the comfort women issue that the two sides fail to organize a single summit between the two countries' leaders since the inauguration of the Park Geun-hye government. Korea-Japan relations may become even more strained in 2015 if both governments fail to properly address contentious issues related to comfort women, compensation for forced labor during World War II, Dokdo Island, and the history textbooks. Any attempt on the part of Prime Minister Shinzo Abe to make statements that deviate from the Murayama Statement of 1995 and the Kono Statement of 1993 during the events surrounding the 70th anniversary of the end of World War II will inevitably lead to a further worsening of relations with Korea and China.

The U.S. perceptions of Japan during the post-Cold War era are centered on two lines of discourse; a "proactive Japan" and a "prudent Japan," which are closely aligned with the United States' policy toward China.<sup>10</sup> The former position claims that Japan should expand its political and security role by strengthening the U.S.-Japan alliance

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9. Tadashi Kimiya, "米中関係と朝鮮半島" (US-China relations and the Korean peninsula), *国際問題 (Journal of International Affairs)*, No. 628, 2014.

10 Jo Yanghyeon, "Japan's right-wing conservatism and Korea-Japan relations," *Foreign Relations*, Vol. 106, 2013.

as a means to counterbalance China. Meanwhile, the latter point of view asserts that Japan should seek to avoid conflict with surrounding countries over historical issues and territorial disputes, exercising due caution in regard to strengthening the U.S.-Japan alliance so as to not be perceived as making an effort to contain China.

From Washington's standpoint where the "proactive Japan" school is dominant, Abe cabinet's reinforcement of the U.S.-Japan alliance and its pursuit of Japan's emergence as a normal state in terms of military are seen as "strategic assets" of the United States. On the other hand, those who advocate a "prudent Japan" notion view the historical revisionism tendencies of the Abe cabinet as a strategic burden for the United States. In this regard, the United States has taken precautions against the possible outcomes of the Abe cabinet's ideological conservatism and the rise of ultra-nationalism in Japan.

There will in all likelihood be more pressure on the United States to resolve the issues of history between Korea and Japan in 2015. Assistant Secretary of State for East Asian and Pacific Affairs Daniel R. Russel stated in December 2014 that "one of the priorities of U.S. policy in 2015 is to improve the ROK-Japan relationship." Meanwhile, in January 2015, U.S. State Department Spokeswoman Jen Psaki demanded that Prime Minister Abe continue to abide by the Murayama and Kono Statements in his congratulatory speeches marking the 70th anniversary of the end of World War II. Such demands on the part of U.S. government officials, who had previously refrained from interfering in Korea-Japan past history issues clearly show just how worried the U.S. is about a further worsening of Korea-Japan relations over such issues as the comfort women. In other words, the United States is concerned that a continued deterioration of the relationship between its two most important allies in the Asia-Pacific region will weaken the U.S.-Korea-Japan cooperation and make resolution of the North Korean nuclear problem more difficult by or it will allow China, which has recently used the "history card" as a means to undermine U.S.-Korea-Japan cooperation, to fish in troubled waters.

The U.S. government's position toward past history matters appears to be focused on pushing Japan to make a forward-looking gesture on the comfort women issue, while at the same time urging Korea to adopt a conciliatory response toward the Japanese government's efforts to reconcile its past history so as to improve the Korea-Japan relationship. The U.S. government's adoption of a clear position on the comfort women issue can be traced back to an internal conclusion at the federal government level in 2007 that, by nature, the comfort women were a form of "organized sexual slavery."<sup>11</sup> As such, the U.S. government has approached the issue of comfort women as a matter of wartime sexual crimes or human rights violation for women, and not as a matter of disputed historical perceptions.

Although U.S. pressure on Japan regarding past history issues has been strengthened, any fundamental change in its perception of the strategic value of the U.S.-Japan alliance is unlikely. Any expectation that the United States will unequivocally support the position of Korea in the historical dispute between Korea and Japan, including individual compensation, is misguided.<sup>12</sup> There are some within the U.S. policy circles who argue that the Korean government is excessively focused on Japan's need to apologize for its historical aggression and has not actively cooperated with the U.S. and Japan in response to the military expansion of China and the North Korean nuclear and missile issues. Should Korean demands vis-à-vis Japan in terms of history issues be deemed excessive, Korea could find itself, rather than Japan, the target of U.S. pressure.

## IV. Conclusion

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11. *Yonhap News*, "The comfort women were managed as a part of military facilities," March 16, 2014; *Yonhap News*, "The joint U.S. investigation team has already concluded that the use of comfort women for the military was an organized program," March 25, 2014.

12. CRS Report for Congress, "Japan-U.S. Relations: Issues for Congress," February 20, 2014.



Under the current circumstances in which the political situation in East Asia has undergone rapid change and realism-based notions, such as national interests, geopolitics, and balance of power, have returned to the forefront, Korea finds itself with little choice but to assess Korea-Japan relations from a standpoint of strategic diplomacy. Against a backdrop of the global competition between the U.S. and China, a strategic competition pitting the U.S.-Japan against China-Russia, and Japan against China, has taken root in East Asia. Although it has mainly focused on strengthening the U.S.-Japan alliance, the Abe cabinet has, rather than blindly following the United States, also sought to boost its strategic cooperation with countries in the region and beyond so as to maximize Japan's national interests.<sup>13</sup>

The coalition formed by the Liberal Democratic Party (LDP) and Komeito (NKP) won an overwhelming victory in the 2014 Japanese general elections. The Park Geun-hye government must now assume that it will be dealing with an Abe-led cabinet for the remaining three years of its term. This has heightened demands for efforts to reestablish diplomacy with Japan that is based on an acceptance of Japan's long-term move toward right-wing conservatism and to formulate comprehensive strategies for Korea-Japan relations.

Korea must respond to the emergence of security and history issues between the United States, Korea, and Japan by separating past history and territorial disputes from matters related to security and economic cooperation. As evident in the ROK-Japan General Security of Military Information Agreement (GSOMIA) reached in 2012, a gradual approach to Korea-Japan security cooperation will be needed under the current situation in which anti-Japanese sentiments are at a high because of the issues of history and Dokdo Island. In addition to sharing information related to North Korea, Korea should focus

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13. Park Cheolhee, "The power shift in East Asia and the Abe cabinet's basic foreign strategy," *The Power Shift in East Asia and Changes in Japan's Foreign Strategy*, East Asia Foundation, 2014, Chapter 1.

on bolstering multilateral and regional cooperation centered on non-traditional security areas such as exchanges between Korea and Japan of human resources and information in the national defense and security sectors, cooperation on maritime emergencies, joint responses to maritime terrorism and piracy, joint-defense of Sea Lines of Communication (SLOC), and UN Peacekeeping Operations (PKO).

The differences in the positions adopted by Korea and Japan in terms of their China and North Korean policies have emerged as factors that limit the strategic cooperation between the two countries. As such, there is a need to increase the common ground especially in their China and North Korea policies. Stable Korea-Japan relations and strong U.S.-Korea ties have traditionally served as a backbone of Korea's diplomacy. However, Japan's recent defense and security policies have been geared toward containment of China's military rise in conjunction with the United States. Meanwhile, Korea's China policy is not only rooted in the thriving Korea-China economic relationship, but also in the fact that Korea requires the cooperation of China to resolve the North Korean issue. The continued increase in tension between Korea and Japan under these circumstances will inevitably undermine the United States' East Asian strategy which in turn could offset the strategic value of the U.S.-Korea alliance. In addition, Park Geun-hye government's policy of a Trust Building Process on the Korean Peninsula must include Japan. Although Korea's North Korean policy has revolved around U.S.-Korea-China cooperation since the inauguration of the Park Geun-hye government, Korea must now focus on enhancing U.S.-Korea-Japan cooperation. Along with heightened U.S.-Korea-Japan cooperation, efforts should also be made to enhance mutual transparency and trust through an improvement of Korea-China-Japan cooperation and Korea-China security exchanges.

Lastly, the U.S.-Korea alliance can play a vital role in its capability to countermeasure any revival of Japanese militarism. Korea's ability to influence Japan's amendment of its constitution or its right to

exercise collective self-defense is limited. However, the U.S.-Japan security system can help curtail any revival of militarism in Japan. In this regard, strengthening the U.S.-Korea alliance would help to further assure a restraining aspect of the U.S.-Japan alliance. Although the United States would like Japan to expand its defense capability within the U.S.-Japan alliance system, it remains cautious of Japanese efforts to move toward a revival of militarism that goes beyond the framework of the U.S.-Japan alliance. In addition, the U.S.-Korea alliance can become a tool to curb excessive right-wing conservatism in Japan in particular regard to the recently intensified historical and territorial disputes in East Asia. (January 2015 Issue)

# Political Situation of Asia-Pacific Region and Strategic Rebalancing of the U.S.

*Lee Sang-hyun\**



## I. Introduction

The United States' rebalancing policy and China's strategic concept of a "New Type of Relationship between Major Powers" can be identified as the two key themes that have recently defined the political landscape of Asia. The overall political situation in the Asia-Pacific region will be greatly influenced by the conflict or cooperation that will arise from these two major themes. The Barack Obama administration, since the second half of 2011, has put forward a series of meaningful statements that have called for a strengthening of the roles of the United States in the Asia-Pacific region. In actuality, the United States has been playing an important role in the Asia-Pacific region even well before these statements. However, Washington has recently heightened its interest in a variety of areas related to the region, and has openly stated that Asia-Pacific constitutes a geopolitical priority, in terms of its rebalancing strategy. As such, the rebalancing initiative can be interpreted as the United States' readjustment of its focal points and priorities amidst prevailing global circumstances and a shift in

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its interests in a manner that places greater importance on the Asia-Pacific region, and not simply as a return to the region after a period of relative absence.<sup>1</sup>

This study analyzes recent changes in the strategic environment of the Asia-Pacific region and the U.S. response to these developments. The signs of aggression brought about by the “rise of China” and its “active response measures” (積極作爲) have formed an external environment that has prodded regional countries toward the adoption of strategies that are aligned with the United States’ pivot to Asia emphasis. The survival of the countries in the Asia-Pacific region is inevitably linked to the relationship between the United States and China. In conjunction with this relationship of competition and cooperation between the United States and China, the countries of Asia-Pacific have made efforts to avoid a situation in which they would be forced to choose sides. This reality holds true for Korea as well. These countries are seeking to ensure regional stability based on cooperative relations between the two powers in order to avoid having to choose sides in the event of a worsening of the U.S.-China conflict due to the region’s structural dynamics. On the other hand, they have also responded keenly to the opportunities and threats created by the advent of a G-2 era. Korea’s strategic approach is focused on “parallel development” that can balance the U.S.-Korea strategic alliance with the Korea-China strategic cooperative partnership. As such, the future direction of U.S.-China relations will have substantial strategic implications for Korea as well.

Based on a “strategic rebalance” theme, the United States began, in the second half of 2011, to execute its pivot to Asia policy measures. However, the Obama administration has been confronted in its second term, which began in January 2013, with serious obstacles, in the

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1. Robert Sutter, Michael E. Brown, and Timothy J.A. Adamson, “Balancing Acts: The U.S. Rebalancing and Asia-Pacific Stability,” Sigur Center for Asian Studies, The George Washington University, 2013, p. 1.

form of “fiscal cliff” and sequestration budget constraints. Military strength lies at the core of the Asia-Pacific rebalancing strategy. Nevertheless, the downward trend in the defense budget as a result of sequestration of the federal budget will create difficulties for the U.S. in terms of establishing and implementing military operations and its response to any major conflict. This decrease in the defense budget and the expected decline in the United States’ ability to focus on and commit to its allies in the Asia-Pacific region stand in stark contrast to the heightening of North Korean provocation and rising tensions related to territorial claims in the East and South China Seas. Furthermore, the omnishambles state in which American domestic politics finds itself, as exemplified by the Obamacare debate, Syria issue, response of the United States to China’s declaration of its Air Defense Identification Zone (CADIZ), and Washington’s lukewarm response to the Crimean peninsula situation, have been interpreted by many as a sign that the United States would prefer to wash its hands of contentious international affairs. Under these circumstances, Korea’s policy decisions must be based on an accurate understanding of the United States’ future policy toward China and its overall Asia-Pacific rebalancing strategy.

## **II. Changes in the Asian Security Situation and the United States’ Asia Strategy**

Despite its geographical separation from Asia proper, the United States has long exercised a powerful influence over the region in its capacity as an off-shore balancer. Viewed from this standpoint, the United States can be regarded as a full-fledged member of the Asia-Pacific region. The essence of President Obama’s overall East Asian Policy can be summarized as enforcement of the existing bilateral alliance system and implementation of a pan-regional security structure. Meanwhile, the East Asia Strategic Initiative (EAS) and East

Asia Strategy Report (EASR) can be characterized as cornerstones of the United States' East Asia-Pacific strategy.

Why does the United States continue to attach itself to Asia despite its geographical detachment from the region? The 2014 Quadrennial Defense Review (QDR) identifies the following four points as the key national priorities of the United States: (1) protection of the security interests of the United States, its people, its allies and partners; (2) preservation of a strong and innovative U.S. economy and continued economic growth amidst an open international economic environment which can maximize opportunity and prosperity; (3) heightened respect for universal values by the U.S. and global community; and (4) assurance of a U.S.-led international order that strives to advance peace, security, and opportunity through strong international cooperation in the face of global challenges.<sup>2</sup> Interest in Asia has naturally increased in line with the growing strategic importance of the Asia-Pacific region to the U.S., in terms of the pursuit of its national interests. Concerns that U.S. access to Asia could be curtailed as a result of the rise of China have had a substantial strategic impact as far as the United States' Asia-Pacific strategy is concerned.

The U.S. introduction of its Asia-Pacific rebalancing strategy is rooted in the structural changes in Asia, marked by the rise of China and concerns that its access to the Asia-Pacific region could be curtailed should the power relations between the United States and China begin to tip in favor of Beijing. A continued U.S. decline combined with a steady Chinese rise will ultimately lead to China's replacement of the U.S. as the global hegemon. Recent moves made by the United States appear to reflect a certain degree of desperation to initiate necessary policy decisions before such a scenario comes to pass.

Current discussions regarding U.S.-China relations are based to a

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2. U.S. Department of Defense, *Quadrennial Defense Review 2014* (Washington, D.C.: U.S. Department of Defense, 2014), p. 11.

certain extent on a presumed change in the balance of power. In other words, while China has been on the rise, the power of the United States has shown signs of waning. This has resulted in the military strategies of the United States and China moving respectively toward resistance and adjustment to this change in the balance of power.

The rise of China can be approached from two standpoints. The first is a declinist view of the United States which points out that the U.S. has suffered a relative decline vis-à-vis China. Such a view contends that the major cause of this U.S. decline is the hegemonic burden that it has borne to bring about and maintain globalization. An alternative view asserts that because of the spread of globalization and the United States' role as the hegemonic power, the status of the U.S. continues to remain strong. The prescribed solutions tend to vary depending on which view that you believe better applies to the status of the United States. In this regard, the declinists call for the United States to abandon the pledges made to its Asian allies and focus its energy on curtailing the rise of China based on a neo-mercantilist international economic policy before there is further erosion of U.S. influence. Meanwhile, proponents of the alternative view contend that the United States should respond to the advance of China by adopting a liberalist international economic policy and contain Beijing's ambitions by maintaining its political and military presence in Asia.<sup>3</sup>

The U.S. decline comes as part of the history of international politics that can be referred to as a cyclical process of "hegemonic succession." The lengthy cycles, marked by the rise and fall of world-leading powers, can be construed as a natural historical process. Viewed from this perspective, the United States can be seen as a supplier of public goods while weaker countries get a free ride from this U.S. largess, which has led to an imperialistic overreach by the United States and growing anti-American sentiments opposed to the

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3. Michael Beckley, "China's Century? Why America's Edge Will Endure," *International Security*, Vol. 36, No.3 (2011/12).



U.S. hegemonic power. In addition, the poorer countries have shown a tendency, under the current international economic order, to enjoy much faster growth rates than the rich ones. The advantages enjoyed by pioneers quickly disappear as latecomers also come to enjoy the same benefits. However, those who see the power of the United States as being relatively undiminished point out that although the United States spent heavily to maintain the international system in its capacity as system-maker and privilege taker, it also benefits more from these roles than other countries.<sup>4</sup> Hegemonic power implies not only superiority in raw force but in structural power as well. The hegemonic power sets the agenda and creates the normative framework that regulates the relations between countries. When viewed from this standpoint, the United States should not be perceived as a generous or weak country but rather as a forceful and capable entity. The public goods provided by the United States are in fact closer in nature to private goods than collective ones.

Although the burden of the United States has greatly increased as a result of the spread of globalization, the United States has in reality become a more powerful and innovative state than it was in 1991. Although the GDP of China has increased rapidly, over 90% of China's high-tech export products is nothing more than a combination of low-quality parts made in China with the technology provided by foreign enterprises. In short, a more precise assessment might be: "China is rising, but it is not catching up." In this regard, criticism has also emerged within the U.S. that Washington cannot afford to wash its hands of international politics and resort to isolationism just because it is going through a difficult period at this time.<sup>5</sup>

Despite these long-term projections, the policy conditions currently

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4. Michael Mastanduno, "System Maker, Privilege Taker: U.S. Power and the International Political Economy," *World Politics*, Vol. 61, No. 1 (2009).

5. Stephen G. Brooks, G. John Ikenberry, and William C. Wohlforth, "Don't Come Home, America: The Case against Retrenchment," *International Security*, Vol. 37, No. 3 (2012/13).

faced by the Obama administration are notably less than ideal. In November 2011, President Obama announced that the U.S. would refocus its military, diplomatic, and security resources, which had heretofore been excessively concentrated in the Middle East, as a result of the wars in Iraq and Afghanistan, to Asia. This shift was reflected in the new Strategic Defense Guidance (SDG), announced in 2012, that became the official U.S. diplomatic and security policy. However, the advent of sequestration, increased political insecurity in the Middle East and North Africa, and the perceived containment of the rise of China, that have followed the announcement of the Strategic Defense Guidance have led to questions about whether the Asia-Pacific rebalancing strategy can be continued. The Obama administration has continuously jostled with Congress to demonstrate its power when it comes to efforts to reduce the U.S. budgetary deficit. Sequestration will inevitably have a widespread impact on various important items on the domestic political agenda of the United States. Moreover, it is expected to also influence the United States' stance on international politics, given the pressure to reduce the defense budget, as well as its willingness to intervene in global affairs. Despite the emphasis on its pivot to Asia, the lukewarm attitude displayed by the United States in response to major diplomatic issues may lead to regional skepticism toward the sustainability of Washington's rebalancing strategy.

### **III. Background of the Asia-Pacific Rebalancing Strategy and Its Structure**

The Obama administration has identified the rise of China as the most significant challenge to U.S. diplomacy for the foreseeable future, while also regarding the U.S.-China relations as its most important bilateral relationship. The best approach to Beijing is one that pursues their common interests in such areas as politics, the economy, environment, and security, thereby bringing China deeper

into the international system. The United States first defined China as a “responsible stakeholder” in a speech made by then United States Deputy Secretary of State Robert Zoellick during the second term of the Bush administration.

President Barack Obama’s speech at the Suntory Hall in Tokyo, in November 2010, as part of his tour of Korea, China, and Japan, effectively signaled the United States’ adoption of its pivot to Asia policy. President Obama proclaimed the United States as an Asia-Pacific nation. He also added that Asia and the United States were linked together rather than being separated by the Pacific Ocean.<sup>6</sup> During a speech made in Honolulu, Hawaii on October 28, 2010 on America’s engagement in Asia-Pacific, made prior to her visit to the region, then United States Secretary of State Hillary Clinton maintained: “The ongoing rapid economic growth and social changes in Asia make it necessary for the United States to continue to play a leading role in the region.” Hillary Clinton emphasized the strong role which should be played by the United States, but also stressed that the U.S.-China relationship should not be regarded as a zero-sum game. She added that while there were those in both countries who regard the interests of the two countries as being fundamentally opposed to one another, and thus compared U.S.-China relations to a zero-sum game in which there can be only one winner and one loser in every case, this was in fact not the position of the United States. She went on to state: “it is not in anyone’s interests for the United States and China to view one another as enemies in the 21st century.”<sup>7</sup>

Rather than outright containment of China, the United States has sought to advance multifaceted initiatives at the military, diplomatic,

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6. Barack Obama, “Remarks by President Barack Obama at Suntory Hall,” Suntory Hall, Tokyo, Japan, November 14, 2009 (<http://www.whitehouse.gov/the-press-office/remarks-president-barack-obamasuntory-hall>, Date searched: 2014-6-10).

7. Hillary Clinton, “America’s Engagement in the Asia-Pacific,” Kahala Hotel, Honolulu, Hawaii, October 28, 2010 (<http://www.state.gov/secretary/20092013clinton/rm/2010/10/150141.htm>).

and economic levels, which are all part of a more comprehensive Asia-Pacific regional engagement policy. However, China has perceived the Asia-Pacific rebalancing policy as part of the U.S. attempts to contain its rise, and panned the strategy for creating unnecessary political uncertainty in the region. In this regard, China has called for the United States engage in Beijing's "New Type of Major Power Relations" endeavor, along with stressing the need for Washington to respect the core national interests of China and to promote engagement in a more reciprocal manner.

From a broader context, the term "rebalancing" can be thought as having several implications. Rather than a policy adjustment aimed at a particular country, the 2014 Quadrennial Defense Review (QDR) defines the concept of rebalancing in regard to four principles rooted in the nuance known as readjustment of state security in the 21st century. First, rebalancing is defined as a means to prepare for a wider variety of conflicts. Future conflicts will range from battling hostile groups that utilize asymmetric approaches to high-intensity conflicts with countries with technically advanced anti-access/area denial (A2/AD) capabilities. This can be construed to mean that U.S. forces need to be prepared to respond to whatever kind of conflict they might encounter. Second, rebalancing involves the protection of national security interests through a redeployment of U.S. troops stationed abroad and the maintenance of a state of constant readiness. Peace and stability in the Asia-Pacific region will necessitate a continuous implementation of this rebalancing strategy. Third, rebalancing involves a restructuring of the capability, scale, and degree of readiness of the allied forces. This can be understood to include an enhancement of military structures and weapons systems occasioned by the budget reductions due to sequester-related measures. Fourth, rebalancing will also involve a reorganization of combat and support troops. This is related to reform of the defense acquisition system and the Base Realignment and Closure (BRAC) process.<sup>8</sup>

Overall, the United States' adoption of its pivot to Asia policy has

been linked to the following four factors: First, the increased economic importance of the Asia-Pacific region. In addition to being at the center of changes in the international order, the Asia-Pacific region has also, because of its high economic growth rate and dynamism, served as a catalyst for the world's robust development. Despite the recent slowdown in the global economy, the Asia-Pacific region has maintained an annual economic growth rate of 7%-8%. The Global Trends 2030 report, published by the National Information Center (NIC), has projected that by 2030, Asia will have surpassed North America and Europe combined, in terms of global power in regard to such factors as GDP, population size, military spending, and technological investment. Second, the need to respond to China's increased display of military power and its aggressive stance toward disputes in the East and South China Seas. Third, the United States has more flexibility to concentrate on the Asia-Pacific region because its military operations in Iraq and Afghanistan are now being wound up. Fourth, reduction in the defense budget has rendered it necessary to adopt a strategy that emphasizes selection and concentration. A combination of the dissipation of security threats in Europe since the end of the Cold War and the rise in the strategic importance of Asia has made it such that the United States has little other choice than to concentrate on the Asia-Pacific region.

