



## BRIEFING PAPER

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# UK defence obligations to South Korea

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### Summary

The rapid advancement of North Korea's nuclear weapon and missile capabilities during 2017 has heightened fears of a military escalation.<sup>1</sup> The prospect of a war in the Korean Peninsula, and how one might unfold, has given rise to questions about how the UK might respond.<sup>2</sup>

The UK has no treaty obligations to come to the defence of South Korea if it is attacked.

However, it has made a strong – but not automatic – commitment to take part in resisting renewed aggression.

The UK fought in the 1950-53 war as part of the 16-nation strong US-led United Nations Command force.<sup>3</sup> The 16 nations signed a Joint Declaration Concerning the Korean Armistice in 1953 on the same day as the Armistice Agreement. The Declaration says: "if there is a renewal of the armed attack, we should again be united and prompted to resist."

The Government at the time made it clear this is not an automatic commitment to get involved in any renewal of hostilities, a view reaffirmed by the Government in 2006.

The UK remains a member of United Nations Command, which oversees the armistice, has two permanent staff posts to UNC in South Korea and participates in annual exercises.

The United States has a separate treaty commitment to help South Korea defend itself under the 1953 Mutual Defence Treaty. It is widely expected this Treaty would be invoked in the event of hostilities on the peninsula and the US maintains a joint Command with South Korean forces for such an eventuality.<sup>4</sup>

<sup>1</sup> Commons Library briefing paper *North Korea: August 2017 update* provides an overview of developments in 2017.

<sup>2</sup> See for example Malcolm Chalmers, [Preparing for War in Korea](#), Whitehall Report 4-17, RUSI, September 2017 he examines how such a war could unfold and, given the short timescale in which the Government might have to respond, calls on it to prepare for such an eventuality; Defence Committee, [North Korea enquiry](#), HC 327 2017-19, oral evidence, 13 September 2017

<sup>3</sup> A short background on the Korean War can be found on the BBC's History webpage: [The Korean war](#). A more detailed background is available on the Britannica website: [Korean War](#)

<sup>4</sup> The UK Government expressed this expectation in evidence to the Foreign Affairs Committee for its report on East Asia, Foreign Affairs Committee, [East Asia](#), HC 860-i, Session 2005-06, 13 August 2006, [Ev 120](#) para 84

## What, if any, are the UK's defence obligations towards South Korea?

The United Kingdom has no treaty obligations to come to the defence of South Korea if it is attacked. However it is a signatory to a 1953 Declaration which states the 16 nations that participated in the 1950-1953 war under the United Nations Command would be "united and prompted to resist" if an attack re-occurred.

The Armistice Agreement that ended hostilities on the peninsula was signed in 27 July 1953. At the same time, the 16 nations who fought in the war as part of the US-led United Nations Command Force signed the Declaration Concerning the Korean Armistice. [Command Paper](#) 8938 (1952-53) provides the text of the Declaration (see pp4-5).

We the United Nations Members whose military forces are participating in the Korean action support the decision of the Commander-in-Chief of the United Nations to conclude an armistice agreement. We hereby affirm our determination fully and faithfully to carry out the terms of that armistice. We expect that the other parties to the agreement will scrupulously observe its terms.

The task ahead is not an easy one. We will support the efforts of the United Nations to bring about an equitable settlement in Korea based on the principles which have long been established by the United Nations, and which calls for a united, independent and democratic Korea. We will support the United Nations in its efforts to assist the people of Korea in repairing the ravages of war.

We declare again our faith in the principles and purposes of the United Nations, our consciousness of our continuing responsibilities in Korea, and our determination in good faith to seek a settlement of the Korean problem. We affirm, in the interests of world peace, that if there is a renewal of the armed attack, challenging again the principles of the United Nations, we should again be united and prompted to resist. The consequences of such a breach of the armistice would be so grave that, in all probability, it would not be possible to confine hostilities within the frontiers of Korea.

Finally, we are of the opinion that the armistice must not result in jeopardising the restoration or the safeguarding of peace in any other part of Asia.<sup>5</sup>

According to the report, the Declaration arose from the fact that the Armistice Agreement did "not contain all the assurances against a renewal of aggression that might be desired". It added that at the time the UN Command "asked the governments with forces under the Command to make clear in a Declaration to be issued after the signature of an armistice that if there was an unprovoked renewal of the armed attack by the Communists the 16 governments would again be united and prompted to resist." The Declaration was described as providing "basically maximum assurance against renewal of attack".

### Does this declaration commit the UK to act if war broke out?

Successive governments have made clear the Declaration does not commit the UK to military action. However as a signatory to the Declaration, and an ongoing Sending State to United Nations Command (see below), it seems likely that the UK would be involved in the response to a renewed outbreak of hostilities on the peninsula. What form that response would take would be up to the Government.

