

## **Cheonan Incident: Choosing an Appropriate Response** by Ralph A. Cossa

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As it becomes more and more obvious that the South Korean Navy corvette Cheonan was sunk on March 26 by a North Korean torpedo, more and more voices are calling for cooler heads to prevail. Except, that is, for those who are calling for a strong, if not massive, military response to what, IF CONFIRMED, will be a clear act of aggression which violates the 1953 Armistice and thus invokes the US-ROK security treaty.

I say “if confirmed,” since the ROK government has been very careful not to jump to any official conclusion, as increasingly obvious as it appears to be becoming, without a thorough investigation of the wreckage. This is as it should be but still begs the question “what should the ROK (and US) do, if a deliberate torpedo attack – clearly an act of war – is conclusively proven to be the cause?”

I pride myself as being a lifelong member of the “cooler heads” club, but this does not mean doing nothing; nor does it mean ruling out in advance – as many seem inclined to do – a number of different measured but appropriate military responses if North Korean culpability is proven. The ROK government has been absolutely right in stating that “we should keep all military and non-military options on the table.”

Again, to belabor the point, the first step is to demonstrate beyond a reasonable doubt that the sinking was the result of a deliberate hostile action. This will require maximum transparency in analyzing and discussing the evidence which is currently being obtained and examined. Given that 80% of ROK citizens already believe Pyongyang was somehow responsible, it will be equally important – and perhaps more difficult – for the Lee Myung-Bak government to convincingly demonstrate that such a conclusion cannot be reached.

If the evidence of North Korean hostile action is persuasive – it will likely never be absolute – then there must be a firm but measured response. The most appropriate – but not the only, and regrettably perhaps not the most likely – vehicle for channeling this response is the UN Security Council (UNSC). The ROK government, in cooperation with the international investigation team (including US, UK, Australian, and Swedish experts) which is currently collecting and examining the evidence, must make its case before the UNSC. Again, assuming the evidence is convincing, Pyongyang should be provided an opportunity to explain its action and to identify and appropriately punish the guilty parties if it proves to be a rogue element. An official apology and reparations would also be in order. Such a response would

and should result in the case being closed, beyond a clear warning that repeat offenses will be dealt with more harshly.

If Pyongyang refuses or, worse yet, if current rumors are proven true – there are reports that the North Korean military officer in charge has actually been promoted as a reward for this egregious act and that other North Korean officials are bragging about having taken “great revenge on the enemies” – then additional sanctions (the UNSC’s traditional weapon of choice) will not be enough.

Here is what ought to be done. The UNSC should mandate, in addition to increased sanctions (not to mention stricter enforcement of those already on the books), that all North Korean submarines and torpedo boats are hereby restricted to port until further notice, with the ban subject to semi-annual review, based on North Korean behavior. Any that are determined to be underway should be deemed as legitimate targets for prosecution and destruction by the Seoul-based United Nations Command and ROK-US Combined Forces Command (CFC). The CFC should further announce that it reserves the right to “render inoperable” any North Korean naval facility that bases the offending naval units. If, as is all too likely, the UNSC refuses to take such firm action, then the CFC should unilaterally take this position and seek broader international endorsement, especially from other members of the armistice committee.

(I should also acknowledge a somewhat more devious alternative put forth by a retired military friend in a non-attribution setting: “Rather than get mad, the ROK should just get even, by quietly going out and sinking a North Korean warship in similar, plausibly deniable, circumstances.” While this idea has some merit, I prefer a more transparent, direct approach.)

Many in Seoul are now arguing that this incident underscores the wisdom of delaying or canceling outright the planned transfer of operational control (OPCON) of ROK forces in wartime from the US (under the then to be dissolved CFC) to ROK command in 2012. Perhaps! But at a minimum, it should result in a reconsideration of the planned dissolution of the CFC. There should be no question left in Pyongyang’s mind about the joint ROK/US commitment to fight together. Keeping the CFC intact, regardless of who has OPCON, sends that message.

Pyongyang is sure to brand such actions “an act of war,” as they have similarly declared any number of more harmless actions, ranging from combined ROK-US defensive exercises to Seoul’s joining the US-led Proliferation Security Initiative (PSI), which the South did in response to the second North Korean nuclear test. But Pyongyang is not suicidal; it fully understands the risk of escalation and who would be the ultimate loser. It has been North Korea’s belief that there will be no meaningful consequences, a belief unfortunately

reinforced by history, that emboldens its actions. This mindset needs to be corrected.

Some will argue that such a response will undermine the prospects for a resumption of Six-Party Talks aimed at Korean Peninsula denuclearization. Actually the reverse is true. It would be politically impossible for Seoul (and inappropriate and unwise for Washington) to return to such a dialogue – even if Pyongyang was willing (which it has thus far proven not to be) – until the Cheonan matter is settled.

The ball is currently in Seoul's court. It must make the case and then take the lead in crafting an appropriate response. The US, through the CFC, must be seen as being in lock step with its South Korean ally; Washington must not be seen as trying to hold back or water down any response endorsed by the South Korean government and people. To do so will call the US commitment, not only to the Republic of Korea but also to its other security allies, into question.

Assuming that Pyongyang is demonstrated to be culpable, turning the other cheek or a gentle slap on the wrist is sure to result in continued North Korean acts of aggression. A firm but measured response along the lines suggested above seems the best way of ending the cycle of aggression and persuading Pyongyang that the international community is finally serious about putting an end to its unacceptable behavior.