The Asia-Pacific rebalancing policy is a complex strategic transformation process that can be characterized by the following three factors. The most noteworthy change of the Asia-Pacific rebalancing policy is the restructuring of military deployment. This has created an impression, much to the chagrin of U.S. authorities, that the Asia-Pacific rebalancing policy is in fact solely rooted in military objectives. From a military standpoint, the core of the rebalancing policy involves the relocation of fundamental naval and air forces to the Asia-Pacific

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8. U.S. Department of Defense, *Quadrennial Defense Review 2014*, pp. VII-XII.

region. That being said, the United States is planning a broader and more flexible distribution of forces in Asia. Current plans call for the deployment of 60% of U.S. naval forces in the Asia-Pacific region (including the sea area adjacent to the Indian Ocean) over the long term. This allocation will include the addition of one carrier strike group, seven destroyers, ten littoral combat ships, and two strategic submarines.<sup>9</sup>

The restructuring of military deployment is also connected to the global defense posture review of U.S. forces announced by then United States Secretary of Defense Robert M. Gates as a means to achieve “geographical distribution, operational resilience, and political sustainability.” U.S. forces are to be distributed among such areas as Guam, Australia, Okinawa, the Philippines, and Singapore. As such, instead of depending on large-scale full-service bases in Korea and Japan, the United States intends to further expand its strategic flexibility by boosting various types of rotating deployments. In the case of Australia, current plans call for the regular rotation of a force of 2,500 U.S. Marines in Darwin. The United States will further enhance the capability and sustainability of its forces deployed abroad by actively engaging in training and education programs with partner countries in the region. These adjustments will enable U.S. forces stationed abroad to function as smaller expeditionary forces capable of engaging in military operations in a more prompt and independent manner. The Asia-Pacific rebalancing policy is also aligned with the Air-Sea Battle strategy. The Air-Sea Battle (ASB) initiative was introduced to counter China’s Anti-Access/Area Denial (A2/AD) strategy. At its core, the Anti-Access/Area Denial (A2/AD) strategy is designed to curb “access to and freedom of action within” potentially contested areas. Meanwhile, the Air-Sea Battle (ASB) approach is intended

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9. Robert Sutter, Michael E. Brown, and Timothy J.A. Adamson, “Balancing Acts: The U.S. Rebalancing and Asia-Pacific Stability,” Sigur Center for Asian Studies, The George Washington University, 2013, p. 12.

to disrupt, destroy, and defeat threats emanating from the A2/AD strategy through a networked and integrated attack-in-depth response. The components of ASB are grouped together in the commonly used acronym “NIA-D3.” Here, “networked” refers to the performance of effective cross-domain operations based on the networking of people and organizations in the form of naval and air forces. Moreover, while the term “integrated” refers to integrated management of these naval and air forces, the “attack-in-depth” means the ability to directly strike at any key targets in order to achieve the operational goals. As such, this strategy is designed to disrupt the enemy, especially its ISR and C2 capacity, destroy its A2/AD platform, and eventually defeat the enemy outright. The essence of Air-Sea Battle (ASB) is to disrupt, destroy, and defeat the reconnaissance and command structure of the A2/AD weaponry systems with an attack-in-depth offensive that mobilizes the extent of naval and air power needed to achieve integrated effects across multiple domains through NIA-D3. First disclosed in the 2010 Quadrennial Defense Review (QDR), the ASB concept, above all, seeks to incapacitate the sensory and weaponry systems deemed essential to the enemy’s A2/AD system. The ASB’s fundamental principles include disruption of the enemy’s C4ISR systems and destruction of various launch systems (including aircraft, fleets, and missile bases).

Second, at the diplomatic level, the Asia-Pacific rebalancing policy is focused on stabilized management of the U.S.-China relationship as well as the enhancement of multilateral and bilateral diplomatic activities of the United States in Asia. The U.S. basic diplomatic approach toward Asia is one that seeks to further cement existing bilateral alliance relationships while also strengthening relations with regional partners, such as Singapore, Indonesia, and India. In addition, the United States has also sought to fortify regional multilateral cooperation structures such as ARF, EAS, and APEC. The desire to achieve these ends is evidenced by the fact that U.S. Secretary of State Hillary Clinton visited Asia on a much more frequent basis than her three predecessors. As for the efforts to stabilize U.S.-China relations,

the Obama administration has adopted a dual policy approach that has seen it reinforce solidarity with existing partners in the region while also strengthening its presence in the region as a means to not only ensure responsible behavior on the part of China but also to build a heightened sense of confidence among regional allies. For its part, China has argued that these moves are a clear indication of the United States' continued "Cold War mentality."

In actuality, these diplomatic endeavors do not differ greatly from the basic thrust of the U.S. diplomacy toward Asia that had been announced by the Obama administration shortly after its inauguration. One key difference from the past has been Washington's increased emphasis on multilateral diplomacy. The U.S. moves have been welcomed by the ASEAN nations that are concerned about China's increasingly aggressive stance toward territorial disputes in the East and South China Seas.<sup>10</sup> In this regard, the ASEAN countries are hopeful that the United States will become more firmly involved in the region's multilateral cooperative structures. As part of the efforts to showcase its presence in the region, the United States has regularly participated in the Shangri-La Dialogue (SLD) organized by the International Institute for Strategic Studies (IISS). To this end, it also hosted the ASEAN Defense Ministers meeting in Hawaii in 2014. Moreover, the United States has also called for the discussion of various security-related issues during the ADMM+ (ASEAN Defense Ministers Meeting Plus) sessions.

Third, the Asia-Pacific rebalancing policy of the United States also includes various economic initiatives, which are rooted in perceptions that the Asia-Pacific region will continue to be an economically vital area for the United States in the future. In this regard, the primary

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10. With regard to the current state of Maritime Territorial and Exclusive Economic Zone (EEZ) disputes involving the East and South China Seas, please refer to Ronald O'Rourke, "Maritime Territorial and Exclusive Economic Zone (EEZ) Disputes Involving China: Issues for Congress," CRS Report for Congress (2014).



focus of the United States has been the efforts to conclude the Trans-Pacific Partnership (TPP). Negotiations of the Trans-Pacific Partnership (TPP) have thus far involved 12 countries, including the United States, Japan, Canada, and Mexico. The United States' inclusion of an economic component to its rebalancing policy can be explained by the steady increase in the economic significance of the Asia-Pacific region. Economic integration in Asia has, by and large, proceeded at a faster rate than in other regions of the world. U.S. investment in Asia increased from \$22.0 billion in 2009 to \$41.0 billion in 2011. Meanwhile, U.S. exports to the Asia-Pacific region reached \$320 billion that same year, an 8% increase over 2008.<sup>11</sup> The increased economic importance attached to Asia can be explained by the fact that China's economic growth has been accompanied by significant growth throughout the Asian region.

The Obama administration's Asian trade policy is in large part a continuation of the policies of the previous Bill Clinton and George W. Bush administrations. The Clinton and Bush administrations granted normal trade relations (NTR) status to China, Taiwan, Hong Kong, and Vietnam, and supported measures for their joining the WTO. Impacted by the importance of the Asia-Pacific Economic Cooperation (APEC) summit held in 1993, President Clinton subsequently agreed to initiate FTA negotiations with Singapore. For its part, the Bush administration successfully concluded FTA deals with Australia and Korea. In addition, the United States has also pursued the establishment of open and reciprocity-based trade relations with the majority of Asian countries. Contrary to the United States, China prefers more limited trade agreements that only involve selected Asian countries, while excluding the United States. The Regional Comprehensive Economic Partnership (RCEP) being promoted by China is a regional arrangement that includes all 10 members of ASEAN, India, Australia,

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11. Robert Sutter, Michael E. Brown, and Timothy J.A. Adamson, "Balancing Acts: The U.S. Rebalancing and Asia-Pacific Stability," p. 14

**[Table] Overview of Asia-Pacific Rebalancing Policy and Korea/China Responses**

	<b>United States</b>	<b>China</b>	<b>Korea</b>
<b>Military sphere</b>	<ul style="list-style-type: none"> <li>- Geographical distribution, operational resilience, and political sustainability</li> <li>- Relocate Marine Corps on Okinawa (Darwin, Australia and Guam)</li> <li>- Rotate deployments in Singapore, the Philippines, and Cocos Islands</li> <li>- Air Sea Battle concept</li> </ul>	<ul style="list-style-type: none"> <li>- Modernize military forces, maritime expansion</li> <li>- Anti-Access/Area Denial (A2/AD) strategy</li> <li>- Apply asymmetric warfare (submarine, DF-21D, first aircraft carrier)</li> <li>- Expand offshore defense from 1st island chain to 2nd island chain</li> </ul>	<ul style="list-style-type: none"> <li>- Steadily implement the U.S.-Korea alliance</li> <li>- Maturation of strategic alliance for the 21st century, expand cooperation on global issues</li> <li>- Prepare for post-OPCON transfer era</li> </ul>
<b>Diplomatic sphere</b>	<ul style="list-style-type: none"> <li>- Emphasis on regional multilateral structures, such as APEC, ARF, EAS</li> <li>- Strengthen cooperation with allies</li> </ul>	<ul style="list-style-type: none"> <li>- Expand participation in regional multilateral structures</li> <li>- Approach ASEAN based on a “divide and conquer” strategy</li> </ul>	<ul style="list-style-type: none"> <li>- Expand participation in global governance based on middle-power initiatives (G20 Summit, Development Assistance Committee (DAC), Nuclear Security Summit (NSS), Global Green Growth Institute (GGGI), Green Climate Fund (GCF))</li> </ul>
<b>Economic sphere</b>	<ul style="list-style-type: none"> <li>- Accelerate conclusion and implementation of TPP negotiations</li> </ul>	<ul style="list-style-type: none"> <li>- ASEAN+3 approach</li> <li>- Open Korea-China-Japan FTA negotiations</li> <li>- Active participation in Regional Comprehensive Economic Partnership (RCEP) negotiations</li> </ul>	<ul style="list-style-type: none"> <li>- Expand omnidirectional global FTA networks based on leading economic blocks, such as the United States and EU</li> </ul>

and New Zealand, but excludes the United States. Because of its less stringent trade conditions, Asian countries are expected to prefer the RCEP over the Trans-Pacific Partnership (TPP).

Rather than a temporary policy change, the Asia-Pacific rebalancing policy being implemented by the Obama administration can be regarded as a strategic readjustment that will continue across several administrations. Although many recognize the importance of the Asia-Pacific rebalancing policy from a comprehensive and strategic standpoint, there are those conspiracy theorists who have criticized the rebalancing policy for being a cover for a Cold War-style containment of China. The Obama administration's emphasis on the military aspects of the rebalancing policy and its adoption of stances, which are perceived to be disadvantageous to China in regard to maritime and territorial disputes, have given Beijing ample reason to interpret the rebalancing policy from such a negative perspective. To this point, a majority of Asian countries have openly or implicitly welcomed the expansion of the United States' presence in the Asia-Pacific region. Furthermore, these countries have sought to avoid situations in which they find themselves being forced to make a choice between the United States and China. In short, the Asian countries highly desire smooth relationships with both the United States and China.

China has naturally been the most outspoken critic of the United States' Asia-Pacific rebalancing policy. While China has officially displayed a tempered reaction toward the Asia-Pacific rebalancing policy overall, it has never shied away from lashing out at the policy's military aspects. Beijing has responded to Washington's efforts to strengthen its Asian alliances and expand military cooperation by urging the U.S. to abandon its "zero sum game" approach and Cold-

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12. Information Office of the State Council, "The Diversified Employment of China's Armed Forces," Beijing, Information Office of the State Council, The People's Republic of China. April 2013 ([http://news.xinhuanet.com/english/china/2013-04/16/c\\_132312681.htm](http://news.xinhuanet.com/english/china/2013-04/16/c_132312681.htm), Date searched: 2014-05-30).

War mindset. The defense white paper released by China in April 2013 contained a passage that pointed out how a “certain country has strengthened its military alliances in the Asia-Pacific region and created tensions by expanding its military presence in the region.”<sup>12</sup> The reactions of people outside of the government and individual specialists in China have been much more vociferous. As such, realism-based political analysts in China have predicted that the U.S.-China competition will in fact become more pronounced as the gap between the two countries is narrowed, in terms of national power.<sup>13</sup>

Other Asian countries have generally been favorable toward the United States’ rebalancing policy. The Japanese government and policy specialists have viewed the United States efforts to strengthen its military presence in Asia from a standpoint of the efforts to contain the rise of China. The United States has expressed a desire for its allies in the Asia-Pacific region to make more significant contributions to their common security interests. Using such expectations as an opening, Japan has sought to legalize its right to collective self-defense by modifying the interpretation of its constitution and increasing its defense budget, which had essentially been frozen for the past 10 years. One potential source of conflict in the future will be the United States’ stance on the dispute over the Senkaku Islands/Diaoyudao Islands. During a recent state visit to Japan on April 23-25, President Barack Obama stated that the Senkaku Islands were covered by the U.S.-Japan security treaty, such that the United States would have an obligation to protect these islands. This marked the first time for a U.S. president to publically state that the United States would intervene if there is a conflict over the Senkaku Islands. Chinese Ministry of Foreign Affairs spokesman Qin Gang responded by stating that China staunchly opposed the inclusion of the Diaoyudao Islands in the U.S.-Japan security treaty, along with urging the United States to keep its promise

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13. Yan Xuetong, “Strategic Cooperation without Mutual Trust: A Path Forward for China and the United States,” *Asia Policy*, Number 15 (January 2013), p. 5

of not taking sides in territorial disputes.<sup>14</sup>

Korea's endorsement of the United States' Asia-Pacific rebalancing policy has been motivated more by the North Korean threat than any concern over China. During a visit to the United States in May 2013, President Park Geun-hye remarked that the U.S.-Korea alliance would play a vital role in helping to implement the Obama administration's rebalancing policy. Thus, the rebalancing policy has been perceived by Korea as being consistent with the Joint Vision for the Alliance of the Republic of Korea and the United States of America and the intent of the U.S.-Korea FTA. North Korean provocation has been key factor behind a strengthening of the U.S.-Korea alliance and active Korean support for the rebalancing policy since 2013. However, a worsening of Korea-Japan relations has proven to be a setback for Washington's efforts to expand cooperation between allies within the region.

Reactions within the ASEAN region have been more mixed. While maritime nations have generally shown a tendency of being more receptive to U.S. involvement, continental countries are often more swayed by China's views. For example, the existence of their respective territorial disputes with China has encouraged the Philippines and Vietnam to support the United States' rebalancing policy, although Cambodia, Laos, and Myanmar have adopted a stance that leans more toward China.<sup>15</sup> On the other hand, Australia and New Zealand have sought to maintain a careful balance between strategic security cooperation with the United States and economic relations with China.

#### **IV. Outlook for U.S. Rebalancing Policy and Implications for Korea's Security**

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14. The Chosun Ilbo, April 25, 2014

15. Rahul Mishra, "The US Rebalancing Strategy: Responses from Southeast Asia," S. D. Mundi and Vivek Chadha (eds.), *Asian Strategic Review 2014* (Institute for Defence Studies and Analyses, 2014).

The United States' pointed statements and expressed desire to see the Asia-Pacific rebalancing policy's full implementation in all likelihood will not be enough to stem an erosion of U.S. reliability throughout the region. The Obama administration's response to an increasingly on-the-rise China has been lukewarm at best. The advent of ever-more somber discussions and analyses regarding the future of the United States' status as global hegemon, both within and outside of the U.S., have been a direct result of the influence that the future course of the United States will have on the rest of the world. A majority of pundits and specialists generally concur that, despite its current problems, the U.S. will continue to wield hegemonic power for the foreseeable future. In line with this kind of belief, the Asia-Pacific rebalancing policy can be perceived as a possible means to overcome the current difficulties in due course and over the long run to become a basis for realization of this U.S. strategic vision. Advocates who support the Asia-Pacific rebalancing policy tend to focus on the strong structural fundamentals that underlie the current international order. They assert that the need to respond to the rise of China constitutes a continued and ongoing core interest of the U.S. Asia-Pacific strategy. That being the case, the United States can be expected to, at the very least, apply existing resources to maintain its current level of influence in Asia. Contrary to the worries that have emerged in certain quarters, the rebalancing policy is seen as being in keeping with the prevailing strategic structure in Asia overall.<sup>16</sup>

The United States is keenly aware that its ability to maintain the level of reliability that it currently enjoys among its allies is predicated upon its ability to contain the rise of China and in particular to defend against its A2/AD capability. The redeployment of military resources to Asia was made possible by a reduced likelihood of another large-scale military conflict in the Middle East and heightened prospects for a

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16. Robert Sutter, "Rebalancing, China and Asian Dynamics: Obama's Good Fit," *PacNet* #1 (2014).

diplomatic solution to the Iranian nuclear crisis. Despite U.S. Secretary of State John Kerry's strong Europe- and Middle East-centered outlook, a clear consensus exists within the Oval Office, Department of State, Department of Defense, and the Congress in regard to the necessity and significance of a rebalancing strategy. Acutely aware of the rise of China, the United States has not only strengthened existing alliances within the region, but also steadily redeployed its military resources in the Asia-Pacific region. Despite the downward trend in its defense budget, the United States can be expected to continue its current military superiority over the long term by investing in the development of the future capabilities needed to ensure the success of its rebalancing strategy. While to some extent reinforcing its efforts to curtail the rise of China, the United States will in all likelihood also continue the efforts to sustain its global leadership status as well as maintaining regional stability through engagement with China and the support of Japan. Policymakers in Japan, Korea, and Southeast Asia remain confident in the United States' global leadership and its willingness to use its military force for the defense of its regional partners.

During a presentation at the graduation ceremony of the United States Military Academy at West Point on May 28, 2014, President Obama emphasized that the U.S. determination to push forward with the rebalancing policy remains as strong as ever. Also, President Obama pointed out that conjecture about U.S. power being on the wane was little more than hubris. The focus, he maintained, was not on whether the U.S. would lead the world, but how it would go about doing so. He also asserted that isolationism was not an option for the United States in the 21st century. In addition, President Obama stressed that the challenges to peace and freedom abroad cannot be resolved through military action alone. Accordingly, military strength was just one of the elements that makes up U.S. leadership. He went on to add that the United States should not view all problems as "nails" just because we have a good hammer, along with declaring

that the United States remained committed to the use of unilateral military power in a situation that threatened the “core interests” of the United States. Such core interests include not only the well-being of the American people but also those of its allies. However, he also stressed that the threshold for the use of military action needs to be heightened and that the United States should, whenever possible, not act alone, but rather engage in collective actions.<sup>17</sup> In this light, the criticism by many in the Asian media, that President Obama’s failure to explicitly mention the pivot to Asia during his visits to Japan, Korea, Malaysia, and Philippines should raise questions about the United States’ true commitment to the rebalancing policy, has been shown to be groundless. Indeed, Obama made it clear that the U.S. defense of its Asian allies was part of the “core interests” of the United States.<sup>18</sup>

On the other hand, negative opinions abound regarding the impact of the Asia-Pacific rebalancing strategy. Proponents of this standpoint point out that although the United States will continue to emphasize the importance of the Asia-Pacific region and the rebalancing strategy, the impetus for its implementation will, over the short and long terms, be undermined by such factors as domestic difficulties as well as the unstable situations in Ukraine and the Middle East. The United States is especially likely to focus its energy on Europe, following the damage incurred to its global leadership due to the conflict in Ukraine, while largely being content with maintaining the status quo in the Asia-Pacific region. Recent events have created an environment conducive to a worsening of strategic trust between the United States and Russia, with some even maintaining that we may be entering a New Cold-War era. As such, proponents of this viewpoint claim that the U.S.’ Asia-Pacific regional strategy will inevitably be focused on maintenance of

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17. Barack Obama, “Remarks by the President at the United States Military Academy Commencement Ceremony,” U.S. Military Academy-West Point, West Point, New York (May 28, 2014).

18. Ralph A. Cossa, “The ‘Obama Doctrine’ and the Pivot,” PacNet #41 (June 30, 2014).



the status quo amidst increased chatter among European Union (EU) and NATO members about the importance of Trans-Atlantic Relations and their demands for the increased involvement and participation of the United States in the EU region.

Others forecast that the rebalancing policy and Air-Sea Battle strategy will only serve to exacerbate the military competition with China and eventually imperil the security interests of the United States. These proponents contend that China only started to rapidly increase its defense budget and move to expand its offshore defense system following the release of the 2000 Quadrennial Defense Review (QDR), in which the U.S. security policymakers identified China as a potential threat. In conclusion, the rebalancing policy and Air-Sea Battle strategy, which are still at a rhetoric stage, rather than actual implementation, can be seen as having caused an unnecessary provocation of China.<sup>19</sup>

Furthermore, regardless of how resolute its will and desire might be, the United States' lack of capability and resources is in fact expected to result in an emphasis on the need for its Asian allies to assume more responsibility with a sharing of roles. Sequestration will inevitably result in a steady reduction in the U.S. defense budget, making it difficult to mobilize the investment needed to ensure future military strength, and weaken military readiness. Therefore, the United States will have to pursue a policy initiative that seeks to overcome its shortcomings by securing contributions from its allies, pushing for a greater sharing of roles, and facilitating the creation of cooperative links between allies. Any long-term implementation of this policy's burden-sharing emphasis would compel countries in the region to seek out alternative measures that serve to reduce their security dependence on the United States.

