

The Demise of the British Military Commitment to Korea, 1979-1993

Tae Joon Won

Ulsan National Institute of Science and Technology

Abstract

Since the end of the Korean War, Britain had maintained a military presence in South Korea, the most visible element of which was the British contingent to the United Nations Honor Guard. The British Ministry of Defense began calling for the withdrawal of this commitment from the 1970s in view of budgetary constraints and the possibility of Britain being involved in another conflict on the Korean peninsula. This argument was thwarted by the British Foreign Office until the mid-1980s on account of the commitment's importance in the dynamics of Anglo-American relations. However, the decision to hand over Hong Kong to China and the discovery of the absence of a Status of Forces Agreement protecting the rights of British military personnel in Korea meant that the Foreign Office could no longer resist the demands of the Ministry of Defense, leading to the withdrawal of British troops from Korea in 1993.

Keywords

Britain, Korean War, United Nations Command, Military Armistice Commission, Commonwealth Liaison Mission, Status of Forces Agreement

The Demise of the British Military Commitment to Korea, 1979-1993

Tae Joon Won

Ulsan National Institute of Science and Technology

Introduction

On January 16, 1968, the British Chancellor of the Exchequer, Roy Jenkins, announced that Harold Wilson's Labor government would end Britain's military involvement in the Gulf and Southeast Asia by 1971.¹ Britain would make immediate defense cuts of more than 100 million pounds, all British military personnel would be evacuated from Malaysia, Singapore, and the Gulf by the end of 1971, and no military bases in the future would exist outside Europe and the Mediterranean.² Only Hong Kong, Britain's last remaining colony in Southeast Asia, would continue to have a British military presence.³ This new direction of foreign policy would naturally have an impact on Britain's military strategy concerning an area that was not usually thought of as being high on the list of Britain's global military interests and therefore has been given little attention by scholars and other observers of British foreign policy

¹ John Darwin, *Unfinished Empire: The Global Expansion of Britain* (Bloomsbury, 2012), 379-80.

² Ronald Hyam, *Britain's Declining Empire: The Road to Decolonization, 1918-1968* (Cambridge University Press, 2006), 395.

³ Sue Thompson, *British Military Withdrawal and the Rise of Regional Cooperation in South-East Asia, 1964-73* (Palgrave Macmillan, 2015), 153.

during the Cold War: the Korean peninsula.

While Britain's continued military assistance to the defense of South Korea after the end of the Korean War—in which of the 82,000 British military personnel deployed 1,068 lost their lives and 2,674 were injured⁴—was little more than a token contribution in terms of volume, the British military commitment to Korea was of enormous political significance to the South Korean government which was at the time heavily competing against its North Korean rival for diplomatic recognition and support throughout the world.⁵ This British military commitment to Seoul during the Cold War is also noteworthy in the history of global British military involvement because of the real possibility that this token British military presence would find itself involved in a potentially devastating second conflict in the Korean peninsula: the attack on British military personnel in the event of a second Korean conflict would—as is the case with American forces in Korea effectively acting as “human tripwires”⁶—result in Britain being automatically entangled in a direct military confrontation with North Korea and its allies.⁷ Korea was—and remained for a long time—one of the most dangerous and volatile places in the world for British military personnel to be stationed.

As previously mentioned, there has been little academic interest in this issue of the British military commitment to Korea during the Cold War era. This author has written previously on the history of this British role in the Korean peninsula during the 1960s and 1970s,⁸ and this article follows up on this preceding research by looking into the development—and the ultimate collapse—of this British commitment throughout the

⁴ E. McNair, *A British Army Nurse in the Korean War: Shadows of the Far Forgotten* (Tempus, 2007), 38.

⁵ Deon Geldenhuys, *Isolated States: A Comparative Analysis* (Cambridge University Press, 1990), 72.

⁶ Chae-Jin Lee, *A Troubled Peace: US Policy and the Two Koreas* (Johns Hopkins University Press, 2006), 257.

⁷ Tae Joon Won, “Britain’s Retreat East of Suez and the Conundrum of Korea 1968-1974,” *Britain and the World* 9, no. 1 (2016): 78.

⁸ Won, “Britain’s Retreat East of Suez and the Conundrum of Korea 1968-1974.”