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<sup>5</sup> [Command Paper](#) 8938 (1952-53) *Korea no. 2: Special Report of the Unified Command on the Korean Armistice signed at Panmunjom on 27 July 1953* provides the text of the Declaration (see pp4-5). The [full report](#) is available on the Parliamentary Papers website.

The then Chancellor of the Exchequer told the Commons in July 1953 the declaration did not commit the UK to military action:

Her Majesty's Government are in no way committed before the event to any action they may take. We reserve ourselves to be completely free to adopt whatever attitude we think right in the circumstances which may prevail at that time.<sup>6</sup>

When questioned further about what would occur in the event of a breach of the peace from either side, the then Under-Secretary of State for Foreign Affairs, Anthony Nutting, told the Commons in November 1953:

The hon. Gentleman can take it from that reply that the Security Council resolution of 27th June, 1950, is still in force and that all that the 16 nations have done in their declaration is to announce that if the aggression were to be renewed their own resistance to aggression would be renewed also. In the event of a breach of the armistice from the South Korean side the Government are in no way committed to any action.<sup>7</sup>

In 2006 the Government similarly said it does not consider the joint declaration to represent an "automatic commitment" to get involved if hostilities were to continue. The Government gave this comment in written evidence to a Foreign Affairs Committee inquiry on [East Asia](#) (HC 860-i, Session 2005-06):

Following the 1953 Korean Armistice, the UK was one of 16 signatories to a joint declaration pledging to resist if armed attack in Korea were renewed. The UK however does not acknowledge an automatic commitment to get involved if hostilities were to continue. It is widely accepted that the US-ROK Mutual Defense Treaty would be invoked in the event that hostilities resumed. The UK however continues to play a role in upholding the Armistice; the British Defence Attaché in Seoul is the one-star Commonwealth Member of the United Nations Command.<sup>8</sup>

This was briefly mentioned in the Committee's report:

The FCO told us that the UK signed a joint declaration in 1953 "pledging to resist if armed attack in Korea were renewed", but without "an automatic commitment to get involved".<sup>9</sup>

In 2011, when asked specifically about the UK's treaty obligations in respect of defence and security matters to South Korea, an FCO Minister replied:

Although the UK does not have any binding bilateral agreements on defence and security matters with South Korea, the UK frequently demonstrates its support for South Korea in the face of North Korean provocations.<sup>10</sup>

### **Who are the 16 nations?**

The 16 countries who contributed troops were: Australia, Belgium, Colombia, Canada, Ethiopia, France, Greece, Luxembourg, the Philippines, the Netherlands, New Zealand, Thailand, Turkey, the Union of South Africa, the United Kingdom and the United States. As such, it is sometimes referred to as the 16-nation Declaration.

Other nations are also discussing their potential obligations under the Declaration.

The Parliamentary Library of Australia said in a 2003 report:

Australia was one of the sixteen signatories to the Joint Policy Declaration Concerning the Korean Armistice signed in Washington on 27 July 1953. This agreement confirmed the resolve of signatories to resist any new armed attack, in the interest of

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<sup>6</sup> [HC Deb 30 July 1953 c1553](#)

<sup>7</sup> Hansard, 25 Nov 1953 – text from [Theyworkforyou.com](#) website

<sup>8</sup> For the original written evidence, see: [Ev 120](#) para 84 and full link at:

<https://publications.parliament.uk/pa/cm200506/cmselect/cmffaff/860/6060701.htm>

<sup>9</sup> Foreign Affairs Committee, [East Asia](#), HC 860-i, Session 2005-06, 13 August 2006, para 225

<sup>10</sup> [HL Deb 11 January 2011 cWA437](#)

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world peace, and in accordance with the principles of the United Nations. Given the fact that an armistice remains in place on the peninsula, not a peace treaty, the declaration provides further strength to the case for immediate Australian involvement in any future Korean conflict.<sup>11</sup>

Current discussion in Australia has tended to focus on the ANZUS agreement with the US<sup>12</sup> but Kim Beazly, a former Australian ambassador to the US, and former defence minister, argues:

Australia has only one agreement that automatically commits us to war and it isn't ANZUS. At the signing of the armistice in Korea in 1953 we agreed, with South Korea's allies, that we would defend the South in the event of an attack by the North. It had nothing to do with the US Alliance, but rather is a UN commitment.<sup>13</sup>

Canadian media have similarly tackled the issue of Canada's defence obligations, concluding that unlike with NATO, there is no binding, clear-cut case for Canada to join military action in Korea.<sup>14</sup>