The effectiveness of the U.S. rebalancing policy will be predicated

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19. Carl Conetta, "Asia Pivot and Air-Sea Battle: Precipitating Military Competition with China?" Defense Strategy Review (March 3, 2014) (<http://www.comw.org/wordpress/dsr/precipitating-militarycompetition-with-china>).

on the steps that Washington takes to earn the trust of countries in the region and to mitigate the strategic distrust that exists between the United States and China. The current circumstances, in which the United States and its allies find themselves hard-pressed to adequately invest in their own national defense and security, have served to underscore the need for security cooperation. Washington's desire to have its allies share in the security-related burdens has become more pronounced since the effectuation of the U.S. defense budget cuts; moreover, it has become more difficult for the United States to act alone when it comes to matters of global security. In this regard, calls for a "federated defense" have been raised by some segments of U.S. society as a way for the United States and its allies to respond to the world's security issues.<sup>20</sup>

Some within the United States have also begun to argue that the future of the Asia-Pacific rebalancing policy is in fact linked to an assessment of the relations between the various political forces in the region. For example, Democratic member of the U.S. House of Representatives for California's 46th congressional district Loretta Sanchez warned that the rebalancing policy of the United States would run into problems if the issue of wartime comfort women during the Japanese colonial era was not promptly resolved. A diplomatic source in Washington D.C. quoted Sanchez as having said at a committee hearing of the House Armed Services Committee: "Japan's wartime sexual enslavement of women is inextricably linked to the U.S. strategic rebalancing plan toward Asia."<sup>21</sup> In addition, the Obama administration explicitly identified the U.S.-Korea alliance as being at the core of Asia-Pacific security in the National Defense Authorization Act (NDAA) for the 2015 fiscal year. As an extension of this line of reasoning, the U.S. Congress called for a review of the timeframe in

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20. Center for Strategic and International Studies, "Federated Defense Project: Concept Overview," Washington, D.C.: Center for Strategic and International Studies, 2013.

21. Yonhap News, May 9, 2014

which the transfer of wartime operational control (OPCON) was to be handed over in Korea.

Korea is keenly aware that an increasingly aggressive China and worsening U.S.-China relations will have a negative impact on Korea's ability to maneuver. A perfect example of this observation played out in conjunction with China's objection to the ROK-U.S. Military Exercises scheduled for July 2010 in the West Sea. These exercises, which came about in part as a response to North Korea's sinking of the ROK's *Cheonan* (PCC-772) vessel in March 2010, included an ROK-U.S. Anti-Submarine Warfare (ASW) drill that featured the participation of a U.S. aircraft carrier. China strongly opposed the arrival of a United States aircraft carrier in the West Sea, a move which it labeled as a direct threat to China. In reality, a U.S. aircraft carrier had already navigated the West Sea waters in October 2009 as part of the ROK-U.S. military exercises, a move which China did not publically oppose at that time. The Chinese objection was a calculated move designed to curtail the freedom of activities of the joint KOR-U.S. forces by refusing to allow the U.S. aircraft carrier's access to the West Sea and disrupting the original plans of the combined drills. This can also be seen as a part of Beijing's efforts to incorporate the West Sea into the Sea of China area by extending its anti-access and area denial strategy to the West Sea.<sup>22</sup> In the end, to placate such strong Chinese opposition, the United States and Korea decided to implement a joint military drill in the East Sea. This provided an opportunity to catch a glimpse of China's potential attitude toward the Korea-U.S. joint defense posture in the future.

A majority of the countries around the world have implemented various types of "hedging" strategies in order to cope with the complex security environment of the 21st century. In this regard, while Asian countries have long depended on the United States for their security, they have also actively jumped on the Chinese bandwagon when

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22. Jung Ho-seop, "The notion of anti-access and area denial Air-Sea Battle (ASB): Onset of the Sino-American battle for hegemony?", *STRATEGY* 21, Vol. 28 (2011), pp.17-18.

presented with the economic opportunities created by the rise of China. Various approaches have been advanced in regard to Korea's ideal diplomatic strategy to achieve a balance between the United States and China. These have included formation of asymmetric alliances with the United States and China, and a concept of maintaining an alliance with the United States while existing in harmony with China. In essence, these strategies call for the avoidance of a situation in which Korea's diplomatic security depends on an "all-in" approach toward either party. A fundamental change of reasoning must be brought about in order to ensure that Korea's policy toward the United States and China can be based on "win-win" relations, rather than an "either or" approach. The U.S. Asia-Pacific rebalancing policy and China's concept of a "New Type of Relationship between Major Powers" will constitute the most critical exogenous variables that shape the major trends within the Asia-Pacific region for the foreseeable future.

Korea's survival and coexistence with these two incongruous factors will depend on Seoul's ability to formulate an astute strategy. In a worst-case scenario, Korea may find itself forced to make a choice between the United States and China. In reality, Korea's current efforts to transform the Korea-U.S. alliance into a strategic partnership must be accompanied by the implementation of measures to promote more cooperative partnerships with surrounding powers, such as China, Japan, and Russia. The question is thus does Korea have the capability to attain this complex goal amidst the current situation in which the possibility for U.S.-China relations to result in a clash in Asia is on the increase? Korea's strategy needs to be focused on creating differentiated and sophisticated networks in response to its surroundings. A perception that the Korea-U.S. alliance and the Korea-China relationship are not necessarily mutually exclusive should be advanced through the establishment of multilayered and complex networks. At the same time, efforts need to be undertaken to maintain a sophisticated and flexible balance between the two major powers on individual issues. (July 2014 Issue)

# Direction and Prospect of Xi Jinping-style Reforms in China

*Lee Hee-ok\**



## I. Introduction

The 2012 inauguration of the fifth generation of China's leaders, led by Xi Jinping, was expected to usher in an era of collective leadership. Such leadership was believed to be necessary due to the rising influence of the generation born after the foundation of the People's Republic of China, but who are said to be lacking in charisma. During the early period of the Xi Jinping government's term in office reform efforts appear to have been carried out in a flexible manner, as part of a process of "putting new liquor in an old barrel." However, Xi Jinping rapidly consolidated his political base, promptly grasping control of the Communist Party, political and military spheres, and small leading group (領導小組). This can be seen as forming the impetus that has made it possible for him to strongly push for Xi Jinping-style reforms.

Above all, the Xi Jinping regime has moved to institutionalize various reform measures. For example, China established a national strategy, known as the "comprehensive construction of a well-off

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society (小康社會) by 2020,” as a means to realize this vision just ahead of the 100th anniversary of the creation of the Communist Party of China (CPC) in 2021. However, China currently finds itself snarled in two traps: a “middle income trap” and “system transition trap.” China’s driving force for reform, and its legitimacy as well, may be challenged if it does not find a way to overcome these two traps. Under these circumstances, reform has become an even more urgent task that can no longer be postponed.<sup>1</sup>

China’s opening and reform strategy includes domestic reform and international opening. The primary focus of the Xi Jinping regime has been on “reform,” while the goal of establishing an economic paradigm to bolster the domestic market is a key priority. This has involved efforts to challenge the “practices” that have long been prevalent in Chinese society and the privileged class, which has emerged since the opening and reform policy was first introduced in 1978.

The background of the controversy over a misperception that “the anti-corruption campaign affects the Chinese economy,” which was first raised during the fourth session of the 12th National People’s Congress (NPC) in 2015, can be seen as having its roots in the economic paradigm known as the “invigoration of the domestic market.”<sup>2</sup>

Reform measures have been carried out based on a top-level design (頂層設計) rather than a case-by-case basis. The anti-corruption campaign has, in reality, been more closely linked to a continuance of Chinese-style socialism and its principles rather than an actual eradication of corruption. By steadfastly clinging to a stance that “China will not introduce the values and institutions of Western liberalism,” President Xi Jinping has in effect invested his political capital in the push for his reform measures. The failure of Xi Jinping’s reforms, in

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1. Interview with Lin Shangli, Vice President of Fudan University, expert on Chinese-style democracy and the Chinese way (place: Sungkyunkwan University, January 28, 2015)

2. <http://lianghui.people.com.cn/2015npc/n/2015/0307/c393680-26654309.html>(date: 2015. 3. 8.)

light of these circumstances, might expose a serious defect in the crisis management capability of the CPC, along with leading to a crisis of belief system that could bring about an erosion of the existing system.

It was against this backdrop that the following measures were identified as the key priorities of Chinese reform during the 12th NPC and Chinese People's Political Consultative Conference (CPPCC) held in 2015: comprehensive deepening of reform in pursuit of a simplified government structure and greater empowerment of the private sector; governance based on the rule of law to strengthen reform through the passage of relevant laws; implementation of an anti-corruption campaign based on concrete standards; and establishment of environment-friendly governance. In this regard, 2015 has been hailed as the year when intensified reform efforts have been launched, along with marking the onset of a new phase and the final year of the ongoing five-year plan.

## **II. Development of Reform**

The framework of the reform being pursued the Xi Jinping government is clearly on display in the “important decision to comprehensively deepen reform” made during the third session of the 18th National Congress of the CPC. The wide ripple effects created by this decision have led some to refer to this as “Xi Jinping-style political reforms.” The emphasis of the political reforms include the establishment of an environment characterized by fair competition, promotion of economic and social development activities, improvement of the efficiency and effectiveness of the government, actualization of social equity and justice, facilitation of social harmony and stabilization, and enhancement of the CPC's leadership and governance. These primary reform goals are slated to be achieved by 2020.

The achievement of these goals necessitated an epochal shift of

perceptions of Chinese-style state reform during the plenary session of Political Bureau members held as part of the 18th CPC Central Committee. At this time, a new policy task, called the modernization of the governance system and governance capability, was introduced. In terms of the measures needed to achieve these goals, there have been calls for the creative development of institutions and systems that are rooted in the reality of China rather than the political ideologies and institutions of the Western world. As such, the reform of state governance is to be carried out within a framework that maintains the core values of Chinese socialism, and should not be equated with the reforms of Western world. This notion is also consistent with assertions that the “Chinese spirit” is an essential aspect of the efforts to realize China’s dream of reviving a great China.

Several significant measures of the CPC Central Committee, related to governance based on the rule of law, were adopted during the fourth plenary session of the 18th CPC Central Committee. In this regard, while governance based on the rule of law has been identified as being based on the rule of law in general, China’s law-based governance is seen as originating from constitution-based governance. China’s legislature designated December 4 as Constitution Day, in a move designed to strengthen the NPC constitutional oversight and the independence of the courts and prosecutors. The CPC also introduced a traditional checks and balances system.

The policy agendas are grouped into “four comprehensives (四個全面)”: comprehensive construction of a moderately prosperous society, comprehensive deepening of reform, comprehensive governance of the nation according to the rule of law, and comprehensive implementation of strict governance by the Party.<sup>3</sup> The formulation of the four comprehensives has its origins in the “three comprehensives” introduced by Xi Jinping during his visit to the Fujian Province in 2014. At that time, he called for the “cooperative building of a moderately

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3. *The People’s Daily* (2015. 2. 24.)



prosperous society, implementation of deepened reform, and advancement of governance through the rule of law.” He subsequently added “rigid management of Party discipline” during a visit to Jiangsu Province in December 2014. These policy initiatives have thereafter been mentioned on several occasions during various meetings. The measures were officially adopted during a governor-ministerial-level seminar, held in February 2015, as the strategic blueprint for China’s pursuit of the type of socialism that China should aspire to and further develop in the future.<sup>4</sup>

In this regard, the comprehensive construction of a moderately prosperous society can be regarded as a step toward China’s dream of reviving a great Chinese nation. For its part, the comprehensive deepening of reform is focused on the development of a Chinese-style socialist system as well as modernization of the state governance system and capacity. Meanwhile, comprehensive governance under the rule of law has been accepted as one of the two reforms that must be extensively deepened. Finally, comprehensive implementation of strict governance by the Party seeks to upgrade the Party’s governance, predictability, creativity, and effectiveness, so as to assure full implementation of the comprehensive reforms.

### **III. Breakthrough of Reform: Anti-corruption Campaign**

The most impressive aspect of the Xi Jinping-style reforms has been its anti-corruption campaign. The anti-corruption campaign has been vigorously implemented since Xi Jinping first vowed to crack down on “tigers and flies.” Xi intended to crack down on those elements, which because of their long-standing existence within the sphere of Chinese politics, had become entrenched as “untouchable areas.” The punishment of the incumbent member of the Politburo Standing

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4. <http://politics.people.com.cn/n/2015/0227/c1001-26603910.html> (Search date: 2015. 3.5.)

Committee (PSC), Zhou Yongkang, an outcome which dispelled a previous belief that “punishment does not apply to those on the PSC” should be seen as an example of the unprecedented extent to which the anti-corruption campaign has been applied. During a discussion of the corruption issue with a delegation of Shanghai Deputies to the NPC, President Xi pointed out that Korea had prosecuted an individual who received only 1 million won, or 5,700 yuan, under the Anti-corruption and Bribery Prohibition Act (the so-called Kim Young-ran act).<sup>5</sup> Prime Minister Li Keqiang also warned against any abuse of power by government officials when he stated, during the closing ceremony of the NPC, that “Power is not to be used arbitrarily.”<sup>6</sup>

Since the inauguration of Xi Jinping, the number of government officials who have been punished because of corruption charges has reached some 80,000. And of particular note, 68 high-ranking officials at the so-called “tiger” level have been singled out for punishment in the aftermath of the 18th NPC. The Xi Jinping government has also actively implemented a campaign, “Operation Fox Hunt,” to identify and detain officials engaged in corruption. The People’s Bank of China (PBC) has estimated that 16,000-18,000 corrupt officials and high-ranking executives of public enterprises have managed to divert some 800 billion yuan (about 144 trillion won) of illegal gains into properties overseas since the 1990s.<sup>7</sup> The Central Commission for Discipline Inspection (CCDI), established within the CPC, announced that some 680 individuals had thus far been arrested under the “Operation Fox Hunt 2014” campaign that was launched in July 2014.<sup>8</sup> It also maintains a section of its homepage that is dedicated to the

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5. *The People’s Daily* (2015. 3. 6.)

6. [http://news.xinhuanet.com/politics/2015-03/07/c\\_1114558450.htm](http://news.xinhuanet.com/politics/2015-03/07/c_1114558450.htm) (Search date: 2015. 3.7)

7. Canada and China have signaled their intent to sign an agreement to return the illegal assets seized from fugitives of economic crimes, including corrupt officials. *China Daily* (2014. 12. 15.)

8. <http://www.dfdaily.com/html/21/2015/1/9/1223837.shtml> (Search date: 2014. 3. 9.)

efforts to repatriate corrupt officials who have taken refuge abroad.

China's anti-corruption campaign has been characterized by its decisiveness, swiftness, rigidity, and continuity. Having caused a great stir in the Chinese political sector with the arrest of "tigers" of the elite political class, this campaign has served to highlight Xi Jinping's fierce determination to implement reform. A notable example of Xi's resolve can be seen in the case of Chongqing's Communist Party Secretary Bo Xilai. Before he found himself ensnared in the anti-corruption efforts, Bo Xilai was a candidate for the Politburo Standing Committee (PSC). Up until the time when he was expelled from his post, Bo continued to believe that he was untouchable, going as far as to hold a press conference even after his assistant Wang Lijun had gone into hiding. However, Bo Xilai was dismissed shortly after Prime Minister Wen Jiabao's criticism of Bo's wrong doings during a press conference related to the closing ceremony of the third session of the 18th NPC. Bo Xilai was charged with bribery, corruption, and abuse of authority, and eventually sentenced to life imprisonment. This was a much more severe penalty than the 16-year jail term meted out to Beijing Communist Party Secretary Chen Xitong, and the 18-year sentence given to Shanghai Communist Party Secretary Chen Liangyu. These instances signaled the new government's forcefulness to eradicate the corruption associated with political power, while also serving as a preview of what might transpire in the future.

The anti-corruption campaign has also targeted the military, which had for long been considered above the law. For starters, President Xi Jinping, who also serves as the Commander-in-Chief, placed the General Accounting Office of the People's Liberation Army of China under the auspices of the Central Military Commission of the CPC. Under this arrangement, the General Accounting Office of the People's Liberation Army of China reported directly to the Central Military Commission of the CPC on such matters as accounting and audit results, along with having its organizational and administrative tasks overseen by the General Office of the Central Military Commission.

This restructuring, which served as a warning to the powers that be of the need to fully implement the military's reform, was undertaken during the process of punishing high-ranking officials found guilty of engaging in military-related corruption. The CCDI investigated Vice Chairman of the Central Military Commission and member of the Politburo of the CPC Xi Caihou. After being summoned by the prosecution, he was eventually stripped of his Party membership, making him the highest-ranking military official to be punished since the onset of the reform efforts.

The anti-corruption campaign reached its zenith with the Zhou Yongkang case. Zhou was a powerful member of the Politburo Standing Committee and Secretary of the Central Political and Legal Affairs Commission in charge of public security, legal affairs, and information during the Hu Jintao government. Zhou was at the apex of various Party networks as well as the "Oil Gang." Nevertheless, an investigative report of corruption related to Zhou Yongkang was accepted during a Politburo meeting, and the decision was subsequently made to deprive Zhou of his Party membership and to have him summoned by the prosecution. He was accused of such crimes as bribery, leakage of confidential information, adultery, and violations of the law. While Bo Xilai's case started with the flight of his assistant, Zhou's case raised eyebrows because it involved a wide-ranging process that began with the questioning of associates caught up in the anti-corruption campaign and eventually led to the prosecution of Zhou.<sup>9</sup> A year and a half elapsed between the investigation of Deputy Communist Party Secretary of Sichuan Li Chuncheng, in December 2012, and Zhou's arrest. Such an incremental process was needed to minimize the political resistance and related fallout.

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9. While the term "comrade" was used to refer to Bo Xilai during his investigation, no such appellation was made for Zhou Yongkang. In addition, there were attempts to differentiate the characteristics of the incidents by referring to the Bo Xilai case as an investigation and the Zhou Yongkang case as an assessment process. <http://politics.people.com.cn/n/2014/0729/c1001-25365717.html> (Search date: 2015. 1. 7)

#### **IV. Political Reform for Marketisation**

The anti-corruption campaign should not be regarded as a power struggle over basic policy or as a purge of political enemies. From a structural perspective, the goals of the anti-corruption campaign are within the scope of “comprehensive reform,” and more specifically for the purpose of overcoming the “middle income trap” and “system transition trap”.<sup>10</sup> China has undergone tremendous external development since the implementation of its initial reform and opening policy measures. However, this has led to a serious distortion of the market functions in China. State-owned enterprises and other entities, with a monopoly on capital, maintained collusive relations with the powers that be and formed an influential group that resisted reform through a combination of measures, such as the granting of special privileges, corruptive practices, and rent-seeking activities. As a result, the gaps between the rural and urban areas, regions, and related income levels have steadily widened. China’s Gini coefficient in 2014 was officially announced at 0.469. However, it was actually in excess of 0.5, a serious denouement that triggered a crisis of identity for Chinese-style socialism.

Of note, China’s anti-corruption campaign has also sought to lower the regulatory barriers to market entry, which had heretofore been maintained by those with a monopoly on capital, in order to increase the number of market players. On the other hand, efforts were also made to have the state rectify market functions by assuming a more neutral position, which the Chinese government attempted to facilitate through its eradication of corruption. The CCDI announced that a majority of the officials who were investigated for corruption charges had worked in exclusive sectors, such as oil, electric power, communication, transportation, and finance. The emergence of

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10. Lee Hee-ok, *China’s Search for a New Democracy* (Sungkyunkwan University Press, 2014). pp. 171-173.

China's information and communication sector has led to widespread resentment among the public who learned details about the extensive corruption and exclusive privileges of Party members. Viewed from this standpoint, the derailment of the "Oil Gang," deemed the biggest obstacle to the reform of state-owned enterprises, served as a litmus test to assess the effectiveness of the Xi Jinping-style reforms. Through its ties with the China National Petroleum Corporation (CNPC), China Petroleum & Chemical Corporation (SINOPEC), and the China National Offshore Oil Corporation, and with the collusive relations between politics and business, the Oil Gang attained such a dominant position that it accounted for half of the corporate taxes collected from state-owned enterprises. With its access to such massive capital, the Oil Gang became untouchable by China's political establishment, which enabled it to use the political process to secure all manner of commercial rights and interests for itself, along with amassing all-powerful political influence. After bringing down the Oil Gang, the Xi Jinping leadership began to focus its anti-corruption campaign on other privileged groups, including the "electric power gang," "coal gang," "jewelry gang," and "finance gang" as well as "local lords." A good example of this is the downfall of Ling Jihua who was punished for his involvement in various forms of corruption that allowed him to accumulate ill-gotten wealth through his collusive ties with colliery proprietors in Shanxi Province.

The continuous and high-profile anti-corruption campaign has led to market reforms that have included a new privatization strategy. State-owned enterprises, which had long relied on the monopolization of their respective sectors, underwent an overhaul of their governance structure following the introduction of a hybrid ownership structure that expanded equity participation by the private sector. As such, the SINOPEC was required to hand over 30% of its corporate equity interests to a private enterprise consortium. In addition, private banks were established and new financial enterprises, such as Internet-based banks, emerged as a result of reform of the financial sector. In

July 2014, the China Banking Regulatory Commission authorized the establishment of new three banks, including the WeBank founded by Tencent, a social network service (SNS) provider. And in September 2014, it authorized the launch of two private banks, which included the Zhejiang Ant Small & Micro Financial Services Group established by Alibaba. Additional measures included the privatization of one of the key strategic industries – the electric power industry.

## **V. A Government that Upholds the Rule of Law**

The primary domestic goals of China's reforms are focused on assuring the fairness and justice of Chinese society and improving public welfare. In particular, an emphasis has been placed on fairness. The economic basis of this fairness calls for a rational distribution of economic benefits and the establishment of an institutionalized foundation, rooted in the rule of law, which is commensurate to the extent of desired fairness.

Examples of the rule of law in Chinese politics are notable in two regards. Rather than simply applying arbitrarily created rules and regulations, the ruling or handling of matters should be based on the rule of law in a broad sense, while also abiding by laws specified in the constitution at a detailed working level. In other words, the rule of law means that the constitution and laws serve as the highest authority in terms of state governance, and that all actions of an organization or individual should be carried out within these legal boundaries. In a strict sense, this is separate from a rule of law under which no organization or individual can be in contempt of the authority of law, or a rule of law in which everything must strictly comply with the law. As such, a fundamental goal of the rule of law initiative is to normalize citizens' actions, administer social responsibilities, maintain a proper social order, and protect the basic political rights of freedom, equality, and fairness.

China's political reforms aimed at creating a state that is governed by the rule of law are based on the notion of a rule of law in which the state conducts its governance by adhering to a legal system. This political vision was presented as an element of the core agenda during the fourth plenary of the 18th National Congress of the CPC. President Xi Jinping made known his staunch determination to establish such a legal system when he stated in his 2015 New Year's address that the advent of a state ruled by law and deepening reform would be the two-horse carriage that served as the driving force for the future development of Chinese society.<sup>11</sup> This was based on a perception that any improvement of public welfare would remain elusive as long as the vicious cycle of an "individual-rule culture" of Chinese political circles, which served to facilitate corruption, market distortion, and excessive transaction costs, remained in place.