Conservative governments of the 1980s and the early 1990s. Relying almost exclusively on the relevant Foreign and Commonwealth Office (FCO) and Ministry of Defense (MOD) papers for primary source material in an attempt to fill the gap in the existing literature concerning the history of the British military's global activities in the postwar era, this article focuses on the continued clashes over the fate of Britain's symbolic contribution to the defense of South Korea between the various government ministries in Whitehall—as well as between the diplomats on the ground in Korea and the decision-makers back home in London—during the closing decade of the Cold War era at a time when Britain's importance and prestige as a significant regional player in Asia was finally coming to an end.

The Origins and Development of the British Military Commitment to Korea until the late 1970s⁹

As the Armistice Agreement that was to bring an end to hostilities of the Korean War was being concluded on July 27, 1953, the sixteen nations who had fought under the United Nations banner during the three-year struggle signed the Joint Policy Declaration on Korea—also known as the Greater Sanctions Statement—in Washington, DC on the same day.¹⁰ The nations declared their support for the Armistice Agreement and reaffirmed:

... 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

⁹ This chapter is based upon a previous article written by this author as stated above.

¹⁰ The sixteen signatories were Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, Thailand, Turkey, South Africa, the United Kingdom, and the United States.

should again be united and prompt 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.¹¹

With the Armistice and the Declaration in place, the first Commonwealth Division—which was composed of British, Australian, Canadian, and New Zealand troops—was allowed to be reduced to a Commonwealth Brigade Group in September 1954 when American troops in Korea were also reduced from six divisions to two.¹² In May 1956, this was further reduced to a battalion commitment known as the Commonwealth Contingent, and when this was withdrawn from service in August 1957, Britain, Australia, and New Zealand decided to create a liaison mission at the headquarters of the United Nations Command (UNC) with effect from September 1, 1957. The functions of this liaison mission, which itself was not under UNC control, were:

- a. To demonstrate by its presence the continued support of the participating governments for the Republic of Korea and the objects of the United Nations in working for a united, independent, and democratic Korea.
- b. To represent the participating countries on the Military Armistice Committee.
- c. To represent the Chiefs of Staff of the participating countries at United Nations Command negotiations and conferences and on appropriate public or military occasions in Korea.¹³

This mission, named the Commonwealth Liaison Mission (CLM), had a British brigadier as its head whose responsibility—in addition to

¹¹ The National Archives (TNA), FCO 21/347, Text of Joint Policy Declaration on Korea of July 27, 1953.

¹² Jeffrey Grey, *The Commonwealth Armies and the Korean War* (Manchester University Press, 1988), 183.

¹³ TNA, FCO 21/1996, From Hoare to England, September 15, 1981.

being the British Defense Attaché in the British embassy in Seoul and a member of the Military Armistice Committee (MAC)—was:

- a. To administer the United Kingdom element of the United Nations Honor Guard platoon provided on rotation from forces under the command of the Commander British Forces Hong Kong.
- b. To provide pay, postal, motor, transport, and quartermastering facilities to the Mission.¹⁴

From the end of the 1960s, when the Wilson government announced Britain's intention to retreat from east of Suez, the British government's military commitment to Korea became an issue of serious contention between the two major government departments responsible for Britain's overseas policy: the FCO and the MOD. The assassination attempt on South Korean President Park Chung Hee by 31 elite North Korean commandos on January 21, 1968,¹⁵ as well as the North Korean attack on and capture of the American spy ship, the USS Pueblo, off the coast of Wonsan,¹⁶ rendered the Park government to make an official request to the sixteen nations that had signed the July 1953 Joint Policy Declaration on Korea—which of course included Britain—that they “make some kind of declaration at this time expressing their support for South Korea.”¹⁷ This request brought the fact home to London that Britain could find itself entangled in a highly dangerous situation in the Korean peninsula that it had no wish to involve itself in, especially at a time “of uncertainty for [Britain] as we consider the future of our own defence

¹⁴ TNA, FCO 21/1996, From Hoare to England, September 15, 1981

¹⁵ Michael Breen, *Kim Jong-Il: North Korea's Dear Leader* (Wiley, 2012), 26.

¹⁶ The 82 crew members captured alive—one had died during the attack—were subject to continuous torture and threats of execution until they were released on December 23, 1968 after the United States had issued a formal admission of spying and an apology for its actions. Lonnie M. Long and Gary B. Blackburn, *Unlikely Warriors: The Army Security Agency's Secret War in Vietnam* (iUniverse, 2013), 183-85.