### US command of forces in South Korea

Under current arrangements South Korean forces would come under the command of US forces in the event of a war on the peninsula. This is a legacy of US leadership of the UN force during the 1950-53 war. This is known as the US-ROK (Republic of Korea) Combined Forces Command (CFC). CFC is the warfighting headquarters whose role it is to deter and/or defeat external aggression against the Republic of Korea.<sup>15</sup>

In 2007 the US and Seoul agreed a plan to replace CFC with separate US and ROK commands. The two sides have postponed this transfer for several years.<sup>16</sup> CFC has operational control over more than 600,000 active-duty military personnel of all services, of both countries.<sup>17</sup>

The [Commander](#) of Combined Forces Command is American. He is Commander of US Forces in South Korea and also Commander of United Nations Command (UNC). General Brooks, the current Commander, has described the Commands as offering distinct yet complementary platforms:

USFK - US Forces in Korea is a subordinate command of US Pacific Command

CFC - a bilateral warfighting command that provides the structure for US and ROK militaries under a common command

UNC - a multinational unified command founded in 1950 and now responsible for armistice maintenance and as a "standing mechanism to help like-minded nations contribute unique capabilities before, during, and after conflict".<sup>18</sup>

In the context of the UK it is worth exploring in more detail UN Command.

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<sup>11</sup> [Current Issue Brief no. 18 2002-2003 North Korea Nuclear Crisis – issues and implications](#), 18 March 2003

<sup>12</sup> See for example "[Australia not automatically involved in any Korean war, says Bishop](#)", *The Australian*, 10 August 2017; "[On North Korea, Turnbull locks Australia into the unpredictability of unpredictable players](#)", *The Conversation*, 11 August 2017

<sup>13</sup> Kim Beazly, "[North Korea: high stakes poker with a novice at the table](#)", *The Strategist*, 25 May 2017

<sup>14</sup> "[Canada could be called on for troops in event of war with North Korea](#)", *CBC Canada*, 21 April 2017

<sup>15</sup> [US Forces in Korea website](#), accessed 4 October 2017

<sup>16</sup> Further information on this and US forces in South Korea can be found in Congressional Research Service briefing paper [US-South Korean relations](#), R41481, 23 May 2017

<sup>17</sup> [US Forces in Korea website](#), accessed 4 October 2017

<sup>18</sup> Statement of General Vincent K. Brooks, Commander UNC, CFC and USFK, [testimony](#) before the House Armed Services Committee, 26 April 2017

## The UK and UN Command

UN Command (UNC) was established in 1950 by a United Nations Security Council Resolution to repel the forces of the North Korean Army. It was the Command that signed the 1953 Armistice Agreement.

The UK was one of 16 Sending States and, as seen above, was a signatory to the Declaration referenced above. The Commander of UNC says it “remains under the strategic direction of the United States as the lead nation... and that’s executed through the U.S. Joint Chiefs of Staff.” The Command’s purpose is to preserve the Armistice and maintain control of the forces of all UN Sending States. In the late 1970s responsibility for warfighting control of South Korean and US Forces was transferred to Combined Forces Command, but the Commander says UNC is still relevant: “that relevance is in preserving the armistice and in providing a home for international commitments in a time of crisis or war.”<sup>19</sup>

The UK continues to be a Sending State to UN Command. The UK has two permanent staff posts in UN Command in Korea<sup>20</sup> and regularly sends staff personnel to the two annual exercises held under its auspices. In September 2017 Defence Minister Mark Lancaster made this comment regarding the exercises in 2017:

These exercises are in accordance with the UK's role in upholding the Korean Armistice Agreement, are defensive in nature and demonstrate our commitment to supporting peace and stability on the peninsula. We will continue to provide support to these exercises.<sup>21</sup>

In one exercise in 2016, Ulchi Freedom Guardian, UN Command tested the establishment of an integrated headquarters for UN Command Sending States which included 22 personnel (filling staff posts) from the UK.<sup>22</sup>

A Canadian defence policy paper for the Defence Minister, obtained by the Canadian press in 2010, examining the implications for Canada of a Korean war, said: “the UNC structure would be used as a means of force-generating and receiving and tasking any contributions that UNC Sending States may choose to contribute in the event of a crisis”.<sup>23</sup>

Further discussion of UN Command and the role it might play can be found here:

- Euan Graham, “[Back in focus: the UN Command in South Korea](#)”, the interpreter, Lowry Institute, 16 June 2017 (Australia is another Sending State).
- LTG In-Bum Chun, “[The future of UN Command](#)”, 38 North website, 12 September 2017

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<sup>19</sup> [Gen Brooks remarks](#), USSTRATCOM deterrence symposium keynote, 26 July 2017, accessed from USFK website.