The policy measures that sought to bring about a state which observed the rule of law have sped up the process of enacting relevant laws, such as those related to market inspection and management, e-commerce, and real estate taxes. Similarly, acts related to the environment, food safety, consumption taxes, labor contracts, securities, and administrative licenses have also been modified or effectuated. China has thus entered a new normal economic phase with about 7% annual growth. Under these circumstances, the establishment of a fair and transparent market order, backed by the rule of law, will make it possible to attain sustainable development based on new elements of economic vitality, such as the structural adjustment of job creation.

A state that is governed by the rule of law involves the following political implications. First, China has gradually jettisoned its individual-oriented state management structure of the past in favor of a modern form of state governance. To this end, it presented a detailed road map for the achievement of this goal within 10 years. Second,

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11. <http://news.qq.com/a/20150101/008855.htm> (Search date: 2015. 1. 4)



the Chinese notion of a rule by law state differs from the Western concept in that it denotes a rule of law process that is led by the CPC. In other words, in contrast to a legal system that maintains a separation of the three governmental powers (administrative, legislative, and judicial functions), China's notion of a state ruled by law is related to a "democracy" in the form of democratic centralism overseen by a people's democratic dictatorship. Lastly, the notion of a state governed by the rule of law can be seen as a sign of the Communist Party's resolve to eliminate the vicious cycle of corruption and to narrow social gaps by adopting this notion as the basis for realizing the "China's dream."

In actuality, China's pursuit of the rule of law has facilitated the advent of democracy within the Party, if not outside of it. In the past, the CPC's Central Committee held the reins of administrative and legislative powers, with the State Council of China playing an especially key role. Meanwhile, provincial and local party committees maintained a hold on power over local governments and legislation through the CPC's Political and Legal Commission. However, the ability of provincial and local party committees to interfere with local judicial matters have gradually been eroded by judiciary reform, which in turn has brought about changes in the system through which local administrations controlled local judicature. In other words, a unitary system in which local judicature is controlled solely by a central judiciary is now in place. In addition, a change was also brought about in regard to the CCDI of the CPC, which has functioned as a control tower for the anti-corruption campaign. Meanwhile, the authority of the Political and Legal Commission has decreased significantly following the Zhou Yongkang incident. Those in charge of the Political and Legal Commission of provincial and local areas also found themselves being excluded from the core power group. As such, unlike the "targeted investigations" of the past, the current anti-corruption campaign has been based on institutions and procedures. The CCDI has since abolished pseudo cooperative organizations, along with

enforcing its internal inspection and external supervision functions by expanding the Office for Discipline Inspection and Supervision and increasing the related human resources.

## VI. Governance Reform

China has emphasized social innovation as a vital aspect of its opening and reform initiatives. However, fundamental public administration must go beyond social crisis management and social controls to include a truly innovative governance model.<sup>12</sup> The Xi Jinping government has clearly emphasized the modernization of its governance system and capability.<sup>13</sup> This effort has been motivated by a belief that although China's reform has achieved substantive results and a broadened political foundation is now in place, further improvements are being stalled after reaching a proverbial deep-water area that cannot be crossed on foot. As such, it has been determined that systemic stability and sustainable development are dependent on governance reform.

The themes pursued during the fourth plenary<sup>14</sup> focused mainly on economic objectives and directions, such as the reform of state-owned enterprises, stepping up scientific development, overcoming the global financial crisis, and building a prosperous society. However, during the fourth plenary of the 18th National Congress of the CPC held in 2014, the CPC leadership agreed, for the first time, on the need for a law-based reform of state governance. Accordingly, this decision was made to implement deepened reform based on proper laws and governance.<sup>15</sup>

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12. Kim Ui-yeong, *Politics of Governance* (Myungin munhwasa, 2014). pp. 3-20.

13. *Qiushi (Seek Truth)*, 2004 (1).

14. Abbreviation for the fourth plenary of the National Congress of the CPC

15. [http://news.xinhuanet.com/politics/2014-11/02/c\\_1113079699.htm](http://news.xinhuanet.com/politics/2014-11/02/c_1113079699.htm) (Search date: 2015. 2. 7)

Systems and capabilities are the two pillars of governance reform. These two elements are organically connected to one another, playing mutually complementary roles in the political process. Capabilities can be improved based on the system, and the effectiveness of the system can be enhanced through upgraded capabilities. In terms of the methodology to achieve this, great importance is being placed on general planning. To this end, the strategic goals of governance reform, strategic areas, priorities, implementation directions, work mechanisms, and implementation methods need to be spelled out in a detailed manner, which should be based on a clear master plan. Second, cooperation is being emphasized for the implementation of reform. Third, significant attention is being paid to communication. While past reform measures were implemented in a top-down manner, the current reform process should have its roots in popular consensus. In this way, the creativity of the people can be harnessed and used as a driving force to push for opening and reform.<sup>16</sup>

However, contrary to the Western world's emphasis on cooperation between the state and civil society, China's governance reform seeks to preserve policy-making power, implement scientific development, assure governance reform-related laws, and cultivate the core values of socialism. The achievement of these goals has been premised on their meshing with the underlying ruling system of China. Of course, domestic factors such as a country's popular sentiments, population, size of national territory, and history, must be comprehensively taken into account. While the Western world's governance is based on reinforcement and parallel advocacy of democracy, China's governance is characterized by an indirect circumvention of its lack of democracy.

In fact, the discourse on democracy in China has its roots in a broad consensus that the fundamental contradictions of the state do not originate from the social classes. Rather, there has been a focus

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16. Speech made during an inspection of Guangdong Province (2012. 12. 7-11). p. 49.

on improving the overall “quality of life” through such means as the realization of a stable relationship between the state and the people; availability of an abundance of food, clothing and shelter; enjoyment of a peaceful life; and joint responses to difficult situations. As such, essential democracy calls for the existence of “good democracy” as well as the goals and results to be actualized via democracy. Unlike formal democracy in the Western world, which is based on elections and a multiparty system, China believes it should start with essential democracy and then move toward formal democracy. Furthermore, consultative democracy is regarded as a core method to effectuate Chinese-style democracy.<sup>17</sup>

More specifically, over 100 meetings were convened by the NPC during the process of enacting the Real Property Law. Consultative democracy became entrenched when, after a series of reviews, the Real Property Law was passed and enforced in 2007.<sup>18</sup> As such, after investigating and properly understanding vital issues and collecting public opinions on the matter, the NPC held policy making discussions at the NPC and the Chinese People’s Political Consultative Conference. The Chinese people have shown themselves to be highly satisfied with the current Chinese system, which earned an incredible 87% approval rating, at the end of 2014. Some 80% of the Chinese population also viewed the economy with a sense of optimism. These figures are much higher than the 33% and 35% responses to the same questions in the United States, and 34% and 15% in Japan.<sup>19</sup>

## VII. Future Outlook of Xi-style Reform

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17. The notion of a consultative democracy differs from that of a deliberative democracy.

18. <http://news.21cn.com/hot/social/a/2015/0305/11/29152718.shtml> (Search date: 2015. 3. 7)

19. The survey was conducted by the Pew Research Center <http://www.pewresearch.org/data/> (Search date: 2015. 3. 5)

Xi Jinping-style reforms have been implemented in an omnidirectional manner. The anti-corruption campaign, which marks a breakthrough for reform efforts, has been warmly welcomed by the Chinese people, like a fresh breeze for domestic politics.<sup>20</sup> This has greatly contributed to the Xi Jinping regime's ability to dictate the political agenda and consolidate its power internally. The main attention of the Chinese people over the past 10 years has been related to such matters as corruption, real estate prices, income distribution, environmental protection, living standards, medical-care system, food safety, employment, education, pension system, national interests, and religion. In this regard, "anti-corruption" as well as education have long been the bellwether issues of the Chinese public. In a recent survey of Internet users, the anti-corruption campaign was viewed in a positive light by 82.5% of respondents, and only 17.5% having a pessimistic reaction.

Wide acceptance of the anti-corruption campaign will ensure that the pace of political reform can be further accelerated and allow the depth of political reform to be broadened. This in turn will enable the legal system to be reinforced, along with the authority of the constitution and laws being steadily enhanced. The ruling method employed by the Party, at the core of the Party-state system, will be based on a new version of Chinese style Party-state system rooted in a strengthened notion of a rule by law Party. This augurs well for the purpose of highlighting the achievements of the CPC as part of the celebration of the 100th anniversary of the Party's foundation as well as preparations for the second term of the Xi Jinping government in

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20. For example, China Unicom announced a self-correction plan that included 45 practices, such as the suspension of entertainment expenses, official expenditures, meeting fees, and overseas business trips; clarification of reprimand criteria; and improvement of the process through which human resources are selected. This was in conjunction with the eradication policy of the "four winds" (formalism, bureaucracy, hedonism, and extravagance) emphasized by the CPC. This denouement can be regarded as a direct result of the inspection carried out by the CPC Central Committee's Leading Small Groups. *Jinghua Shibao* (2015. 2. 21)

2017.

However, there are differing opinions as to whether the Xi Jinping-style reforms will lead to a successful transformation of the existing paradigm of Chinese politics and the institutionalization of a reformed system. When viewed from a standpoint of democratization and institutionalization, there is a certain sense of urgency for the institutionalization of political reforms in China. It is necessary for China, which has witnessed a reversal of democratization in newly formed democracies, to first institutionalize its political reforms. China views the rule of law as the solution to this problem. In this regard, the slow pace of reform means that a consensus within the Party, with the notable exception of vested interest groups, seems to be attainable. However, there are also questions about whether the Xi Jinping-style reforms can really be institutionalized in a stable manner. First, the comprehensive anti-corruption campaign has brought about a kind of “reform fatigue.” For instance, it has been revealed that the community of public offices and the consumption market have been somewhat intimidated by the reform efforts. And some have raised concerns that the anti-corruption campaign will be hard-pressed to continuously produce meaningful results, while its prolonged nature could eventually lead to political uncertainty and the emergence of power struggles. The possibility of such consequences as the flight of economic elite out of China; suppression of media, art, and civil groups, and human rights organizations; emergence of distorted ideologies; negative side effects due to rigid anti-corruption enforcement, and economic recession; is behind the recent concerns.<sup>21</sup>

Furthermore, although Xi Jinping-style reforms have garnered widespread public support, the sustainability of a state supposedly governed by the rule of law but without true democracy cannot be guaranteed. As rule of law governance generally requires the presence of democratic politics, some have raised doubts about the viability

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21. David Shambaugh, “The Coming Chinese Crackup,” *Wall Street Journal* (March 6, 2015).

of a “Chinese exceptionalism.” The rule of law requires democratic principles backed by accountability. Negotiations and compromises must be made with the political circles, civil groups, and stakeholders representing the various interests of the public. However, Xi Jinping-style reforms have to date been focused on a top-down process that relies of charismatic appeal and exclusive authority. At this point, the possibility of conflicts emerging within the Party over policy directions cannot be ruled out if the monopoly of power is disrupted and a vacuum is created by the reforms. (April 2015 Issue)

# China's New Policy toward the Korean Peninsula

*Choi Myeong-hae\**



## I. Shift in Strategic Viewpoint: “Chinese Dream” and the Korean Peninsula

The Xi Jinping government's diplomacy toward China's surrounding powers has differed significantly from that of previous governments. In the past, the Chinese government's diplomacy toward surrounding countries has always been subjugated to economic development. More to the point, the priority of the Chinese government was to ensure a stable surrounding environment needed for the promotion of economic development. This kind of scenario led China to adopt a seemingly passive behavior. However, the Xi Jinping government has different objectives. It has exhibited the desire to emerge as a strong power through an enhancement of its national power. This is succinctly expressed in the “Chinese dream” notion. The Xi Jinping government's “Chinese Dream” is a future-oriented vision toward which China will strive after its comprehensive construction of a more prosperous society (2021). To actualize the Chinese Dream and the revival of a great Chinese nation, China must go beyond the status

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of a regional power and become a true world power that can influence the international order, along with the United States.<sup>1</sup> To this end, it must first bring China's surrounding powers into the sphere of its influence. Thus, China's strategic view of its surrounding powers has been altered. In this regard, China intends to reorganize its relations with surrounding powers in a manner that befits the "rise" of China within the international community.

China's proactive diplomacy toward neighboring states has not been limited to the expounding of rhetorical slogans. Rather, it has also involved detailed plans. China has introduced an alternative structure capable of replacing the United States-centered systems (bilateral military alliances, World Bank, IMF, ADB, TPP). Examples of this include "New Asian Security Concepts," establishment of "mechanism for Security Cooperation in the Asia-Pacific Region," launch of the Asian Infrastructure Investment Bank (AIIB), and proposals to initiate Free Trade Area of the Asia-Pacific (FTAAP) and "One Belt, One Road" plan. The Chinese government has referred to these initiatives as "Chinese Solutions."

The Korean Peninsula inevitably finds itself a target of China's surrounding powers diplomacy. As such, Korea will undoubtedly be influenced by the shifts in China's strategic viewpoint. The development of China's Future Asia Initiative has served to heighten China's assessment of the strategic value of Korea. For opinion leaders in China, Korea has become a country to be embraced and deemed important to the actualization of China's future initiatives. As such, Korea is of great significance to China in terms of Beijing's ability to construct strategic strongholds (buffers) to counter the U.S.' rebalancing strategy. The ROK-U.S. alliance assures that Korea will not be wholly induced by China's overtures. However, China predicts that Korea could become "a semi-core state" because the two countries

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1. Cho Yeong-nam, *Chinese Dream: The Xi Jinping leadership and the future of China* (Seoul: Mineumsa, 2013).

share common interests, such as economic cooperation, the North Korean nuclear situation, and the need for a common front against ongoing changes in Japan.<sup>2</sup> For its part, the Chinese state media has referred to Korea as a blood vessel that facilitates the flow of qi (energy). As such, China has recognized Korea as a key player that will help to determine the fate of its quest to alter the status quo within the region.<sup>3</sup>

Accordingly, as China actively pursues its initiative of a Future Asia to realize the Chinese Dream, there is an increasing likelihood that Korea will become a “strategic target” of China. As such, China’s strategy toward the Korean Peninsula has undergone a notable change. In the past, China viewed North and South Korea as part and parcel of its ongoing struggle against the United States to maintain a balance of power. In this way, the development of South Korea-China relations was intricately intertwined with the development of North Korea-China relations. However, China is now expected to separate its South Korea-China relations from that of North Korea and China. More specifically, China’s efforts to curry favor with Korea will be less hampered by the North Korean situation.

This shift in strategic perspective is heavily predicated on a readjustment of China’s relations with North Korea. As long as North Korea continues to engage in adventurous provocation and build up its nuclear arsenal, South Korea will inevitably remain bound to the framework of the Korea-U.S. military alliance. In turn, China will have to continue to “embrace” North Korea in order to maintain a “strategic balance.” But this vicious cycle hinders China’s grand design to establish a China-centered regional order based on its efforts to “closely embrace Korea.” That being the case, China must reinforce its

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2. Xu Jin and Li Wei, “Construction of a ‘strategic pivot’ for China’s surrounding security,” *World Affairs* (世界知识), Vol. 15. 2014. 8.15, <http://sjzs.qikan.com/ArticleView.aspx?titleid=sjzs20141501> (Search date: August 20, 2014)

3. “Xi Jinping’s acupuncture diplomacy for Sino- Mongolian relations,” *Huanqiu* (环球网), 2014.8.22,

leadership standing in bilateral relationships by moving away from a previous pattern of being passively dragged into the problems caused by North Korea, and transforming North Korea-China relations into “normal state relations,” based on its national interests. North Korea must be included within China’s sphere of interest in order to assure the peace and stability of the Korean Peninsula through stable “management” of the North. China is well aware of the growing value of its “capacity to control North Korea” for the sake of Korea and the United States. The establishment of such conditions by China will enable Korea to exercise certain strategic maneuverability within the framework of the Korea-U.S. alliance. This will in turn allow China to induce Korea to more actively participate in the “Chinese structure” and eventually lead to effectuation of its “embrace Korea” strategy.<sup>4</sup>

However, China’s separation of its relations with South Korea and with North Korea can be seen as having a dualistic impact on Korea. Korea’s positive response to the envisioned Chinese structure could result in boundless growth potential for Korea-China relations. This should be regarded as an optimal outcome for China. On the other hand, China can at any time use its geopolitical “asset” of North Korea if South Korea does not do enough to satisfy China’s minimal expectations of refraining from joining hands with the United States and Japan in the efforts to contain China. In this regard, it is necessary for China to maintain a minimal relationship with North Korea. This can be construed to mean that China will tend to resist the enforcement of pressure on North Korea if this could trigger instability that might jeopardize its geopolitical interests. The following is a discussion of how China’s strategic thinking has been reflected in its recent South Korea-China and North Korea-China relations.

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4. Choi Myeong-hae, “Trends in the North Korean-Chinese relationship in 2014 and future outline thereof,” *The 2014 Report on the Chinese Political Situation*, (The Center for Chinese Studies, Korea National Diplomatic Academy, 2015).

## II. Impact of China’s Change in Its Strategic Viewpoint and Policymaking

### 1. South Korea-China Relations: Emergence and Limitations of “honeymoon” Phase

Since 2013, the South Korea-China relationship has been enjoying a kind of “honeymoon” phase. Of particular note, a “cooperative framework” to implement the previously agreed upon “strategic cooperation partnership” has been reinforced through the reciprocal visits of both country’s leaders. During President Park Geun-hye’s visit to China in June 2013, the two countries agreed to establish multi-layered dialogue channels and to comprehensively strengthen their strategic dialogue so as to further advance bilateral political cooperation. In addition, on the economic front, the two leaders

[Table 1] Development of Korea-China Relations: 1992-2014

<b>Period</b>	Establishment of diplomatic relations - Kim Young Sam government (Civilian Government) (1992-1996)		Kim Dae-jung government (People’s Government) (1997-2001)		Roh Moo-hyun government (Participatory Government) (2002-2007)		Lee Myung-bak government (2008-2012)		Park Geun-hye government (2013-2017)	
<b>Definition of relationship</b>	Amicable cooperation		Cooperative partnership		Comprehensive cooperative partnership		Strategic cooperative partnership		Consolidation of strategic cooperative partnership	
<b>Trade</b>	\$6.37 billion	1992	\$31.25 billion	2000	\$118.0 billion	2006	\$215.1 billion	2012	\$235.4 billion	2014
<b>Human exchanges</b>	130,000 people		2 million people		4.15 million people		6.52 million people		10.43 million people	

Sources: Korean Embassy in China, Korea International Trade Association (KITA.net)

agreed to prepare a framework to support economic cooperation based on a “high-level comprehensive FTA.” As for sociocultural relations, the two sides reached an agreement to establish a “Korea-China Joint Committee for People Exchanges” to pave the way for the formation of various mechanisms to defuse clashes between the two countries due to nationalistic sentiments and to increase opportunities for mutual “trust building.”<sup>5</sup>

The contents of the agreements reached in 2013 were reaffirmed and supplemented during President Xi Jinping's visit to Korea in July 2014. During this visit, the leaders also agreed to conduct regular multi-layer dialogue related to the political and security sectors and to launch a 1.5 track dialogue initiative as well as a youth leadership forum. In addition, an understanding was reached to reopen negotiations on the delimitation of maritime boundaries, a potentially thorny issue in Korea-China relations, within seven years. Along with agreeing to conclude the Korea-China FTA within a year, as part of future-oriented two-way cooperation, China also granted Korea a Renminbi Qualified Foreign Institutional Investor (RQFII) quota of 80 billion yuan. In keeping with efforts to broaden the foundation for human and cultural exchanges, both countries recently agreed to increase the scale of human resource exchanges to 10 million people annually by 2016.<sup>6</sup>

In the aftermath of President Xi Jinping's visit to Korea in 2014, China adopted a more forward-looking attitude toward the development of its relationship with Korea. The Chinese leadership and media both emphasized the fact that President Xi's visit to Seoul marked the first instance when a Chinese leader had visited South Korea before the North, and that it represented a “one-state visit.” During this summit, China put forward unprecedented proposals.

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5. Choi Myeong-hae, “Assessment of the Korea-China Summit and Future Tasks,” *e-Happy Unification*, Vol. 15 (2013, 7) <http://webzine.nuac.go.kr/sub.php?number=74> (Search date: February 24, 2015).

6. Exchanges of human resources between the two countries surpassed 10 million people as of the end of 2014.

For example, a major step forward was taken in regard to military and security cooperation, which included China's willingness to arrange for mutual visits by junior officers and open a hotline to connect each country's defense authorities. Furthermore, there was discussion about the possibility of joint Korea-China military training, Korea-China-Russia security talks, and Korea's observation of China-Russia military exercises.

Despite these achievements, there are clear structural limitations to the continued advancement of Korea-China relations. A key factor in this regard has been China's strategic perception of Korea-China relations as a subsystem of the U.S.-China strategic competition. This attitude was clearly on display in the case of Korea's possible introduction of the U.S. THAAD (Terminal High Altitude Area Defense) system. Despite doubts about how it might pose a "potential threat" to China's security, from either a military or strategic standpoint in terms of interception and detection capability, China strongly objected to Korea's introduction of the THAAD system not only at the government level but through the state media as well. China directly made known its concerns about the THAAD system during Minister of National Defense Chang Wanquan's visit to Korea in February 2015. The state media reported that 97% of the Chinese people opposed the deployment of a U.S. THAAD system in Korea.<sup>7</sup> While understanding that the ROK-U.S. alliance serves as a deterrent to North Korea, China opposes any transformation into a "strategic alliance" that goes beyond a defense-centered alliance. From another angle, China strongly opposes any move by the three countries (the United States, Korea, and Japan) to adopt the containment of China as one of the core objectives of their cooperative relations.<sup>8</sup> China

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7. "Do you approve of Korea's introduction of the THAAD system?" *Huanqiu* (环球网), 2015.2.9.

8. Jeong Jae-ho, "Between strategic alliance and strategic partnership," *Consider China* (Seoul: Samsung Economic Research Institute, 2013). p. 242, 245, 261.

perceives the deployment of the THAAD system to Korea as a form of Korea's participation in the U.S.-Japan alliance that seeks to contain China and as having a negative impact on the minimum circumstances needed to sustain the desired Korea-China strategic partnership.<sup>9</sup>

As mentioned above, while China's optimal expectation of Korea is related to its positive response to Beijing's future vision, its minimal expectation is that Korea should refrain from participating in the U.S.-Japan efforts to contain China. However, faced with the "structural burden" created by the military threat associated with North Korea's development of a nuclear arsenal and the overall North Korean problem, the Korean government has maintained a certain "strategic ambiguity."<sup>10</sup> As such, an advancement of Korea-China strategic cooperation, due to concerns about the North Korean problem, has naturally experienced certain limitations. Unsure of how Korea will respond to its expectations, China has maintained an objective position toward resolving Korean Peninsula issues, including the North Korean nuclear situation. The gap between China and Korea in terms of their perceptions of the threat emanating from North Korea's nuclear program has seen a gradual narrowing. Contrary to the past, when an emphasis was placed on general concepts, such as "denuclearization of the Korean Peninsula should be assured," North Korea's development of nuclear weapons was condemned as a serious threat to the Korean Peninsula and the wider Asian region during the 2013 Korea-China summit. However, China still clings to a notion of "strategic management" of the situation through the six-party talks process.

