



## The North-South Korean West Sea Border Dispute and US Responsibility Dec. 19, 2010 - Dec. 26, 2010

A recent Bloomberg article and New York Times op-ed provide important and rarely reported historical perspectives on the Northern Limit Line (NLL), a maritime border drawn in the West (Yellow) Sea that has been disputed for decades by North and South Korea after it was imposed by the US following the end of the Korean War. As is now well known, on Nov. 23 North Korea shelled Yeonpyeong, one of five islands near the NLL controlled by South Korea. The shelling was in response to an artillery drill the South's military garrison on the island conducted earlier in the day, which saw shells land in waters claimed by North Korea under the 1953 Armistice Agreement and the UN law of the sea.

Less well known is information Bloomberg retrieved from the archives and reported on Dec. 17. Here's an excerpt: "Then-Secretary of State [Henry Kissinger](#) wrote in a 1975 classified [cable](#) that the unilaterally drawn Northern Limit Line was 'clearly contrary to international law.' Two years before, the American ambassador said in another cable that many nations would view South Korea and its U.S. ally as '[in the wrong](#)' if clashes occurred in disputed areas along the boundary."

That was the US view some 35 years ago.

Here's a quite different US view today, expressed in a Dec. 15 [speech](#) by General Walter L. Sharp, commander of U.S. forces in South Korea, who had this message for North Korea: "We will not tolerate attacks against the civilian population and all provocations will be met with the utmost response that the combined ROK [South Korea]-U.S. instruments of national power can bring to bear and that the laws of land warfare permit." A North Korean attack on Yeonpyeong or any of the other South Korean-held islands near the NLL was one of the "provocations" General Sharp had in mind.

Slightly rephrased, it seems that General Sharp's message is that whatever reluctance the US once had to assist South Korea in defending a disputed maritime border is now gone.

What can and should be done to achieve a peaceful settlement of the West Sea border dispute? In his New York Times Dec. 12 op-ed Selig Harrison, an expert on US foreign policy toward Northeast Asia, [suggests](#) redrawing the line slightly further south in a more equitable fashion (to provide, for example, both sides with equal access to valuable fishing grounds), something the US can easily accomplish using vestigial powers it has left over from its command of UN forces during the Korean War.

See:

1. Daniel Ten Kate & Peter S. Green, "[Defending Korea Line Contrary to Law Remains U.S. Policy](#)," Bloomberg, December 17, 2010
2. Selig S. Harrison, "[Drawing a Line in the Water](#)," New York Times op-ed, Dec. 12, 2010.

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**Update (Dec. 28):** In a Dec. 26 *The Korea Times* op-ed Dr. Hong Seong-gul, a policy advisor to the South Korean government on international fisheries, [takes issue](#) with Selig Harrison's *New York Times* op-ed. He writes: "While Harrison's point about the NLL being imposed by the United Nations forces without North Korean agreement is well taken, he ignores the fact that North Korea had never raised its formal question over the line, at least until 1977." This point requires additional examination. According to a [US Department of Defense \(DoD\) directive](#) on North Korean maritime claims, in March 1955 North Korea's government issued "Resolution No. 25," an assertion of a 12 nautical mile limit, or in the case of the West Sea a sea boundary further south of the NLL. Whether and how this Resolution was made known to Seoul and Washington at the time it was issued is not known by the editor.