¹⁷ TNA, FCO 21/347, From Gore-Booth to Murray, January 29, 1968.

policies in the light of the changing British role in South East Asia.”¹⁸ While London managed to resist Seoul’s dogged pleas for public assurances when the United States concluded that a unanimous and unqualified joint reaffirmation of the 1953 Declaration was not feasible and “anything less than a full and unqualified statement at this time by all the original signatories would [...] detract from the terms of the original declaration and might well impair, rather than promote, the purposes of such a reaffirmation,”¹⁹ this incident nevertheless prompted many in the British government to ask fundamental questions about Britain’s military presence and role in South Korea. The MOD’s position was that “with the run-down in the Far East, [the] Ministry of Defence now clearly wish to be rid of [the commitment to Korea] altogether,”²⁰ while the FCO opposed such a withdrawal of the commitment since Britain’s military presence in Korea could be used as an important diplomatic leverage vis-à-vis the Americans at a time when Anglo-American relations were strained over the issues of Britain’s refusal to commit troops to the Vietnam War.²¹

The reassessment of Britain’s defense policy for Asia that occurred with the arrival of the Edward Heath administration in June 1970—which led to the signing of the Five Power Defense Agreement with Singapore, Malaysia, Australia, and New Zealand (ANZUK) in April 1971²²—provided the opportunity for London to review Britain’s military commitment to Korea.²³ In January 1972, the Heath government informed Seoul that while a British frigate, which had been made available to the American Commander-in-Chief of the UNC (CINCUNC) for use in Ko-

¹⁸ TNA, FCO 21/347, From Holyoake to Park, May 2, 1968.

¹⁹ TNA, FCO 21/347, US State Department Telegram to US Mission in Seoul, April 23, 1968.

²⁰ TNA, FCO 21/347, US State Department Telegram to US Mission in Seoul, April 23, 1968.

²¹ See Jonathan Colman, *A ‘Special Relationship?’ Harold Wilson, Lyndon B. Johnson, and Anglo-American Relations ‘at the Summit,’ 1964-68* (Manchester University Press, 2004), 147-66.

²² Michael Leifer, *Dictionary of the Modern Politics of South-East Asia* (Routledge, 2001), 113.

²³ TNA, FCO 21/947, From Thomas to Crowson, January 18, 1971.

rean waters since 1957,²⁴ would be no longer available, the provisions of the British detachment to the UN Honor Guard—which at the time consisted of one officer and eighteen other ranks on rotation from Hong Kong—and of a British brigadier as Head of the CLM and as the Commonwealth’s representative in the MAC would continue.²⁵

But then, a question was suddenly raised in Whitehall concerning who would have command over the British contingent to the UN Honor Guard should another major military conflict occur in Korea. The view that the British contingent would be under the direct command of the Commander of the United States Honor Guard Company at a time of armed conflict in the Korean peninsula opened up the possibility of Britain being dragged into a war against the will of the British government. This unimaginable prospect led to the MOD’s argument that it was “not acceptable to the UK that UK contingent should be under UN or US command [...] retention of British contingent under national command will need to be explained to the UNC [United Nations Command],”²⁶ and instructions were sent to the British Defense Attaché in Seoul informing him that “day-to-day arrangements for liaisons on ceremonial duties between the UK Honour Guard Contingent Commander and the US Honour Guard Company Commander shall be left to your discretion. These arrangements, however, must in no way prejudice your command of the UK Contingent whilst it is in Korea.”²⁷ However, on receiving word that the Americans were unwilling to formally cede control over the British contingent because of the Honor Guard’s role in providing “security for CINCUNC and his family during peacetime and periods of active hostilities [and] for command facilities of headquarters UNC [...] UNC confirm they have always considered these [instructions] as applying to

²⁴ TNA, FCO 21/352, From Campbell to Sykes, March 6, 1968.

²⁵ TNA, FCO 21/1073, Brief entitled ‘UK Defence Commitment in Korea,’ January 1972.

²⁶ TNA, FCO 46/832, Draft Signal to Defense Attaché Seoul, March 28, 1972.