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9. Li Kaisheng, "The deployment of a THAAD system will harm profitability of the Sino-Korean relationship," *Huanqiu* (环球网), 2015.2.9. [http://opinion.huanqiu.com/opinion\\_world/2015-02/5626916.html](http://opinion.huanqiu.com/opinion_world/2015-02/5626916.html) (Search date: February 9, 2015)

10. The Korean government put off the decision of its participation in AIIB, while demanding an equity structure and transparency in the decision-making process. With regard to the "New Silk Road Initiative," a conceptual consensus was reached on the need to link it to the Park Geun-hye government's "Eurasia Initiative." However, Korea does support a China-centered Asian mega-FTA, such as the FTAAP.

The Chinese government has been slow to suggest any alternative measures other than the six-party talks. During a press conference related to the National People's Congress (NPC) on March 8, 2014, Foreign Minister Wang Yi highlighted the fact that the six-party talks were the only dialogue mechanism that all related countries have accepted at this time, and that this process should be promptly reopened. This hints at China's intention to "manage" the United States and Korea, as well as North Korea, by binding them together in a dialogue framework of the six-party talks. This policy approach is well reflected in Beijing's emphasis on the necessity for resuming the six-party talks, as well as its mention of "U.S. responsibility" and "stabilization of the inter-Korean relationship." In an interview with the Financial Times in January 2014, Chinese Foreign Minister Wang Yi stressed the need to establish a New Type of Relationship Between Major Powers, which is based on mutual respect for each other's interests. He also noted that although China's position on the denuclearization of the Korean Peninsula was clear, "the international community should also address the DPRK's legitimate security concerns."<sup>11</sup> Chinese Ambassador to the United States Cui Tiankai responded to Assistant Secretary of State for East Asian and Pacific Affairs Daniel Russel's statement, "China should make more efforts for the denuclearization of North Korea if it wants to change the U.S. defense strategy in the Asia-Pacific region," with a claim that this was like being asked to complete a "mission impossible."<sup>12</sup>

China has maintained its position that efforts by both the United States and North Korea will be needed to resolve the North Korean nuclear issue. The Chinese state media also stressed the need for the

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11. "Chinese Foreign Minister opposes Prime Minister Abe's statements," *FT Chinese (FT 中文网)* 2014.1.25. <http://www.ftchinese.com/story/001054574> (Search date: January 25, 2014)

12. "China envoy: U.S. is giving China a 'mission impossible' on North Korea," *South China Morning Post*, 2014.4.11, <http://www.scmp.com/news/asia/article/1474852> (Search date: April 11, 2014)



United States to make a strategic decision and demonstrate courage and sincerity, while remarking that it was an “entire fantasy” to expect that China would unconditionally cooperate with U.S. sanctions against North Korea simply because it had proposed the New Type of Relationship Between Major Powers.<sup>13</sup> Meanwhile, China stressed the fact that Korea’s role in stabilizing the inter-Korean relationship was just as vital as “U.S. responsibility.” While emphasizing “North-South communication,” China called on the North to abstain from additional provocation and to improve its relationship with South Korea. In other words, China’s has stressed the need for South Korea to actively respond to North Korea’s overtures as part of its desire to see more positive interaction between the two Koreas.<sup>14</sup> During the 2014 summit, China showed a subdued emphasis toward achieving a breakthrough in the situation through an improvement of the inter-Korean relationship and early reopening of the six-party talks. This indicates that there are certain limits to the Korea-China strategic cooperation when it comes to realizing a breakthrough in the existing political situation on the Korean Peninsula. China’s academic circles have also accepted the fact that the Korea-China strategic cooperative partnership still remains at an initial stage.<sup>15</sup>

## 2. North Korea-China Relationship: Appearance and Reality of Cooling Relations<sup>16</sup>

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13. “North Korean nuclear problem: U.S. sincerity, Where has it been?” *People’s Daily Overseas Edition*, 2014.3.14. [http://paper.people.com.cn/rmrbhwb/html/2014-03/14/content\\_1401845.htm](http://paper.people.com.cn/rmrbhwb/html/2014-03/14/content_1401845.htm) (Search date: March 14, 2014)
  14. Foreign Ministry Spokesman Qin Gang held a regular press conference (June 27, 2014) Ministry of Foreign Affairs of the People’s Republic of China. [http://www.fmprc.gov.cn/mfa\\_chn/fyrbt\\_602243/t1169307.shtml](http://www.fmprc.gov.cn/mfa_chn/fyrbt_602243/t1169307.shtml) (Search date: June 27, 2014)
  15. “Korea Blue Paper: China-Korea strategic cooperative partnership is in its infancy,” *Xinhuanet* (新华网) 2015.2.15. [http://news.xinhuanet.com/world/2015-02/15/c\\_127499926.htm](http://news.xinhuanet.com/world/2015-02/15/c_127499926.htm) (Search date: February 16, 2015).
  16. Modification and summary of Choi Myung-hae, “Trends in the North Korean-Chinese relationship in 2014 and future outline thereof,” *ibid*

China has made various efforts to revive the North Korea-China relationship since the inauguration of the Xi Jinping. The Xi Jinping government has made clear, more than any other previous government, its intention to restore its leadership role in terms of relations with North Korea so as to induce the North to properly recognize China's interests in the "denuclearization of the Korean Peninsula, stabilization of the inter-Korean relationship, and the reform and opening of North Korea." Beijing has continuously sent out a message that a cooling of relations was inevitable as long as North Korea did not make efforts to respond to China's interests. High-level political dialogue channels between China and North Korea have been essentially non-operational since 2014, as the cooling of relations began to emerge. The international liaison departments of the Central Committee of the CPC and the Ministry of Foreign Affairs have not engaged in any high-level political dialogue with North Korea. The current cooling of relations between China and North Korea has continued longer than the previous one-year period of alienation from North Korea that resulted from the North's first nuclear experiments in 2006. The website of the international liaison department of the Central Committee of the CPC recorded 12 instances of exchange with the North in 2009, 30 in 2010, 7 in 2011, and 8 in 2012. This interaction further decreased to a single exchange since the inauguration of Xi Jinping in 2013, and then ceased altogether in 2014. China has made it a point to clearly convey its strategic intentions and policy goals through working-level dialogue channels rather than the CPC.

In an interview with the *Financial Times* in January 2014, Chinese Foreign Minister Wang Yi stated: "China and DPRK may differ on various issues and one issue is the North Korean nuclear problem. China's position on the nuclear problem is clear, consistent, and unchanged. China is opposed to the DPRK's development of

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17. "Chinese Foreign Minister opposes Prime Minister Abe's statements," *FT Chinese* (FT中文网) 2014.1.25.

nuclear weapons and committed to denuclearization of the Korean Peninsula.”<sup>17</sup>

This position of China was also emphasized during the visit of United States Secretary of State John Kerry to China in February. Wang Yi asserted the need to bring the North Korean nuclear problem back on the track of “sustainable, irreversible, and effective dialogue and negotiation.” He also agreed with the United States on the need for “additional actions” to achieve this end.<sup>18</sup> After having clearly declared its policy goals and possible future actions, China subsequently made these matters known to North Korea during Foreign Vice Minister Liu Zhenmin’s visit to the North in February.<sup>19</sup> Wang Yi first mentioned a “red line” to North Korea in March. He clearly outlined China’s policy direction and strategy in stating: “China has one consistent red line. It will never allow war or chaos. The Korean Peninsula can only experience true peace when denuclearization has been brought about.”<sup>20</sup>

China’s statements reflect its intention to transform North Korea-China bilateral relations into a “normal state relationship,” based on its own national interests. As for the “normal state relationship” that China desires, this involves relations in which, rather than going through ups and downs because of political incidents, the national interests of both parties can be coordinated by clearly identifying their respective priorities and policy goals. This kind of relationship is designed to make known potential punishments and rewards. After its inauguration, the

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18. “Wang Yi emphasized China’s stance on the Korean Peninsula,” 2014.2.14. [http://www.fmprc.gov.cn/mfa\\_chn/zyxw\\_602251/t1128711.shtml](http://www.fmprc.gov.cn/mfa_chn/zyxw_602251/t1128711.shtml) (Search date: February 15, 2014); John Kerry, “Interview with Al Hunt of Bloomberg News on the Charlie Rose Show,” (2014. 10. 31)

19. “Vice Foreign Minister Liu Zhenmin’s rare visit to North Korea,” 2014.2.20, *DW News* (多维新闻) <http://global.dwnews.com/news/2014-02-20/59425553.html> (Search date: February 20, 2014)

20. “Wang Yi: The Korean Peninsula issue has always been a red line,” 2014.3.8. *Xinhua News Agency* (新华社) <http://news.sina.com.cn/c/2014-03-08/154429657341.shtml> (Search date: March 8, 2014)

Xi Jinping government altered the ranking of China's policy priorities, which had included: (1) assurance of peace and stability on the Korean Peninsula, (2) problem solving based on dialogue and negotiation, and (3) actual denuclearization of the Korean Peninsula. Of particular note, "denuclearization of the Korean Peninsula" is now a higher priority than "assurance of peace and stability on the Korean Peninsula."<sup>21</sup> Furthermore, the Xi Jinping government has also stressed the need for North Korea to return to the track of "sustainable, irreversible, and effective dialogue and negotiation." Based on its determination that the conditions necessary to achieve these policy goals were not yet ripe in 2014, China has continued to keep North Korea at arm's length.

However, a continuance of the cooling political relations with North Korea does not mean that China is prepared to yield its vital geopolitical interest of maintaining "stabilization of North Korea," which includes its influence on the Kim Jung-un regime. This reality is clearly evidenced by the half-heartedness of China's sanctions against North Korea and its continued practical economic support to the North. The consequences of China's sanctions, in accordance with the relevant UN resolution in regard to North Korea, remain quite limited. Although Chinese sanctions temporarily impacted the North Korean economy, it did not have any serious effect on daily trade. North Korea-China relations are currently in the midst of the longest period of strained political relations in the 2000s. Nevertheless, total trade (\$6.36

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21. China adopted "actualization of denuclearization on the Korean Peninsula" as a priority after the emergence of the second North Korean nuclear crisis in October 2002. However, having determined that the possibility of North Korea giving up its nuclear weapons was remote after North Korea's nuclear experiments in 2006 and 2009, it changed its priorities to "protection of stability → dialogue and negotiation → final actualization of denuclearization." Nevertheless, China returned to "denuclearization of the Korean Peninsula" as its priority from April onward, or right after the inauguration of the Xi Jinping government (March 2013). "Chinese policy toward the DPRK," *China.com* (中华网), 2014.8.6.

<http://club.china.com/baijiaping/gundong/11141903/20140806/18689110.html> (Search date: August 7, 2014)

billion) in 2014 decreased by only 2.8% from the previous year. This means that China's sanctions against North Korea have not seriously affected the North's international economic activities.

The biggest hot-button issue in regard to China's sanctions against North Korea in 2014 was the suspension of crude oil exports. Since China's annual shipments of crude oil to North Korea had shown a steady increase from 2011, which was valued at some \$500 million per year, the 2014 interruption of this aid was a clear anomaly. On the other hand, aside from crude oil, China's exports of refined oil products, including petroleum, gasoline, and aviation fuel, surged by 48% over the previous year. China's exports of refined oil to North Korea decreased during 2012-2013, immediately following the inauguration of the Xi Jinping government. The decreased supply of refined oil has a much greater impact on the North Korean economy than that of crude oil. However, the recent trend was reversed in 2014. Thus, the Chinese government did not completely cut off its fuel supply to North Korea, and other factors seem to be behind the suspension of crude oil exports in 2014.<sup>22</sup> In general, only 8% of crude oil can be transformed into gasoline through a typical refinement process.<sup>23</sup> In light of this fact, it can be concluded that the increase in refined oil exports, including gasoline, served to offset any shortage caused by the suspension of crude oil shipments. While there has been a shortage of fuel due to external factors, the North Korean economy has not been noticeably curtailed because of a serious lack of fuel.

Practical economic cooperation between North Korea and China continues apace. Increasing labor costs and labor shortages have spurred the Chinese government to gradually allow an increase in consignment processing trade with North Korea by Chinese

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22. It is also stressed that a deterioration of North Korea's crude oil facilities has raised the possibility of replacing petro-chemistry with coal chemistry.

23. Others are refined: LPG (2%), naphtha (12%), kerosene (9%), diesel (26%), heavy oil (38%), and others (5%)

**[Table 2] Trends in North Korea's Oil Imports from China**

(units: \$100 million, % change from previous year)

Item	2010	2011	2012	2013	2014
Crude oil (HS2709)	3.26 (98.4)	5.18 (59.1)	5.78 (11.5)	5.98 (3.5)	0 (-100)
Refined oil (HS2710)	1.05 (126.3)	1.9 (83.4)	1.6 (-15.8)	1.0 (-35.5)	1.55 (48.2)

**[Table 3] North Korea's Exports of Iron Ore, Anthracite, and Clothing to China**

(units: \$100 million, %)

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<b>A: iron ore (HS2601)</b>	67	77	80	172	48	194	324	249	299	222
A/F (%)	13.4	16.4	13.7	22.8	9.7	16.4	13.2	10.0	10.3	7.8
<b>B: anthracite (HS2701)</b>	108	97	163	201	209	390	1,141	1,198	1,380	1,136
B/F (%)	21.8	20.7	28.0	26.7	41.7	32.9	46.3	48.2	47.4	40.0
<b>C: iron ore and anthracite</b>	175	173	243	374	257	585	1,465	1,447	1,678	1,358
C/F (%)	35.2	37.0	41.7	49.5	51.4	49.2	59.5	58.2	57.6	47.8
<b>D: general clothing (HS62)</b>	58	63	60	77	56	161	357	373	499	622
D/F (%)	11.7	13.5	10.4	10.3	11.2	13.5	14.5	15.0	17.1	21.9
<b>F: Total exports to China</b>	497	468	582	754	501	1,188	2,464	2,485	2,912	2,841

Source: KITA.net

enterprises. China's businesses can access North Korea's manpower and facilities for lower costs than what would be involved with directly employing North Korean laborers in China. North Korea does not have any good reason to not support cooperation with China in terms of consignment processing trade. Meanwhile, North Korean exports of coal to China have decreased. The exports of iron ore and anthracite have long been one of the main sources of trade revenue for North Korea. As such, North Korea must find other trade items to offset the decrease in its export of mineral resources. In actuality, the declining exports of mineral resources have been offset by an expansion of consignment processing volume, involving clothing and textile products. In this regard, the export of mineral resources, as compared to the North's overall exports to China, accounted for a 58% share in 2012, which has since decreased to 48% in 2014. Meanwhile, the share of the North's overall exports to China related to general clothing has increased from 15% in 2012, to 22% in 2014. This indicates that the economic interaction between North Korea and China has become a "normalized" relationship for both sides. This may signal a change in the North Korean economy, from its previous non-sustainable structure too heavily dependent on the export of natural resources toward a more sustainable structure that capitalizes on its comparative advantages. This can be regarded as a development trend that reflects China's long-term interests, which includes efforts to encourage North Korea to adopt needed reform and opening.

China may deem that the current North Korea-China relationship as being not that bad. As previously mentioned, the North Korean economy has not been seriously impacted by China's suspension of crude oil exports to the North. Furthermore, the recent improvement in the North Korean economy, although only slightly, provides China with an environment conducive to its imposition of sanctions against North Korea since such measures are not likely to create significant instability in the North. Based on these circumstances, a continuance of the political cooling, due to the suspension of crude oil shipments,

enables China to effectively kill two birds with one stone. Since the suspension of crude oil exports has only minor consequences for the North, there is little concern about a total breakdown in China's relationship with North Korea. Furthermore, the ongoing cooling of relations with North Korea makes it possible for China to highlight its willingness to cooperate with the United States and South Korea. This in turn will allow China to improve its image as a strong power that engages in "responsible diplomacy." In addition, China is now free to make increased strategic use of the North Korean situation.

### **III. Future Outlook**

As long as North Korea does not engage in unexpected behavior such as completely abandoning the "denuclearization dialogue track," Chinese sanctions against North Korea will not lead to serious hardship for the North. As seen from its example of pursuing "nuclear and economic development," North Korea is not likely to have its existing nuclear capability put up for serious negotiation. This creates a complex policy dilemma for China, which has continuously called for reopening the six-party talks and other dialogue channels. However, if China's "punishment" of the North is too extreme, North Korea might be tempted to engage in unexpected actions that could eliminate any realistic possibility for resuming the denuclearization dialogue. Conversely, the Xi Jinping government's credibility within the international arena might be negatively impacted if China's punishment is deemed to be too watered down. As seen in the case of its crude oil exports, China will attempt to enhance its credibility on the global stage through "independent sanctions" that have only a limited impact, while steadily pressuring North Korea to adopt change based on normal two-way cooperation and exchange with the North. In the future, China can be expected to strengthen its efforts to "embrace Korea," while maintaining its "management strategy of North Korea."



However, from a long-term perspective, the strategic value of North Korea is an asset that China can revive at any time of its choosing, depending on the status of China's "embrace Korea" initiative. Consequently, it is difficult to expect China to play an active and independent role in resolving the North Korean situation if South Korea does not buy into its vision of assuring the peace and stability of the Korean Peninsula and Northeast Asian region. A realistic consolidation of the South Korea-China strategic cooperation partnership will require a joint design of the future direction for the Korean Peninsula and East Asia. At the current juncture, Korea's focus should be placed on taking the initiative in its strategic communication with China through the formulation of a creative future vision for the Korean Peninsula that includes a meaningful improvement of the inter-Korean relationship. This is one of the way that South Korea can prevent the emergence of a strategic dilemma resulting from a too passive approach to the U.S.-China competition during the establishment of a new "Northeast Asian G-2 structure." This is also one of the way to induce significant change in China's policy approach toward North Korea.<sup>24</sup>(April 2015 Issue)

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24. Choi Myeong-hae, "Assessment of the Korea-China Summit and Future Tasks," *ibid.*

# Human Rights Situation in North Korea in Regard to International Law

*Shin Kak-soo\**



## I. Introduction

The series of events that included the partition of the peninsula into North and South Korea, the Korean War, and the South's struggle for democratization unleashed extreme ideological conflict and strife that have few parallels in other countries. These developments have also played a role in the South's response to the human rights violations in North Korea, which can be regarded as the world's most serious offender, in terms of its utter lack of respect for universal human rights. The fact that successive North Korean Human Rights bills, submitted to the National Assembly since 2005 without success due to the conflicting conservative and liberal views is a clear proof of this complicated reality. While North Korean human rights is a particularly thorny issue to address within the broader efforts to engage North Korea and maintain stable North-South relations, questions may be raised as to why South Korea, a leading stakeholder, has thus far failed to appropriately deal with this issue from the vantage point of the international community.<sup>1</sup>

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At the UN level, the protection of human rights represents one of the most divisive issues between developed and developing countries. Unlike the other primary purposes of the United Nations, related to world peace and development, human rights was added almost as an afterthought and has never been institutionalized within the United Nations Charter. While in keeping with the overall United Nations Charter, the advocacy for human rights has in fact been developed much later, as far as its norms and procedures are concerned. The actual norms were developed via the adoption of universal and comprehensive instruments and conventions, such as the 1948 Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights in 1966, and thematic conventions on racism, women, refugees, children, migrant workers, and the disabled, forced disappearances, and torture. These procedures were organized around the United Nations Commission on Human Rights (UNCHR), a subsidiary organ of the United Nations Economic and Social Council, as well as the various committees and agencies tasked with the responsibility to implement the relevant covenants and conventions.

As a part of its reforms, the United Nations in 2005 transformed the UNCHR into the United National Human Rights Council (UNHRC), a central organ of the UN system. Along with placing a greater importance on human rights, members sought to raise the efficiency

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1. Michael Kirby, the Chair of the UN Commission of Inquiry on Human Rights in the DPRK, openly criticized the South Korean community for not showing any interest in the North Korean human rights problem, citing the indifference of the South Korean media vis-à-vis the COI report and the public hearings for North Korean defectors in South Korea as examples. You Oh-sang, "Interview with Michael Kirby of the United Nations who investigated the human rights situation in North Korea: Only the Korean government and politicians never contacted me!" *Monthly Chosun*, April 2014. <http://pub.chosun.com/client/news/viw.asp?cate=C01&mcate=M1003&nNewsNumb=20140414570&nidx=14571>

Furthermore, the fact that the South Korean government for some time abstained when the resolutions on human rights in the DPRK was being discussed in the UN also drew criticism from the international community.

of the UNHRC and to bolster its authority. However, the UNHRC has failed to live up to expectations since its inauguration in 2006, due in large part to the objections of developing states, many of them having serious human rights problems.<sup>2</sup> One epochal decision associated with the upgrade of the UNHRC was the introduction of a universal periodic review in which all UN members were mandated to conduct an internal inspection of their domestic human rights situation every four years. This decision was in response to the complaints of developing countries, which criticized the existence of double standards in the identification of nations accused of human rights violations and opposed the allegations of human rights abuses within specific countries. Nevertheless, while the number of resolutions that condemned human rights violations and pressed countries to rectify such violations decreased as compared with the operation of the UNCHR, such resolutions have been continuously adopted by the UNHRC. North Korea was the sixth-most targeted country, in terms of the number of resolutions passed by the UNHRC, trailing behind only Israel, Sudan, Syria, Myanmar, and Somalia.<sup>3</sup>

The year 2014 appears to be significant in regard to the issue of human rights violations in North Korea. It was the tenth anniversary of the onset of UN resolutions on the violations of human rights in North Korea. Moreover, the Commission of Inquiry on Human Rights in the DPRK (COI), established by the UNHRC in March 2013, also published the results of its one-year investigation into the human rights

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2. For more on the establishment of the United National Human Rights Council (UNHRC), please refer to Shin Kak-su, "The Establishment of the United National Human Rights Council (UNHRC) and the Development of International Human Rights," *Seoul International Law Journal*, Vol. 13-1, 2006, pp.89-112.