<sup>20</sup> Two posts manned by British personnel in UN Command have now been permanently established, the Ministry of Defence reported in its [Annual Report and Accounts 2016-17](#)

<sup>21</sup> [PQ8993](#), 14 September 2017

<sup>22</sup> Statement of General Vincent K. Brooks, Commander UNC, CFC and USFK, [testimony](#) before the House Armed Services Committee, 26 April 2017; [HL4924](#), 1 February 2017

<sup>23</sup> “[New Korea war could ensnare Canada, documents suggest](#)”, The Globe and Mail, 26 November 2010

## Are there any permanent UK forces in the region?

The UK maintains no permanent military bases in the Asia-Pacific region.

In 2016 the Government set up a British Defence Staff office for Asia Pacific based in Singapore, fulfilling a commitment made in the 2015 Strategic Defence and Security Review.<sup>24</sup>

The Royal Navy does not routinely deploy vessels to the Asia Pacific region and there is no standing requirement for a vessel to be deployed permanently on duty in the region. However on occasion warships have travelled to East Asia, for example HMS Daring and HMS Illustrious in late 2013, and the frigate HMS Argyll is due to exercise with the Japanese navy in late 2018.<sup>25</sup> Royal Navy staff regularly participate in RIMPAC, the US-led biennial Rim of the Pacific exercise described as the world's largest multinational maritime exercise. The Royal Navy also has a significant presence in the Gulf including the new naval base HMS Juffair in Bahrain.

The RAF held its first ever joint exercises with the Republic of Korea Air Force in November 2016.<sup>26</sup> The Indian Ocean Territory of Diego Garcia is used as an air base by the US and the Government has suggested it could be used to support a Carrier Strike group on deployment to the region from 2021, if needed.<sup>27</sup>

The Brigade of Gurkhas maintains a battalion in Brunei, south-east Asia.

## What about the UK's NATO commitments?

North Korean threats to the US Pacific Ocean territory of Guam have prompted some discussion as to NATO commitments and the obligations of NATO's member states, including the UK, to such an event. The consensus is that a North Korean attack into the sea near Guam would not trigger Article 5 of the North Atlantic Treaty.

Article 5 states that an attack against one or more of members of the Alliance *in Europe or North America* shall be considered an attack against all. Once triggered all members will take such action "as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area." Article 6 provides further clarity on the geographic limitations, stating that it applies only to the territories of any of the parties in Europe or North America, and the islands in the North Atlantic which are under the jurisdiction of member states north of the Tropic of Cancer.<sup>28</sup>

## Does the Five Powers Arrangement apply to the Korean peninsula?

No. The Five Power Defence Arrangements were agreed in 1971 after the withdrawal of British forces from Malaysia and Singapore, and provide for the participating Member States (UK, Australia, Malaysia, Singapore and New Zealand) to consult in the event of an external threat to, or an attack on, either Malaysia or Singapore.<sup>29</sup> There is no specific

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<sup>24</sup> Cm 9161 para 5.14; [DEP2016-0962](#), 19 December 2016

<sup>25</sup> [HC Deb 17 March 2014 c501W](#); "HMS Daring welcomed home by Philippines minister", Royal Navy news, 28 February 2014; "HMS Illustrious departs Singapore for the Philippines", Royal Navy News, 22 November 2013

<sup>26</sup> "Invincible Shield" - First ever UK-US-ROK Combined Air Exercise', RAF Website, 8 November 2016

<sup>27</sup> [Foreign Secretary speech: "Britain is back East of Suez"](#), Gov.uk, 9 December 2016; [HL Deb 9 March 2017 c1470](#); A Carrier Strike Group is a maritime force based around an aircraft carrier, in this case HMS Queen Elizabeth deployed with Lightning II combat aircraft, supported by various naval elements.

<sup>28</sup> [North Atlantic Treaty 1949](#), articles 5 and 6

<sup>29</sup> Largely as a result of the withdrawal of British troops from Malaysia and Singapore by the end of 1971. Up until this point both countries had relied heavily on Britain to guarantee their security

commitment in the FPDA for military intervention in such an event. The FDPA are a series of bilateral accords and involve neither South Korea nor Japan.

### **Related Library briefing papers**

- [North Korea: August 2017 update](#), CBP-8077, 30 August 2017
- [Nuclear weapons: Country comparisons](#), CBP-7566, 12 June 2017
- [Nuclear weapons: Disarmament and Non-Proliferation Regimes](#), CBP-7634, 29 June 2016
- [Parliamentary approval for military action](#), CBP-7166, 13 May 2015

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