²⁷ TNA, FCO 46/832, From Parkes to FCO Defense Department, April 4, 1972.

whole Honor Guard [and] not just to American component,”²⁸ the MOD argued strongly for the absolute abolition of the CLM since “we do not regard ourselves as being legally committed to providing troops for service in Korea in the event of hostilities breaking out with the North [...] improbable that we should ever wish voluntarily to take any part in fighting in Korea.”²⁹

But, once again, the MOD’s proposals were rebuffed by the FCO, which was at that time considering establishing diplomatic relations with North Korea despite strong objections from Seoul,³⁰ and therefore felt that it was “unwise, from the point of view of our relations with South Korea, to withdraw one of the few remaining symbols of our support [for South Korea].”³¹ Undeterred, the MOD then made a counterargument demanding that the rank of the British Defense Attaché in Seoul be downgraded from a brigadier to a lieutenant-colonel since only those with the rank of colonel or higher could serve as members of the MAC, and the Defense Attaché’s loss of his membership would bring about the weakening and possible abolition of Britain’s military commitment to South Korea.³² But, this too was vetoed by the FCO, which argued that the South Koreans “might feel slighted if anyone of less than full Colonel rank were appointed as Defence Attaché” and therefore recommended that the post be downgraded only from brigadier to colonel.³³ This did not occur, and the Defense Attaché’s rank—as well as the overall British military commitment to Korea—managed to remain generally unaltered into the late 1970s in the midst of this intense struggle between the FCO and the MOD.

²⁸ TNA, FCO 46/832, Telegram No. 210720Z from UK Mission in Seoul to MOD, April 1972.

²⁹ TNA, FCO 46/1007, From Denne to Hervey, November 23, 1973.

³⁰ See Tae Joon Won, “To Be or Not to Be? The North Korean Challenge to British Foreign Policy, 1971-1976,” *Britain and the World* 7, no. 2 (2014).

³¹ TNA, FCO 46/1007, From Denne to Hervey, November 23, 1973.

³² See Korea Institute of Military History, *The Korean War*, vol. 3 (University of Nebraska Press, 2001), 712.

³³ TNA, FCO 46/1171, From FCO Far Eastern Department to Haskell, September 25, 1974.

The Beginning of Whitehall's Struggle over Korea under the Thatcher Government

On coming to power in 1979, the Margaret Thatcher administration's military commitment to South Korea soon increased in terms of the number of British military personnel serving on the United Nations Honor Guard: the size of the British platoon would swell to 34 in 1982 following the request of the American authorities after their assessment of an increased threat to the personal security of senior officers in Korea rendered an increase in the security duties of the Honor Guard.³⁴ But, even as this increase in British commitment was happening, it looked as if the MOD was not prepared to give up on its long-standing objective to ensure that Britain would never be entangled in a potentially devastating military situation on the Korean peninsula.

In June of that year, a senior diplomat in the South Korean embassy in London—after congratulating the Thatcher government on its successful Falklands campaign—made inquiries to the FCO as to whether senior Korean military officials could visit Britain “to discuss the lessons of the Falklands operation both in respect of tactics and of equipment.”³⁵ Since “the situation on the Korean Peninsula was unlikely to be similar to that of the Falkland Islands in any very notable way,” Seoul would be more eager to discuss “the lessons of the operation for equipment” with a particular interest in “missiles, whether launched from land, sea or air, and aircraft.”³⁶ The diplomat expressed South Korea's admiration for Britain's “special military skills as exemplified by the Marines and the Special Air Service” and stressed that his proposal, albeit a personal initiative, would be fully supported by the administration in Seoul.³⁷ It soon transpired that this request was not actually the diplomat's own idea but a

³⁴ TNA, FCO 21/3228, From Seoul to MODUK, February 22, 1985.

³⁵ TNA, FCO 21/2328, From Elliott to Weston, June 18, 1982.

³⁶ TNA, FCO 21/2328, From Elliott to Weston, June 18, 1982.

³⁷ TNA, FCO 21/2328, From Elliott to Weston, June 18, 1982.