3. The number of resolutions passed against individual countries stands at 44 in the case of Israel (34.7%), 10 for Myanmar, Sudan and Syria (7.9%), 8 for Somalia (6.3%), 5 for North Korea and Congo (3.9%), 4 for Cambodia and Côte d'Ivoire (3.2%), 3 for Libya and Yemen (2.4%), and 2 for Belarus, Eritrea, Guinea, Iran, Kyrgyzstan and Mali (1.6%). [http://www.humanrightsvoices.org/EYEontheUN/priorities/actions/body/?ya=1&sa=1&u=344&un\\_s=0&ul=1&tp=1&tpn=Resolution](http://www.humanrightsvoices.org/EYEontheUN/priorities/actions/body/?ya=1&sa=1&u=344&un_s=0&ul=1&tp=1&tpn=Resolution)

situation in North Korea in February 2014.

The Report of the UN Commission of Inquiry (hereinafter referred to as the “COI report”) included several conclusions that went beyond anything mentioned in previous resolutions. In reality, the previous resolutions were limited to a general condemnation of the human rights situation in the DPRK and calls urging North Korea to improve its human rights. Such measures had little influence on North Korea. Meanwhile, although access to North Korea had been denied by its government, the COI report proved to be a detailed investigation of the current state of North Korean human rights based on a variety of information gleaned from North Korean defectors although serious. The report concluded that the North’s violations of basic human rights were so severe that they could in fact be regarded as crimes against humanity. The COI report also created considerable stir in the international community and North Korea because it included a number of detailed recommendations.

The North Korean government’s harsh condemnation of the COI and its report, along with its singling out of the United States and South Korea as the fomenters of these findings and taking various steps to defend its human rights situation, appears to show that the report was taken seriously by Pyongyang. In April 2014, North Korea countered with the publication of its “White Paper on Human Rights in South Korea” by the North’s National Reunification Institute and Council for South Korean Human Rights. Although a voluminous report prepared by the DPRK Association for Human Rights Studies in September claimed that “human rights” as understood by the Western world were already guaranteed in the North, some observers considered it to be signaling the Pyongyang’s intent to participate in human rights-related dialogue.<sup>4</sup>

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4. Yonhap News, September 13, 2014. “Will North Korea adopt a direct approach to its human rights problem?” <http://www.yonhapnews.co.kr/bulletin/2014/09/13/02000000000AKR20140913034.html>

As such, the COI report has increased awareness and called attention to the seriousness of the human rights violations in North Korea. It is expected to greatly impact the future direction of efforts to address the human rights problem in North Korea. This study examines ways to deal with the human rights situation in North Korea from the standpoint of international law and policy, with an ultimate goal of helping to bring about actual improvement in the human rights of the North Korean people.

## II. The Significance of the COI Report

The COI report consists of a 36-page summary of the results of the one-year investigation conducted by the Commission of Inquiry on Human Rights of the DPRK situation and 372 pages of its detailed findings.<sup>5</sup> The COI members were Michael Kirby (former Justice of the High Court of Australia), Marzuki Darusman (former Prosecutor General of Indonesia and the United Nations Special Rapporteur on Human Rights in North Korea from 2010), and Sonja Biserko (president of the Helsinki Committee for Human Rights in Serbia). They were appointed to one-year terms. While the COI requested the participation of North Korea and China in the inquiry, both countries refused to take part. As a result, the Commission held public hearings with North Korean defectors now residing in five countries (South Korea, Japan, Thailand, Britain, and the United States), and conducted an investigation based on the testimonies of 80 victims and witnesses, 240 secret interviews, and 80 documents from UN members and

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5. Please refer to Report of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea- A/HRC/25/63 and Report of the detailed findings of the Commission of Inquiry on human rights in the Democratic People's Republic of Korea -A/HRC/25/CRP.1 The unofficial Korean translation of these reports has been uploaded on the website of the Office of the UN High Commissioner for Human Rights (OHCHR). [http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoIDPRK/Report/COI-DPRK\\_report\\_Korean\\_Version.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoIDPRK/Report/COI-DPRK_report_Korean_Version.pdf)

related stakeholders.<sup>6</sup>

The Commission's investigation of North Korea's human rights situation was undertaken pursuant to the authority granted under UNHRC Resolution 22/13. In this regard, three overarching and connected objectives were specified: the investigation and documentation of cases of human rights violations, collection and documentation of the testimonies of victims and witnesses, and efforts to determine accountability. Although the resolution granted the authority to investigate nine subject areas, the Commission focused on six particular aspects (violations against the freedom of thought, expression and religion; discrimination; violation of the freedom of movement and residence; violations of the right to food and life; violations related to prison camps including arbitrary detention, torture, and execution; and abduction, including detention of foreign nationals).

The COI concluded that systematic, widespread, and gross violations of human rights were being committed in North Korea and singled out the State Security Department, the Ministry of People's Security, the Korean People's Army, the Office of the Public Prosecutor, the judiciary and the Workers' Party of Korea, who are acting under the effective control of the central organs of the Workers' Party of Korea, the National Defence Commission and the Supreme Leader of the Democratic People's Republic of Korea as the main perpetrators.<sup>7</sup> It also emphasized that although the human rights situation in North Korea was the result of its historical experiences, it was fundamentally rooted in the North's political structure of having a single political party led by a supreme leader, sophisticated ruling

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6. The most difficult aspect for the Commission was the fact that a majority of the victims did not want to testify for fear of reprisals by North Korea. As such, great attention was paid to the protection of the witnesses. The testimonies of the victims were preserved in a secret database. No information could be accessed without the permission of the victims. Please refer to Articles 19, 20, and 23 of the COI report.

7. Articles 24 and 25 of the COI report

ideology, and centrally controlled economy. It stressed the grave difficulties in dealing with such issues in North Korea, where human rights are so closely integrated with the ruling structure and ideology.

In addition, the COI based its assessment of North Korea's human rights violations on the treaties adhered to by North Korea including the International Covenants on Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention of the Rights of the Child. It applied "reasonable grounds" as its evidentiary standard.<sup>8</sup> Thus, the COI conducted its investigation in accordance with solid legal standards suggesting that the COI report can be used as evidence in potential future criminal investigations of the human rights violations by North Korea. Of course, the COI did not render any evidentiary judgment in regard to "individual responsibility" since it is not a judicial or prosecutorial body.<sup>9</sup> The level of evidence needed for possible prosecution in the future will have to be decided on a case-by-case basis. However, the testimonies of victims will be cited as evidence in any future individual cases.

The most compelling aspects of the COI report include its conclusion that the human rights violations in North Korea amounted to crimes against humanity under international criminal law. It identified extermination, murder, enslavement, torture, confinement, rape, forced abortion and other sexual crimes, persecution based on political, religious, racial, and sexual grounds, forced migration, abduction, and inhumane acts to intentionally cause long-term famine, as instances of crimes against humanity. It also labeled the situation

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8. Articles 21 and 22 of the COI report. The "reasonable grounds" standard of proof is lower than the "beyond reasonable doubt" standard contained in Article 66 of the Rome Statute of the International Criminal Court.

9. This approach originated from the lack of possibility for the Commission to gain access to the actual sites where human rights violations took place or the main actors involved, or conduct a forceful investigation. Cho Jeong-hyun, "Analysis and assessment of the COI report," The Institute of Foreign Affairs and National Security, Korea National Diplomatic Academy, Analysis of Major International Issues, March 7, 2014, p. 6.



as “ongoing crimes” in that the policies, institutions, and punishment practices that facilitated these violations of human rights still remained in place.<sup>10</sup> These conclusions have important implications for the international community’s response to the North Korean human rights issue. Thus, while the international community had heretofore limited itself to “criticizing” North Korea’s violations of human rights, the focal point is now centered on “punishment” in order to hold the North Korea leadership accountable for these crimes.

The COI perceived North Korea’s human rights violations as one of the tools typically employed by a totalitarian regime intent on maintaining its power. Furthermore, it deemed that the systematic, widespread, and gross human rights violations committed by the North met the evidential standards for crimes against humanity under international law. In addition, it concluded that the North Korean authorities with the responsibility to punish those responsible for such criminal practices, including the supreme leader, had exhibited no intention to do so. In this light, the COI urged the international community to intervene in North Korea’s human rights situation via mobilization based on a “responsibility to protect” (R2P) approach and to come up with countermeasures to curtail such practices. Proposed measures in this regard included the UN Security Council’s bringing of this case before the International Criminal Court (ICC) and the establishment of an ad hoc criminal tribunal. Furthermore, it stressed a need to improve human rights dialogue, promote gradual change in North Korea based on human exchanges, and emphasize North-South

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10. Article 76 of the COI report. These constitute almost all the elements needed to reach the status of crimes against humanity as defined in Article 7 of the Rome Statute of the International Criminal Court. It was against this backdrop that Michael Kirby, the Chair of the UN Commission of Inquiry on Human Rights in the DPRK, declared in a statement made on March 17, 2014 during the 25th Session of the UN Human Rights Council that the human rights violations in North Korea represented the most serious human rights violations of the 21st century, and compared them to the human rights violations committed by the Nazis, South Africa, and Cambodia. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14385&LangID=E>

Korean reconciliation.<sup>11</sup> The COI concluded by presenting detailed recommendations to: i) North Korea, ii) China and other states, iii) the Korean people, iv) states and civil society organizations, v) states, foundations, and related business enterprises, and vi) the international community and the United Nations.<sup>12</sup>

North Korea was urged to adopt the following integrated and detailed actions: (1) implement the political and institutional reforms needed to establish proper checks and balances on power, (2) acknowledge the existence of human rights violations, grant access to political prison camps, and shut down such facilities, (3) amend its criminal law and criminal procedures related to such acts, (4) suspend executions and move toward a permanent abolition thereof, (5) grant access to independent media and foreign information, and prohibit ideological education, (6) promote human rights education and prohibit hate and propagation activities, (7) guarantee the freedom of religious activities, (8) prohibit discrimination and censorship of citizens, (9) eliminate gender discrimination and prevent violations of women's human rights, (10) guarantee the right to food as well as economic and social rights, (11) reorganize the priorities of national finances to prevent starvation, (12) introduce border controls in keeping with international standards and guarantee the freedom of movement and residence, (13) provide information related to abductions and forced disappearances and cooperate in the return of abductees and repatriation of remains, (14) facilitate reunion of separated families and freedom of correspondence, (15) assure punishment of inhumane acts and provision of human rights education, (16) eliminate all human rights violations identified by international organizations and mitigation of concerns related

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11. Articles 80 through 87 of the COI report

12. Articles 88 through 94 of the COI report: 89 (Democratic People's Republic of Korea), 90 (China and other States), 91 (Korean people), 92 (States and civil society organizations), and 93 (States, foundations and engaged business enterprises)

to human rights violations, (17) ratify and comply with relevant conventions, and (18) allow the establishment of a UN human rights field office in the North and provide technical support.

China and other states were called on to implement the following measures: (1) comply with the principles of non-refoulement and assure protection of North Korean defectors, (2) provide assistance to North Koreans who seek to access international humanitarian bodies, (3) fulfill obligations of the International Refugee Law and shield North Korean defectors from human trafficking, (4) grant humanitarian access to the victims of human trafficking, (5) guarantee the legal status of North Korean defectors who are married to Chinese nationals, (6) prevent abductions of defectors by North Korean agents on Chinese territory and agree to discuss such incidents with the North Korean authorities.

For their part, the Korean people were asked to facilitate inter-Korean exchanges in various fields as well as to promote North-South Korean dialogue in order to move toward reconciliation. In the case of states and civil society organizations, the COI recommended the creation of opportunities to facilitate human exchanges and dialogue in such sectors as culture, sports, and economic development so as to increase North Koreans' access to outside information. The COI also called on relevant states, foundations, and business enterprises to lend support to the civil society organizations engaged in the improvement of North Korean human rights, documentation of the North Korean human rights situation, and establishment of consistent plans to improve the human rights and overall living standards of North Korea.

The COI called for the international community and United Nations to take the following actions: (1) have the UN Security Council refer the North Korean situation to the International Criminal Court and impose targeted sanctions against those most responsible for crimes against humanity, (2) have the UN General Assembly and the UN Human Rights Council extend the period for the monitoring of human rights and the reporting mechanisms of North Korea, (3) urge

the UN High Commissioner for Human Rights to establish a field-based system that is responsible for gathering materials and evidence related to North Korea's violations of human rights, (4) instruct the UN High Commissioner for Human Rights to continue to engage North Korea in regard to the provision of technical support, (5) have the UN High Commissioner for Human Rights report on the efforts to implement the recommendations of the COI report to UN agencies on a regular basis, (6) ensure that the UN Human Rights Council maintains the interest of the international community in North Korea and coordinate unified responses by the international community, (7) urge the UN Secretariat and affiliated organizations to adopt and implement a human rights up-front strategy, and consider the possibility of the Secretary-General of the United Nations referring the situation to the UN Security Council, (8) form a human rights contact group to raise awareness of the human rights situation in North Korea and to provide support for initiatives designed to improve the underlying circumstances, (9) adhere to the principles of international humanitarianism and human rights when considering the provision of humanitarian aid to North Korea, (10) convince the UN and related countries to organize high-level political conferences and consider the precedents of the Helsinki Process.

As such, the COI report represented an in-depth assessment of the human rights situation in North Korea that was based on detailed evidence and findings. It also sought to propose various measures to prevent human rights violations and punish the violators. The key characteristics of the COI report, which included far-reaching contents from a standpoint of international human rights, can be summarized as follows.

First, the COI analyzed the state of human rights violations in North Korea based on detailed evidence and prepared a comprehensive "white paper on the human rights in North Korea." This report will serve as the primary materials which all those with a stake in the human rights situation in North Korea will reflect upon in their efforts to prepare

effective countermeasures. In addition, the COI report provides an analytical framework for addressing North Korea's human rights problem. As such, close cooperation between all stakeholders will be needed to further refine the report's various suggestions and proposed measures to rectify to the human rights problem in the North.

Second, the fact that the COI report was prepared based on the testimonies of North Korean defectors who were either personal victims or witnesses of such violations serves to emphasize potential "responsibility and punishment" consequences of the human rights violations of North Korea. Against this backdrop, the COI's claims of the existence of "crimes against humanity" means that the international community's must recognize its responsibility to protect the at-risk North Korean people by referring this case to the International Criminal Court (ICC) and establishing an ad hoc criminal tribunal. By seeking to assign individual responsibility to the North Korean authorities involved in such violations, the report has, in effect, sought to establish a kind of "deterrence against human rights violations."

Third, the COI clearly found that the human rights violations in North Korea were carried out in a systematic manner that involved the political and institutional mechanisms of the totalitarian North Korean regime. Furthermore, they also reached a conclusion that significant changes in the human rights situation in North Korea would be extremely difficult to bring about without a concurrent restructuring of the North Korean system. The recommendations called for the taking of steps that could be construed by Pyongyang as a threat to replace the North Korean leadership. Accordingly, the COI report can be seen as dealing with the human rights issues in North Korea from a microscopic as well as macroscopic perspective.

Fourth, the COI proposed the adoption of comprehensive and multilayered measures to address the human rights violations in North Korea. In its search for a rationale to justify the international community's involvement, based on a "responsibility to protect" (R2P) principle, the COI left the door open for "intrusive intervention." The

serious obligations associated with an R2P appeal served to heighten the interest of the international community in the human rights situation in North Korea. This is because R2P is directly related to the UN Security Council's primary responsibility to assure the peace and security of the international community under the UN structure. In addition, the crafting of various recommendations for all parties with a stake in the human rights situation in North Korea will offer greater synergy opportunities in terms of the international community's cooperative efforts, which will in turn lead to more tangible responses than the criticism that has been put forward to date.

Fifth, the COI suggested a "stick and carrot" approach to resolve the human rights problem of North Korea. In addition to coercive measures, such as punishment and sanctions, the report also called for incremental cooperation in the form of dialogue and aid. It also proposed political solutions to go alongside legal actions. The COI report further highlights the need for the international community to adopt a holistic approach to the human rights situation in North Korea.

### **III. North Korean Human Rights, the UN Structure, and International Law**

The COI report has greatly contributed to heightening the international community's awareness of the human rights situation in North Korea. The following is a summary of the major issues related to the conclusions and recommendations of the COI report.

#### *1. Referral to the International Criminal Court (ICC) and Establishment of An ad hoc Criminal Tribunal*

In having determined that the human rights violations in North Korea represented "crimes against humanity," the COI report recommended that the responsible individuals be held accountable

under international criminal law. More to the point, it suggested referral of the case to the International Criminal Court (ICC) and the establishment of an ad hoc criminal tribunal.

The International Criminal Court has the authority to deal with crimes against humanity under Article 5 (Crimes within the Jurisdiction of the Court) of the Rome Statute of the International Criminal Court. However, the court can be convened only for matters within its jurisdiction. In terms of the exercise of its jurisdiction, there are three instances in which the ICC can be convened to deliberate the accountability for individual crimes under international law. The court can be convened at the request of a state party, the UN Security Council, or the Office of the Prosecutor (OTP).<sup>13</sup> However, the ICC cannot exercise jurisdiction in cases requested by a state party or the Office of the Prosecutor unless the state in which the crime occurred or whose nationals are accused of such crimes accepts the jurisdiction of the Court.<sup>14</sup> As North Korea is not a party to the Statute,<sup>15</sup> the International Criminal Court cannot exercise jurisdiction without a request from the UN Security Council. The possibility of the UN Security Council taking such action is rendered almost nil due to the fact that the support of nine member states, including all five

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13. Article 13 of the Rome Statute of the International Criminal Court

14. Article 12 (b) of the Rome Statute of the International Criminal Court

Furthermore, there are limits to which the jurisdiction of the Court can be accepted in cases of crimes committed before a provision is adopted and takes effect. In this regard, North Korea in effect exercises jurisdiction for crimes committed before July 1, 2002, which was when this Statute entered into force, and the North can only be brought to the Court at the request of the UN Security Council.

Article 11 of the Rome Statute of the International Criminal Court. However, North Korea can be subject to punishment within the scope of “continuing crimes” in that current acts meet the majority of the criteria to constitute a crime against humanity.

15. Assertions may emerge that Korea is a state party to the Court and can exercise jurisdiction over North Korea, as the latter is identified as a part of Korea under the Korean Constitution. However, South and North Koreas are both members of the United Nations and regarded as individual entities under international law. As such, South Korea will be hard pressed to exercise such jurisdiction as long as North Korea refuses to accept the statutes of the Court.

permanent members of the UN Security Council, is required for such a measure to move forward, and China and Russia would almost certainly exercise their veto on this matter.

As such, an alternative approach would be to establish an ad hoc criminal tribunal. There are two types of ad hoc criminal tribunals. The first is an ICC tribunal established for a specific situation, as was the case with the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). Much like the International Criminal Court, the establishment of an ad hoc criminal tribunal is also subject to a veto by one of the five permanent members of the UN Security Council, which must also cover the costs for the Court's proceedings. The likelihood of establishing an ad hoc criminal tribunal is very low as well since China and Russia have both previously voiced their objections to international interference in the human rights situation in North Korea.

The second type of ad hoc criminal tribunal is a hybrid tribunal that combines elements of domestic and international courts. Such a tribunal is convened based on an agreement between the state party in which such crimes occurred and the UN Security Council. There are currently two such hybrid courts that are in operation, in regard to Sierra Leone and Lebanon.<sup>16</sup> The decision to establish a hybrid court is also based on a UN Security Council resolution. Moreover, the tribunal is established and administered in accordance with an agreement concluded between the state party and the UN Security Council.<sup>17</sup> As such, given North Korea's steadfast refusal to cooperate on such matters, the possibility of the human rights situation in North Korea

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16. In the case of Cambodia, the Court was established to punish the crimes of genocide committed by the Pol Pot regime. However, it was established as a type (special tribunal) of Court where foreign judges presided in a domestic court. This special tribunal was established in accordance with a resolution of the UN General Assembly and the agreement between the United Nations and Cambodian government. However, this was hardly an international tribunal in a true sense in that it was led by Cambodia.



being brought before such a court is nonexistent.

In addition, the COI has also called for the United Nations General Assembly to pave the way for the punishment of North Korea via the adoption of a “Uniting for Peace Resolution” or claims of universal jurisdiction should the UN Security Council’s fail to bring North Korea before the Court.<sup>18</sup> However, support from two-thirds of the United Nations General Assembly is required before such a “Uniting for Peace Resolution” can be adopted. Furthermore, the establishment of such a court, as a complementary organ of the United Nations General Assembly, would greatly hinder its ability to function effectively since any findings would not be binding upon the parties. While universal jurisdiction has been successfully been pursued in conjunction with such countries as Belgium and Spain, such a designation would seem unlikely in the case of the human rights violations in North Korea.

As such, the punishment measures called for in the COI report cannot be implemented as long as they require China’s and Russia’s acquiescence. Nevertheless, these recommendations are expected to help deter future human rights violations by exerting psychological pressure on the North Korean leadership. In particular, one should not overlook the fact that the COI report may help to significantly deter continued human rights violations in North Korea by making it clear that such matters could be addressed at the traditional justice level following the reunification of the Korean Peninsula.

## *2. Responsibility to Protect (R2P)*

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17. The Special Court of Sierra Leone (SCSL) was established in accordance with UN Security Council Resolution 1315 in 2000. The Special Tribunal for Lebanon (STL) was established pursuant to UN Security Council Resolution 1757 in 2007. In the case of Lebanon, the Lebanese Assembly did not rectify the agreement for the establishment of a Special Tribunal for Lebanon (STL). However, the agreement was adopted as an addendum to the UN Security Council Resolution and operated in accordance with its authority.

18. Report of the detailed findings of the Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea -→A/HRC/25/CRP.1 Article 1201 2

The COI asserted that because the North Korean authorities did not show any willingness to protect their residents and had failed to prevent human rights violations of North Korea's citizens, the international community should enforce R2P provisions.

The Responsibility to Protect (R2P) is a recently formed concept of international law that has its origins in the massive casualties in Bosnia and Rwanda that were made possible by the international community's failure to intervene. Spurred by the Canadian government-led International Commission on Intervention and State Sovereignty in 2001, it was developed into a concept of international law,<sup>19</sup> as a part of the reform measures adopted by the United Nations in 2005.<sup>20</sup>

According to the 2009 report by Secretary-General Ban Ki-moon on the implementation of the Responsibility to Protect, R2P is comprised of three factors: the first is the primary responsibility of the state to protect its people; the second is the international community's duty to encourage and assist states in fulfilling their own responsibilities; and the third is the international community's need to be prepared to engage in collective action to protect aggrieved populations.<sup>21</sup> Arguing that the first factor had already been undermined, given the current

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19. The International Commission on Intervention and State Sovereignty concluded that state sovereignty should be accompanied not only by rights but also responsibilities. Moreover, it claimed that the international community should exercise the responsibility to protect (R2P) provisions when a state does not have any will or capability to implement such responsibility. Furthermore, it identified the following six criteria for military intervention: just cause, right intention, last resort, proportional means, and reasonable prospects.

ICISS, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, International Development Research Center (Ottawa: 2001), p.87

20. Following its adoption at the UN Summit in 2005, the notion of responsibility to enforce (R2P) was spelled out in Articles 138 through 140. A/60/L.1 p.31-32. This notion differed from the one presented in the ICISS report in that it excluded human rights violations by limiting the scope of application, not to mention the criteria for military intervention, and identified the UN Security Council as the primary decision-maker.

21. A/63/677, Article 11

state of human rights violations in North Korea, the COI report stressed the need for the international community to focus on the second and third factors. As for the second factor, the COI pointed to a need to engage the North in human rights dialogue, provide advice, and support the development of the North's internal capabilities. In terms of the third factor, it urged referral to the International Criminal Court, establishment of an ad hoc criminal tribunal, imposition of tailored sanctions, and bringing of the issue before the UN Security Council. The crux of the problem is whether the UN Security Council is willing to actually interfere and to what extent such interference should be carried out if it does decide to move forward. It goes without saying that all human rights-related bodies within the UN structure, such as the United Nations General Assembly, United National Human Rights Council (UNHRC), Secretary-General, High Commissioner for Human Rights, and other specialized UN agencies, have a role to play when it comes to the human rights problem in North Korea. However, they differ from the UN Security Council in that they do not have any binding enforcement.

### *3. Transitional Justice*

The COI also reviewed the possibility of imposing transitional justice to deal with the human rights violations of North Korea. The notion of transitional justice indicates a termination of human rights violations and of the culture of impunity in regard to war crimes committed as part of the process of changing a national system through such means as civil war, revolution, and transition toward democracy, and the establishment of the rule of law. The means and devices used to enforce such laws include criminal punishment,

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22. In regard to the definition of "transitional justice," please refer to International Center for Transitional Justice, "What is Transitional Justice?" <http://ictj.org/about/transitional-justice>

truth and reconciliation commissions, compensation programs, and institutional reforms.<sup>22</sup> States that have been engulfed in civil war or experienced changes to their national system must, during the national reconstruction process, find ways to punish extensive crimes and human rights violations while maintaining social integration. Transitional justice has been enforced on the African continent for countries plagued by civil wars and in Central and South America where military dictatorships have been common.

However, the absence of systemic reform in North Korea means that the concept of transitional justice cannot be applied to the North's existing situation. The COI reached the same conclusion.<sup>23</sup> In addition, the COI report pointed out that amnesty for serious criminals would be an insult to the victims and their families and would lead to a loss of the deterrence effect. The COI also questioned the possibility of applying the concept of transitional justice to crimes against humanity on the grounds that such wrongdoings cannot be tried under basic international law.

Nevertheless, the COI report pointed out that a South Korea-led transitional justice process could be introduced once political and institutional reforms were underway in North Korea. This was because the international community's scope of imposition of responsibility would be limited to the most serious criminals. In particular, it called for a widespread truth revelation process and comprehensive human rights education campaign in order to bring mid- and low-level criminals to light and facilitate their prosecution.<sup>24</sup>

Viewed from this standpoint, the COI regarded transitional justice as a future rather than a present pursuit, along with suggesting a variety of options when such situations do in fact arise.

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23. Report of the detailed findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea -A/HRC/25/CRP.1 Article 1202 (3)

24. Report of the detailed findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea -A/HRC/25/CRP.1 Article 1203

#### *4. The UN System and the International Community*

Although resolutions on the human rights situation in North Korea have been adopted and a Special Rapporteur on Human Rights in North Korea appointed by the United Nations General Assembly, the United Nations Commission on Human Rights (UNCHR) and the United National Human Rights Council (UNHRC), the UN's success in preventing violations and improving the human rights in North Korea over the last ten years has been quite limited. By defining the human rights violations in North Korea as crimes against humanity, the COI has served to raise the level of the international community's awareness and interest in understanding the seriousness of this matter. In addition, the COI report proposed countermeasures that encompassed all stakeholders within the international community, including the UN system, along with emphasizing organic coordination and cooperation. The primary countermeasures that will exert the most influence on the human rights situation of North Korea include the following initiatives.

The most important measure involves the installation of a UN Field Office on Human Rights in North Korea, as recommended by the COI and adopted during the United National Human Rights Council (UNHRC)<sup>25</sup> meeting held on March 28, 2014. The establishment of a UN Field Office on Human Rights in North Korea in South Korea is a significant development in that it places the United Nations and its observatory role to monitor the North's human rights situation right to the doorstep of North Korea. This will serve to increase the pressure on North Korea in a tangible way.

Second, the COI called for the UN Security Council to play a more active role. However, as previously mentioned, the potential for punitive actions or sanctions is greatly limited by the veto rights of China and Russia. However, the United States, Australia, and France

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25. Resolution (A/HRC/25/L.17) Article 10

had an opportunity to exchange opinions on the COI report during Arria-formula meetings held in conjunction with the UN Security Council on April 17, 2014.<sup>26</sup> This session included the participation of 13 of the 15 UNSC members, with the exception of China, which outright rejected the contents of the COI report, and Russia, which asked for a separate meeting with the COI drafters. The COI participants, NGO stakeholders, and North Korean defectors also took part in these meetings. While 10 of the 13 participants supported the contents of the COI report, Jordan expressed its reservations about the report's findings, and Chad and Nigeria abstained from making any statements.

These results highlight a possibility for having the North Korean human rights issue added to the official agenda of the UN Security Council. While the North Korean nuclear problem is already on the official agenda of the UN Security Council, the support of nine members of the UN Security Council will be needed to have the issue of human rights violations added to the official agenda of the UNSC. As such, the international community must focus on keeping up the pressure on the North by having its human rights issues formally taken up by the UN Security Council.

Furthermore, the fact that the pressure brought to bear on the North by the international community will also create a heavy burden for China cannot be overlooked as well. In line with China's rise as a world power, the Xi Jinping regime has introduced its notion of a "New Type of Great Power Relations between the United States and China" along with stepping up Beijing's multilateral diplomacy. As such, aware that the exercise of its veto in defense of North Korea's human rights record could negatively impact its global status, China can be expected to make efforts to rein in North Korea's mistreatment of its people. Simply put, the greater the international community's resolve

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26. Rick Gladstone, "U.N. Council Takes Up Question of Rights in North Korea," *New York Times*, 2014.4.17.

to deter North Korea's human rights violations, the higher the stakes for China and its national interests. The international community must in particular ratchet up the pressure on China, which has colluded with North Korea to facilitate its human rights violations by circumventing the "principle of non-refoulement" of the International Refugee Law, via the forcible repatriation of North Korean defectors.<sup>27</sup>

Third, the COI introduced a broad array of recommendations for the role that should be played by the United Nations General Assembly. In fact, these recommendations cover not only the desirable roles for the United Nations General Assembly, but the UN Security Council as well. The United Nations General Assembly is slated to adopt a resolution on North Korea's human rights situation during its 69th Session. In this regard, there is speculation that Europe and Japan have jointly prepared the draft of such a motion.<sup>28</sup> The motion is said to include such measures as referral to the International Criminal Court and the imposition of additional sanctions by the UN Security Council. While the resolution eventually adopted by the General Assembly in December will be altered during the negotiation process leading up to its adoption, actions with greater substance than those adopted in previous years are nevertheless anticipated. The general buzz is that rather than placing the issue before the United Nations General Assembly, the resolution will urge that the matter to be taken up by the UN Security Council. UN General Assembly resolutions do not have any legal binding effect. Accordingly, the recommendations of the UN Security Council can be more effective in dealing with North Korea's human rights problem.

Fourth, special attention should also be paid to the involvement of the UN Secretariat, specialized agencies within the United Nations, and NGOs. The United Nations Secretariat can play a vital role in

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27. Melanie Kirkpatrick and Victor Cha, "China is Complicit in North Korea's Human Rights Abuses," *Foreign Policy Magazine*, 2014.7.31.

28. Joongang Ilbo. 2014. 10. 10 p. 6; Associated Press (AP), "UNGA asks Security Council to refer North Korea to the ICC," 2014.10.9.

having the contents of the COI report become part of the mainstream activities of the United Nations in its capacity as the coordinator of the activities undertaken by the UN system. The specialized agencies of the United Nations are also important in that they are directly and indirectly related to the protection of human rights. Meanwhile, NGOs have contributed much to the efforts to rectify the human rights problem of North Korea. The establishment of the COI in 2013 was the result of domestic and international NGOs, such as the Human Rights Watch, Amnesty International, and Citizens' Alliance for North Korean Human Rights, which joined hands to support the actions of UN High Commissioner for Human Rights Navi Pillay and then Special Rapporteur on the situation of human rights in the DPRK Marzuki Darusman.

As such, efforts must be made to mobilize the cooperation and support from all parties with a stake in North Korea's human rights situation. In this regard, the identification of a focal point will help to ensure smooth coordination and outline clear goals. The appointment of a Special Rapporteur on the situation of human rights in the DPRK can thus be regarded as the starting point for such a designation. However, attention should be focused on whether it is feasible for this Special Rapporteur to actually take on this role. This is because the Special Rapporteur's scope of activities is defined by the resolution of the COI.

#### **IV. Conclusion: Improving Human Rights in North Korea through Greater Accessibility**

A resolution on the North Korean human rights violations requires the patience and creative measures needed to overcome the existing obstacles. In this regard, the following statement made by Frank Jannuzi, of the Maureen and Mike Mansfield Foundation, who has long been involved with Korea-related issues in his capacity as a member of



the U.S. Senate Foreign Relations Committee, should be kept in mind: “North Korea’s deplorable human rights situation will continue as long as the international community fails to become more creative and pursues a continuous process of principled, integrated, and comprehensive multilateral promises.”<sup>29</sup>

The North’s human rights situation is a matter that encompasses elements of the law as well as policy. As such, while human rights-related international law should be pursued to resolve the North Korean human rights problem, the issue should also be approached from a policy-making basis. There is no panacea except for reunification. This is because the North Korean human rights situation is deeply rooted in the totalitarian nature of the North Korean regime. The improvement of human rights in the North will require continuous pressure on North Korea and immense patience.

As such, South Korea needs to search for the most practical measures to actualize the recommendations of the COI report and maintain the international community’s interest in the North Korean human rights situation, which in large part has been aroused by the COI report. The international community’s attention to this matter may subside should its efforts be blocked by China’s exercise of its UNSC veto on the grounds that the COI report is focused on punishment of the North for its supposed “crimes against humanity.”

Thus far, the rather passive approach toward the North Korean human rights situation can be explained by the complications which this issue imposes on overall inter-Korean relations and the fact that no real progress can be realized as long as North Korea refuses to cooperate. However, the international community must continuously be engaged in this matter because human rights cannot be improved under a closed system like North Korea’s regime without outside intervention. In addition, North Korea has in fact to some extent reacted to the criticism of the international community. North Korea has already

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29. Frank Jannuzi, “Engage, Don’t just ‘Name and Shame’” 38th North, 2014.4.1, p.4.

made two presentations as part of the Universal Periodic Review (UPR) process established by the United Nations Human Rights Council (UNHRC).<sup>30</sup> Despite its vehement objections to the COI report, the North's publication of a white paper on the human rights in North Korea, Foreign Minister Lee Su-yong's visit to the United Nations, and Pyongyang's calls for a revival of human rights dialogue with Europe, which had been suspended for 11 years, all point to North Korea's growing sensitivity to the actions of the international community.<sup>31</sup> Moreover, by singling out the upper echelons of the North Korean leadership for punishment, the COI report attracted the keen attention of North Korea.<sup>32</sup>

At this point, what are the directions that Korea should take in regard to the North Korean human rights situation, as viewed from domestic and international perspectives. First of all, Korea needs to assume ownership of the North Korean human rights issue. Support from North Korean residents will constitute a vital element of a South Korea-led reunification process. South Korea's efforts to improve North Korean human rights constitute a fundamental means to win over the hearts and minds of North Korea's rank and file. Here, it is necessary to recall that West Germany never ignored or bargained away the human rights problems of East Germany. The human rights situation should be added to the agenda of inter-Korean dialogue. However, the timeframe and extent to which the human rights matter

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30. North Korea reacted as follows to the 167 recommendations: outright refusal of 50 recommendations, acceptance of 81 recommendations, partial acceptance of 6 recommendations, consideration of 15 recommendations, and denial of another 15 recommendations. Lee Kyu-chang, "Analysis and assessment of the Universal Periodic Review of North Korea for the Second Cycle," *Academic Conference for International Law and Policy on the North Korean Human Rights Problem*. 2014.6.17. pp.59-76.

31. Kamila Kingstone, "N. Korea agrees to EU human rights talks," *North Korea News*, 2014.10.10.

32. North Korea reacted more sensitively to the human rights problem than it did to the UN sanctions imposed because of its development of nuclear weapons and missiles. This reaction appears to have been motivated by the COI report's recommendation for the punishment of the supreme leader.

is actually discussed should be flexibly addressed within a broader framework of the advancement of North-South relations. The issue might even be dealt with privately if deemed necessary.

Second, the conflicts within Korea over the proposed North Korean Human Rights Act must be resolved at this time so that an agreement can be reached on its enactment. The actual difference of opinions, between the conservative and progressive groups, in regard to the seriousness of the North Korean human rights situation is not that substantial. Moreover, a consensus exists on the dire need for improvement of the existing situation. This should provide common ground for the varying interests to resolve their differences and work together to search for tangible and effective measures to improve human rights in the North.<sup>33</sup> The North Korean Human Rights Act is a symbolic gesture that underscores South Korea's united indignation at the human rights situation in North Korea. As such, both sides should abandon their ideological views and agree to negotiate the passage of legislation that can have actual implications for an improvement of North Korea's human rights.

Third, efforts must be made to link humanitarian aid and economic cooperation to the human rights issue. Much like the Freikauf policy implemented by pre-unification West Germany, Korea should, through unofficial and clandestine channels, attempt to secure the freedom of Korean soldiers detained in North Korea, abductees, and North Korean political prisoners. Most of all, there is an urgent need to minimize the humanitarian costs of the division by finding ways to facilitate the exchange of correspondence and establishment of meetings between separated families.

Fourth, clear roles must be established for the various stakeholders with an interest in North Korea's human rights. As human rights are not always high on the list of government priorities when pursuing

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33. Kim Geun-shik, "Actual approach to improving North Korean human rights." Presentation at IFANS Debate. 2014. 4.3.

relations with North Korea at the policy level, NGOs and the international community must inevitably be more actively involved in this process. However, South Korea must always be the lead actor in this process.

Fifth, Korea must ratify the International Convention for the Protection of All Persons from Enforced Disappearance, adopted in 2006, and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, passed in 1968. While the former is designed to help rescue those persons abducted by North Korea, the latter is a mechanism to punish human rights violators after reunification. In this regard, both conventions are expected to serve as psychological deterrents.

Sixth, Korea must set clear priorities for the efforts to address various issues related to the North Korean human rights situation. For example, issues deemed to be of international interest and requiring immediate resolution, such as the matter of political prisoner camps in North Korea, should be given a higher priority. Priorities should be determined based on the urgency of the issue, likelihood of resolution, and ripple effects on inter-Korean relations, and then implemented in cooperation with North Korea, the United Nations, countries with a marked interest in North Korea's human rights, and the international community.

From the standpoint of the international community, South Korea needs to take on the following roles. First, the ability to achieve actual progress in the resolution of North Korea's human rights situation within the UN system is predicated upon the UN Security Council's adoption of this matter as part of its official agenda. Furthermore, South Korea should make better use of the United Nations General Assembly, where China and Russia do not have veto rights. There are many developing countries within the United Nations General Assembly that have adopted a passive stance toward human rights issues. In this regard, the South Korean government needs to engage in a diplomatic campaign with like-minded governments to secure

the support of these members by convincing them of the seriousness of North Korea's human rights problem. To this end, the North Korean human rights issue should be added to the agenda of bilateral negotiations.

Second, relevant agencies within the UN system, including the UN Secretariat, Office of the High Commissioner for Human Rights (OHCHR), and specialized agencies of the United Nations, should be encouraged to implement the recommendations of the COI report. The complexity of the North Korean human rights problem is such that it must be addressed through the concerted efforts of the entire UN system.

Third, various tools must be utilized to bring pressure to bear on North Korea. Here, this year's organization of a U.S.-led ministerial level meeting to deal with the North Korean human rights problem in conjunction with the United Nations General Assembly can be seen as a good example of making use of available resources. Furthermore, steps need to be taken through the international media to increase the global community's awareness of the North Korean human rights problem and to encourage the taking of necessary actions. Contributions made by internationally renowned figures can also have a noticeable impact. In addition, South Korea should pursue a public-private partnership to deal with the North Korean human rights situation by establishing an organic cooperative relationship with influential international and domestic NGOs.<sup>34</sup>

Fourth, measures are needed to actively utilize the UN Field Office on Human Rights in North Korea now in operation in South Korea. Maximum synergy effects can be realized through a close linkage of the Database Center for North Korean Human Rights, a key component

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34. A good example is the jointly signed letter by NGOs, research institutes, and former officials of the United States urging Secretary of State John Kerry's participation in the ministerial level meeting on North Korean human rights held at the UN General Assembly this year, and the active participation of the United States in the UN General Assembly Resolution.

of the North Korean Human Rights Act, and this UN Field Office. The proposed Database Center for North Korean Human Rights may be modeled after the West German experience of Salzgitter Registry in recording the state crimes perpetrated by East German authorities.

Fifth, like-minded groups, or coalitions of countries actively involved in the North Korean human rights problem, must be formed within the international community. Although the EU and Japan have assumed leadership of the global initiative to address the North Korean human rights situation, the scope of such leadership must be broadened. In particular, active diplomatic efforts must be taken to further engage the members of ASEAN in the resolution of the North Korean human rights problem.

Sixth, given the low likelihood of this issue being brought to the International Criminal Court by the UN Security Council, alternative measures should be drafted to justify the ICC's right to independently pursue prosecution. Of course, prosecutors are currently handcuffed by the fact that they do not have proper jurisdiction to open such an investigation.<sup>35</sup> However, considering the remote possibility of getting the UN Security Council to agree to refer this matter to the International Criminal Court, it falls upon the shoulders of NGOs to provide the ICC with pertinent information, in order to intensify the pressure on the North's leadership.

Seventh, although the COI has found otherwise, it is necessary

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35. In order for a prosecutor to open an investigation, both reasonable grounds for prosecution and permission of the Pre-Trial Division are required. Article 15 of the Rome Statute of the International Criminal Court. Kim Yeong-seok, *Lectures of International Criminal Court*, Beomunsa Publishing (Seoul: 2003). p.117.

36. The Commission concluded that while the elimination of an entire class of people constituted politicide, the extermination of "low borns" did not fall under the contemporary definition of genocide under international law. However, it declared itself uncertain as to whether it should in fact be regarded as a crime of genocide if it was carried out along with the eradication of Christians. Report of the detailed findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea -A/HRC/25/CRP.1 Articles 1156 through 1159.

to determine whether the human rights violations in North Korea could constitute a case of genocide.<sup>36</sup> Since the COI report has clearly defined North Korea's human rights violations as being crimes against humanity, follow-up steps must be taken to ensure that the the COI has properly determined whether such acts could represent a case of genocide. If the human rights violations in North Korea are found to be a case of genocide, this would serve to further highlight the seriousness of the North's violations.

The North Korean human rights situation is a part of the efforts to resolve the broader North Korean issue in that it is firmly rooted in the North Korean regime. As such, it places South Korea, which hopes to resolve the North Korean nuclear problem and stabilize inter-Korean relations, in a difficult bind. Nevertheless, South Korea must address the North Korean human rights problem in a practical and consistent manner, and treat the issue as an inevitable responsibility that must be overcome as part of the overall North Korean issue. Based on the momentum generated by the COI report, the Korean government, as well as civic groups, should make earnest efforts to improve the human rights in North Korea. (October 2014 Issue)

# Public Diplomacy as a New Axis of Diplomacy

## - The Current State of Korea and Policy Direction -



*Kim Dong-gi\**

### I. Rise of Public Diplomacy

Public diplomacy has become a new paradigm of diplomacy. The changes that have taken place in the diplomatic environment and communication methods in the 21st century have resulted in the securing of the hearts and minds of foreign populations and the ensuring of their support becoming the core element of successful diplomatic policy. Under such circumstances, public diplomacy has been elevated to the status of one of the three axes of diplomacy alongside existing traditional diplomacy and economic diplomacy.

The term public diplomacy first started to be used in the 1960s. Under the Cold War structure, public diplomacy meant policy designed to complement hard power by swaying public opinion within a state in order to influence its policy. Public diplomacy appeared to have run its course when the Cold War ended in the 1990s.

However, the limitations of hard power rooted in the military and economic power that long served as the base of traditional diplomacy were exposed during the early period of the 21st century

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by the emergence of a series of incidents such as 9/11, the wars in Iraq and Afghanistan, and the global economic crisis. The importance of public diplomacy was once again emphasized amid the growing need for open-minded diplomacy toward the public in the face of the rise of people power stemming from the spread of democracy and the informatization ushered in by the revolutionary development of new media such as SNS.

Public diplomacy today can be defined as diplomatic activities designed to create a shared sense among foreign populations through the use of various soft power assets such as culture and art, knowledge, education, media, as well as development and sharing; to increase diplomatic relationships by fostering trust; and to heighten the influence of the country within the international community by heightening the national image.

While traditional diplomacy revolved around official government agencies, public diplomacy has as its point of contact the public within the targeted country. Although foreign populations are in theory the main targets, NGOs, universities, and media are also targets of public diplomacy in that they play important roles in establishing public opinion.

Joseph S. Nye of Harvard University predicted that the 21st century would be that of smart power, or the optimal mix of hard power (such as military and economic power) and soft power. In actuality, countries around the world have already become engaged in intense, yet invisible, public diplomacy wars rooted in the use of soft power.

With 9/11 serving as the impetus, the United States has responded to anti-Americanism by strengthening the role of public diplomacy as a new diplomatic paradigm. In this regard, it established the position of Under Secretary for Public Diplomacy and Public Affairs within the U.S. Department of State, who is now charged with leading America's public diplomacy outreach. It also appointed regional Senior Directors for Public Diplomacy so as to maximize the return on their investment in public diplomacy related organizations and budgets.

China has responded to the “China as Threat” theory that has emerged during the process of moving towards a global economic G2 by actively engaging in public diplomacy aimed at establishing favorable international opinion of the peaceful development and rise of China and heightening its soft power outside of its borders. Under the leadership of the Office of Public Diplomacy established within the Ministry of Foreign Affairs, the Ministry of Education (Confucius Institute Abroad), Ministry of Culture (China Cultural Center), Ministry of Commerce (foreign aid), State Council Information Office (SCIO), and the Chinese People’s Political Consultative Conference (CPPCC) have all cooperated with each other to promote China’s public diplomacy goals. The China Public Diplomacy Association charged with leading public diplomacy at the private sector level has also been actively in this field since its establishment in December 2012.

Desiring to remove the negative image that emerged during its economic development process and to develop a cultural status equivalent to its economic power, Japan has also placed a strong emphasis on public diplomacy. In addition to the Japan Foundation, efforts have also revolved around branches of the Ministry of Foreign Affairs such as the Press Division and the Cultural Affairs and Overseas Public Relations Division.

France was the first advanced country to promote cultural diplomacy, and has been the largest national investor in such diplomacy to date. The various public diplomacy programs that used to be handled by individual departments have now been placed under the control of the Institut Francais controlled by the Ministry of Foreign Affairs. Such programs have included those aimed at the promotion of French culture, language education, as well as the diffusion and support for culture & art in developing countries.

In reality, all countries including the United Kingdom, Germany, Russia, Canada, Norway, and Israel have strived to develop their soft power through public diplomacy.

## **II. Current State of Korean Public Diplomacy**

### *1. History of Korean Public Diplomacy*

Although the notion of “public diplomacy” is relatively new in Korea, the Ministry of Foreign Affairs has in fact long implemented such functions. Under the Government Organization Act passed at the time of the establishment of the Korean government in 1948, one secretariat and five bureaus (Political Affairs Bureau, Trade Bureau, Treaties Bureau, Investigation Bureau, and Information Bureau) were established within the Ministry of Foreign Affairs. These were to be responsible for the establishment and implementation of foreign policy, trade and economic cooperation with other countries, treaties and other international agreements, protection and support of overseas Koreans, public relations, as well as overseas migration. The Cultural Department of Information Bureau in charge of international public relations was tasked with the promotion of culture, and can as such be regarded as the body that was responsible for public diplomacy within the Ministry of Foreign Affairs.

Heretofore limited to activities related to basic public diplomacy such as public relations through overseas diplomatic offices as well as lectures, the Ministry of Foreign Affairs started to implement the functions of public diplomacy in earnest in 2010. The Ministry of Foreign Affairs proclaimed the advent of “year one of public diplomacy” in May 2010, and started public diplomacy activities aimed at promoting Korean culture, art, knowledge, and policy shortly thereafter. Building on the impetus created by the appointment of the first Ambassador for Public Diplomacy Ma Young-sam in August 2011, the Culture & Diplomacy Bureau’s Cultural and Diplomatic Department was renamed the Public Diplomacy Bureau in January 2012. Armed with a budget totaling 6.7 billion won (including 700 million won in additional funds) for a new program called “public diplomacy enhancement program”, the Ministry of Foreign Affairs and

overseas diplomatic offices started in earnest in 2013 to implement various public diplomacy programs. As of this writing in October 2014, the Ministry of Foreign Affairs was seeking to expand and concretize these programs based on a public diplomacy budget of 9.0 billion won.

## *2. Public Diplomacy Achievements in 2013 and 2014*

The efforts of the Ministry of Foreign Affairs brought about visible results in 2013 and 2014. In 2013, a public diplomacy strategy was developed by overseas diplomatic offices and a survey of Korea's national image was conducted so as to facilitate the establishment of measures to bring about comprehensive public diplomacy in the Middle East, Africa, and South America. This has created opportunities to establish the basis for an organized public diplomacy strategy. Furthermore, research has been conducted on the development of effective measures to implement public diplomacy programs as well as significant performance indicators. Materials for lectures are also being produced for ambassadors and consuls, which can then use them during their public diplomacy lectures for the foreign public on such themes as unification, economic development, culture, and education. In addition, a public diplomacy homepage was launched in February 2014 to increase people's awareness of public diplomacy and promote the public diplomacy activities of the Ministry of Foreign Affairs.

The Ministry of Foreign Affairs has spread the notion of "Attractive Korea" to the world through customized public diplomacy activities reflecting the circumstances particular to each country, with overseas diplomatic offices charged with implementing these public diplomacy programs. It further enhanced the favorable image of Korea when over 1.2 million foreign nationals took part in Korea Contests in such fields as K-pop, quizzes and videos as part of the Korea Festival 2013 –Feel Korea, Taste Korea Buy Korea. The Ministry has also made efforts to promote Korea among the overseas media. For example, the "K-pop World Festival 2013" broadcast on KBS World was watched by 200

million viewers in 88 countries.

The Ministry expanded the spaces for public diplomacy in foreign countries through the installation of a Korea Corner in libraries and universities. The Korea Corner is a complex promotion facility combining IT and major cultural institutions such as universities, libraries, and cultural centers to which foreign populations have easy access. The Korea Corner seeks to introduce Korea and its culture through such means as the display of various books, audiovisual materials, and exhibitions. 13 Korea Corners were established in 2013, with a total of 26 to be installed by 2014. The establishment of Korea Corners has allowed the Ministry of Foreign Affairs to create windows through which the foreign public can easily access and understand Korean culture.

In addition, the Ministry strengthened public diplomacy networks through the selection of like-minded foreigners and honorary ambassadors to promote public diplomacy. It provided support to pro-Korean organizations that voluntarily hosted Korea promotional events around the world and appointed well-known overseas figures as goodwill ambassadors for public diplomacy responsible for introducing Korean culture through their activities. In particular, it implemented the “Remember You” project so as to foster the use of Koreans who were adopted by overseas families or resided abroad, Korean War veterans, foreign workers who worked in Korea, and those who studied in Korea, as part of the human network for public diplomacy.

Increasing foreign populations’ favorable image and faith in Korea will help to create a foundation for support for Korea’s policies and to establish an environment conducive to Korean entrepreneurs’ economic activities. Public diplomacy activities will not only help foreign populations to gain basic knowledge about Korea, it will also foster a greater awareness and interest in Korea and further down the road lead them to act in accord with the national interests of Korea. This will also help to expand the positive influence of Korea in the international community.

The “Public Diplomacy Academic Group” was organized under the leadership of the Ministry of Foreign Affairs. Centering on domestic scholars with influence in major countries, it has since 2013 been tasked with contributing articles to the media and organizing workshops and advisory conferences. It published a magazine for the Chinese entitled “Hallyu”, and produced a short film made by Korean and Thai students as part of efforts to increase mutual understanding between Korea and Thailand. In addition, it invited foreign university students and graduate students with an interest in Korea and public diplomacy to take part in workshops discussing ways to enhance public diplomacy between Korea and their respective countries. There are plans to release “term papers on the competitive advantages of Korea” in English and Korean. The “Public Diplomacy Academic Group” was the first example of two way-communication based public diplomacy focused on the thoughts and opinions of foreign nationals residing in Korea, and contributed to the development of Korea’s public diplomacy policy and to the formation of amicable opinions of Korea.

Through the “Public Diplomacy Forum” and “Next Generation Exchanges” programs, the Ministry of Foreign Affairs has also engaged in public diplomacy cooperation at the international level. It organized another Public Diplomacy Forum with China in June 2014, and preparations are also under way for a Korea-U.S. Public Diplomacy Forum to be led by an academic institution in November 2014. During the Public Diplomacy Forum, specialists in public diplomacy from the academic, media and government sectors will, through presentations and discussions, share individual countries’ policies and public diplomacy efforts and discuss cooperation in the field of public diplomacy. In addition, the Ministry invited the next generation of leaders from China to take part in the organization of the Korea-China Public Diplomacy Camp held in July 2014, an event that provided an opportunity to discuss measures to foster joint development, especially as pertains to the mutual interests of the two countries. In addition, it provided support for efforts to form an international public diplomacy

network such as the World Journalists Conference, Asian Students Council in Korea, and the Asia Youth Football Festival. Through international cooperation, the Ministry will strengthen the public diplomacy network with foreign countries and develop two-way public diplomacy.

The Ministry of Foreign Affairs also implemented in 2014 a program entitled Public Diplomacy and the People of Korea. This program will help to form a domestic consensus on Korea's diplomacy, increase the opportunities for the public to participate in policy, contribute to job creation, and provide chances to develop the younger generation into global human resources. The Ministry is currently producing a public diplomacy-related documentary designed to increase Koreans awareness of public diplomacy. In addition, the Ministry has also launched public diplomacy activities on both the domestic and international stages. They include the we are all public diplomacy advocates' program allowing people to directly plan, implement and promote public diplomacy programs, "public diplomacy youth group" and "public diplomacy senior group" geared towards the activation of both youths and seniors in the implementation of public diplomacy undertakings, Dream Project' through which Korean students majoring in arts teach art in developing countries, and the "on-site training of foreign diplomatic officers" program through which Korean university students are dispatched to diplomatic offices abroad as human resources for public diplomacy. The results of these activities can be viewed through the public diplomacy homepage.

These results were brought about by the Ministry of Foreign Affairs, overseas diplomatic offices, and the people of Korea. However, this is only the first step for public diplomacy if we are to attract the hearts and minds of foreign populations and put them on our side. Further resources and efforts will be needed to advance Korean public diplomacy.

### *3. Direction of the Implementation of Public Diplomacy in 2015*

Plans are in place for the establishment of a more organized comprehensive system for the implementation of public diplomacy enforcement programs in 2015. Based on external advice prepared at the mid-term point of the implementation of activities in 2014, the Ministry of Foreign Affairs is expected to form more effective and organized public diplomacy programs from 2015 onwards. This will involve reorganizing the existing public diplomacy programs into three categories: “content-based public diplomacy”, “establishment of an infrastructure for public diplomacy”, and “public diplomacy with the people”.

First, content-based public diplomacy revolves around the further development of the customized public diplomacy led by overseas diplomatic offices and implemented by the Ministry. Well aware of the different environments which public diplomacy efforts must confront in different countries and regions, the Ministry has instructed overseas diplomatic offices to directly plan and implement events based on recognition of the need to implement public diplomacy in a manner that reflects the local situation. Current plans call for the division from 2015 of these programs into those related to culture and knowledge and those dealing with policy-based public diplomacy. Culture and knowledge-based public diplomacy refers to diplomatic activities designed to strengthen foreign people’s awareness of Korea and promote a favorable image and faith in Korea based on cultural contents such as Hallyu, art and sports, and knowledge assets such as Korean history, values, international contributions, economic development, and Korea’s democratization experience. Policy-based public diplomacy indicates activities designed to inform foreign populations of the necessity for peaceful unification and of Korea’s foreign policy and to form an international consensus on these matters.

Second, the “establishment of an infrastructure for public diplomacy” can be divided into the efforts to strengthen the public



diplomacy network with foreign governments and foreign populations and to develop a strategy for public diplomacy. The activities to strengthen the public diplomacy network consist of activities to establish such networks at the governmental level through public diplomacy forums and councils with major countries, activities to establish networks with foreign opinion leaders residing in Korea and transform them into pro-Korean groups, activities to facilitate the formation of public diplomacy networks between Koreans and overseas figures, and activities to cultivate pro-Korean group abroad and develop them into public diplomacy resources. Furthermore, plans are also in place to strengthen and concretize the strategic development of public diplomacy to investigate the image, positive perception, and faith in Korea in foreign countries, and to develop a long-term strategy and effective implementation system for public diplomacy.

Third, “public diplomacy with the people”, involving direct participation by the people will be continuously implemented via the expansion of the scale of the program. There are currently plans to extend the overseas activities of the public diplomacy youth group and strengthen support for the on-site training of foreign diplomatic officers program so that Korean youth can gain public diplomacy-centered experience abroad and develop into the human resources capable of contributing to public diplomacy. The Ministry also plans to strengthen the “we are all public diplomacy advocates” program and heighten the awareness and capacity of the overall public by having the Ministry of Foreign Affairs engage in explanations of public diplomacy to the public. It will also pursue the establishment of measures to form so-called “skinship” with the people when it comes to foreign diplomacy.

The Ministry of Foreign Affairs will further strengthen its public diplomacy with the people activities so as to expand the horizons of Korean diplomacy and upgrade public diplomacy.

### **III. Korea's Public Diplomacy Strategy and the Efforts for the Establishment of an Effective Implementation System**

#### *1. Korea's Public Diplomacy Strategy*

Various surveys such as the Country Brand Index conducted by FutureBrand and Country Ratings Poll conducted by the BBC have concluded Korea has failed to achieve a national image commensurate to its economic power. In this regard, the Korean government has made efforts to heighten the national brand through public diplomacy and to promote cultural prosperity as one of the national policies. To this end, the government has actively implemented public diplomacy centering on four strategies: (1) spreading a favorable image of Korean culture, (2) securing support for Korean policy, (3) disseminating a national image conducive to the securing of trust, (4) strengthening the Korean people's capability for global public diplomacy.

First, highly cognizant of the fact that interest in Korean pop culture has increased around the world, Korea has made efforts to spread a favorable impression of overall Korean culture and to disseminate the image of Korea as a cultural state by highlighting the cultural capabilities accumulated over its long history. It also intends, based on Hallyu, to heighten the image of Korea as a modern cultural power which global citizens can share, and actively promoting traditional cultural differences from China and Japan. To this end, the government has implemented events to promote Korea through its culture via its 178 overseas diplomatic offices. It has promoted Korea through events such as "Attractive Korea" and "Korea Contests" and heightened interest in Korean culture. It has also supported the development of Korean specialists such as Korean language education for foreign diplomats and training programs for Korean culture in Korea to increase the scale of pro-Korean groups. It has also opened Korean language and Korean studies courses in foreign universities and the installation of Korea Corners. Along with public diplomacy based on

culture, the government has also made efforts to increase the scope of the pro-Korean group by transforming Hallyu clubs, of which there are currently some 1000 clubs in 100 countries totaling 10 million members, into a public diplomacy network. Using the organization of the 2014 Incheon Asian Games and the 2018 Pyeongchang Winter Olympic Games as an opportunity, the government made efforts to spread the image of Korea as a sports power.

Second, the government's public diplomacy is aimed at making sure of the support of the international community for Korea's unification and North Korean policies, and creating a positive consensus on Korea's position as pertains to major diplomatic issues. The unification of Korea, the only remaining divided country in the world, will require, as was the case in Germany, support from the people and governments of the surrounding countries. As such, the formation of an international consensus on the peaceful unification of Korean peninsula can be regarded as the core task of Korean diplomacy. The Korean government also makes efforts to spread a consensus among foreign governments and their populations regarding Korean unification and North Korean policy through lectures and seminars given by overseas diplomatic offices. It has also sought to establish the image of Korea as a peace loving country by emphasizing the denuclearization of the Korean peninsula. In addition to unification, the government also makes efforts to form an international consensus regarding major diplomatic issues such as North Korean policy and the issue of comfort women, and to establish positive international opinions of Korea. To this end, Korea has attempted to establish a global network using pro-Korean groups along with public diplomacy activities and policies designed to continuously promote Korea's position on major issues. This has been done using various materials such as videos and homepages and by explaining Korea's position to opinion leaders in other countries.

Third, the government has focused on spreading an image of Korea as a country that contributes to the international community

by highlighting its experience during the process of moving from aid recipient to donor in one generation. First of all, it intends to ensure positive perceptions by implementing activities designed to spread correct knowledge and information about Korea. In particular, there are plans to have Korea's development experience included in foreign textbooks and have overseas diplomatic offices annually organize events to promote Korea. In addition, the objective is to create a national image of a trustworthy country capable of contributing to the formation of international governance by strengthening and promoting Korea's role as the host country of World Education Forum 2015 and in its capacity as a member of UN Security Council, UN Human Rights Council, and UN Economic and Social Council. Lastly, the government will make efforts to spread the image of Korea as a middle power that is respected by developing countries and contributes to the international community by sharing its developmental experience and expanding development cooperation. Events such as the 2010 G-20 Seoul Summit and 2011 Busan High-Level Forum on Aid Effectiveness, and the establishment of the Global Green Growth Institute, have greatly contributed to heightening the image of Korea within the international community.

Fourth, the government has also implemented its public diplomacy with the people program aimed at strengthen the capability of the Korean people for global public diplomacy. In this regard, it intends to create synergy effects via the establishment of integrated public diplomacy at the private and government levels, while at the same time establishing a global awareness based on popular education and promotion. At the individual program level, attempts have been made to achieve the strategic goal of expanding the range of the main actors involved in public diplomacy to the entire population of Korea through the "Public Diplomacy Youth Group", "Public Diplomacy Senior Group" and "We are all Public Diplomacy Advocates" programs in order to spread the base for the implementation of the public diplomacy system. Furthermore, the government has also made efforts

to actualize public diplomacy in connection with job creation, a field intricately related to the daily life of the people. Such an end is to be achieved based on the “Dream Project” and the “on-site training of foreign diplomatic officers program”. These people-participation oriented public diplomacy programs will strengthen the people’s capability for public diplomacy and help to form a national consensus regarding public diplomacy.

## *2. Efforts to Establish an Effective Implementation System*

It is necessary to establish a more effective system to implement public diplomacy. The programs to strengthen public diplomacy capacities carried out to date have mostly been at the infancy state in that they have focused on the simple implementation of various programs rather than the establishment of a well-organized system. The Ministry of Foreign Affairs has undertaken various efforts to establish an effective implementation system for public diplomacy.

To this end, it is essential from the planning stage onwards to know how the foreign populations which Korea must continuously persuade perceive Korea. In this regard, Korea made plans to conduct a survey of the national image of Korea in major countries and to establish a regional strategy in 2013. A survey of 6,000 men and women 18 years old or older from 12 countries that included Vietnam, Australia, Germany, Poland, Canada, Mexico, and Gulf Cooperation Council (GCC) was in fact conducted. The questionnaires were composed of questions regarding the participants’ perception of Korea, their image of Korea, and the participants’ opinions of Korea, which were measured based on various propositions related to Korea. Furthermore, a regional strategy for areas such as Africa, the Middle East, and Central and South America in which public diplomacy was not well carried out compared to other regions has also been developed. A survey will be conducted in 2014 in countries where no such exercise was conducted last year, and this practice will be continuously

expanded to other countries in the future. In addition, a survey will be conducted in individual countries after a certain period of time to analyze the changing trends and continuously review the effects and strategic direction of public diplomacy. Studies designed to derive effective targets and programs related to the implementation of public diplomacy with countries such as the United States, China, Japan and Russia deemed crucial to the unification of the Korean peninsula will also be conducted.

It is necessary to establish an effective public diplomacy implementation system. There are currently few human resources charged with public diplomacy within the Ministry of Foreign Affairs. This is not a good structure under the current situation in which public diplomacy has been identified as one of the three axes of diplomacy and selected by the Ministry of Foreign Affairs as one of its two main branding tasks. In this regard, based on the limited human resources available, it becomes necessary to implement effective management by developing standardized manuals for public diplomacy programs and to integrate individual public diplomacy programs. Furthermore, it is necessary to increase the effectiveness of programs through the improvement of public diplomacy implementation methods such as outsourcing in order to overcome the limits to strategic development occasioned by the execution of the budget. Outsourcing can heighten the level of satisfaction with public diplomacy activities by incorporating new ideas from the private sector, as well as increase the effectiveness with which the budget is executed. As such, the Ministry of Foreign Affairs is conducting an ongoing study of specialists' opinions regarding methods to improve the management of public diplomacy programs that includes outsourcing to the private sector.

The Ministry is also seeking to establish an effective system not only at the implementation level, but also at the evaluation level. Public diplomacy activities ability to have any true meaning is predicated on an analysis of the effects of these activities, with such results incorporated in the next year's activities. In accordance with

this reality, it becomes necessary to develop indicators with which to objectively evaluate the effects of the public diplomacy programs currently implemented by the Ministry of Foreign Affairs. As mentioned above, unlike general government programs, there needs to be continuous and prolonged investment for public diplomacy to achieve its full effects. It is impossible to win the hearts of foreign people and have them assimilate Korea's policy based on temporary programs. However, there have been many attempts to evaluate public diplomacy based solely on visible achievements without any consideration given to the unique nature of such activities. In this regard, the Ministry of Foreign Affairs plans to review the existing indicators for the evaluation of public diplomacy programs to identify which are applicable, with the hope being that the fact that long-term investments can bring about the full effects of public diplomacy is reflected in the evaluation of public diplomacy programs. It will also review examples of other countries that have developed suitable indicators with which to evaluate the effects of public diplomacy programs.

Efforts to establish an effective public diplomacy implementation system should not be limited to the R&D level. The ability to preemptively respond to the "global public diplomacy war" is predicated on the urgent reorganization of the structure of public diplomacy through such means as (1) enactment of related laws, (2) extension of human resources and budgets, (3) enforcement of pan-government collaboration. This highlights the necessity to institutionalize an integrated implementation system which can maximize the advantages of the public diplomacy related programs implemented by each ministry and department and to actualize a comprehensive diplomatic vision. Such efforts become even more important when we consider the trend in major advanced countries such as the United States, Japan, China, and France to strengthen efforts to heighten their national image based on the establishment of a public diplomacy implementation system. As such, the Ministry of

Foreign Affairs will implement customized public diplomacy centering on the overseas diplomatic offices that takes into account the situation on the ground and Korea's diplomatic goals. In addition, continuous policy coordination and communication efforts with related organizations will be sought based on the use of overseas diplomatic offices as hubs for the general management of overseas government activities. In particular, the Ministry of Foreign Affairs has since 2013 signed MOUs for collaboration with the Ministry of Culture, Sports and Tourism, Ministry of Government Administration and Home Affairs, and the Ministry of Education to institutionalize these efforts. Furthermore, the Ministry is expected to enact related laws to strengthen effective distribution and policy coordination between the governments as well as between the private and government sectors based on the establishment of an integrated public diplomacy system.

#### **IV. Conclusion**

Korean public diplomacy has achieved great results since it started in earnest in 2010. However, there remain many tasks to be completed before Korea can be compared to the leading countries in the "global public diplomacy war".

The foreign trust and consensus that has been accumulated through public diplomacy activities can be linked to economic effects such as tourism and the purchase of goods, and further to the creation of friendships that help to facilitate understanding and support for the policies of the country. These effects of public diplomacy do not come to light under everyday circumstances, but are clearly evident under crisis or conflict situations. The trust, consensus, and support cumulated through public diplomacy provide the basis for the simple resolution of problems under crisis situations.

Former United States Secretary of State George Shultz once compared diplomacy to gardening. Public diplomacy is akin to the



planting of seeds in gardening and insurance for future crises. One should not become lazy or stop simply because something does not have an immediate impact.

Keeping the characteristics and importance of public diplomacy in mind, the Ministry of Foreign Affairs will continue its efforts to help public diplomacy, in its capacity as one of the three axes of diplomacy, serve as a driving force in increasing national interests. (October 2014 Issue)