“pet brainchild” of the head of South Korea’s Defense Intelligence Agency (DIA)—indeed, the diplomat in question was the DIA’s representative in London—and that the South Korean Defense Minister was “also taking a keen personal interest” in the matter.”³⁸ Although the FCO was initially quite eager to push ahead with the proposal since such a visit could bring about “opportunities for defence sales [since] the Koreans are anxious to diversify away from their almost exclusive reliance on the US as a source of supplies,”³⁹ the mood suddenly shifted when it was discovered that the MOD was “not disposed at this stage to provide any more information” on the Falklands operation to the Koreans other than that which the MOD was sending out to its Defense Attachés posted all over the world.⁴⁰ Thinking that a visiting Korean delegation would not be impressed at having flown halfway around the world only to be fobbed off with information that was readily available at the British embassy, the FCO informed the South Korean embassy that a straightforward presentation in Seoul by the British Defense Attaché using the standard MOD materials would be better than a visit to London by Korean generals.⁴¹ The senior diplomat—now also uncovered as the DIA representative in London—expressed his disappointment at this response, reiterating the advantages for Britain “in terms of defence sales to Korea of a detailed exchange in due course with the experts in London about the effectiveness of British military equipment during the Falklands campaign.”⁴² All that the FCO could say by way of consolation was to suggest that the Koreans “should first look at what the [Defense Attaché] had to offer them, and then, if they wished for more, come back to [the FCO] some time later with a renewed request for discussions which [the FCO] would look at on its merits.”⁴³ Privately, the FCO officials responsible for Korea ex-

³⁸ TNA, FCO 21/2328, From Underhill to Elliott, July 21, 1982.

³⁹ TNA, FCO 21/2328, From Elliott to Weston, June 18, 1982.

⁴⁰ TNA, FCO 21/2328, From Weston to Elliott, July 30, 1982.

⁴¹ TNA, FCO 21/2328, From Elliott to Weston, August 4, 1982.

⁴² TNA, FCO 21/2328, From Elliott to Weston, August 4, 1982.

⁴³ TNA, FCO 21/2328, From Elliott to Weston, August 4, 1982.

pressed their annoyance at this typical MOD determination to keep the South Koreans at arm's length, fuming that "it would be a mistake for the MOD entirely to rule out the possibility in due course of discussions with Korean Generals which might lead to substantial defence sales."⁴⁴

The Division and Reunification of the Ministry of Defense's Position on Korea

However, this would not be the end of the MOD's expression of hostility towards the British commitment to Korea for 1982. In August, the MOD bluntly proposed to the FCO that the costs of British military involvement in Korea be transferred from the MOD to the FCO on the basis that it was "for political more than military reasons that our military involvement in Korea is justified,"⁴⁵ an approach that the FCO regarded as "an unfortunate development" and that the MOD should be persuaded to abandon.⁴⁶ The FCO argued that there was "more of case to be made" on military grounds for the retention of the British contingent in the United Nations Honor Guard "than MOD admits."⁴⁷ For example, the British soldiers in the Guard also "from time to time operate as members of Special Investigation Teams following up incidents in the Demilitarized Zone by assisting UNC/ROK forces, often in difficult and dangerous circumstances. Furthermore, the operational usefulness of the British platoon in Seoul has been ignored, usefulness which will only be put to the test should the situation here merit urgent evacuation of the [British] Embassy and the safe passage out of the country of the 800-plus UK nationals" in South Korea.⁴⁸ The FCO also deployed the tried-and-tested argument of potential American displeasure in the event of the British pla-

⁴⁴ TNA, FCO 21/2328, From Elliott to Weston, August 4, 1982.

⁴⁵ TNA, FCO 21/4132, From Elliott to Streeton, December 17, 1982.

⁴⁶ TNA, FCO 21/4132, From Field to Elliott, November 11, 1982.

⁴⁷ TNA, FCO 21/4132, From Field to Elliott, November 11, 1982.

⁴⁸ TNA, FCO 21/4132, From Field to Elliott, November 11, 1982.

toon's removal: the United States "has consistently placed a high value on the UK's visible support in the form of the Honor Guard in Korea. The UN Commander, General Sennewald, told the [British] Ambassador [...] how much he prized the Honor Guard for this reason. Proposals in the past to reduce or eliminate our presence here have been strongly opposed by the Americans and there is no reason to suppose there would be any change in their attitude now."⁴⁹ In addition, the FCO pointed out that the British "soldiers and aircrew have to be paid and fed whether they are in Hong Kong or elsewhere [...] the flights to and from Seoul could be regarded as training. If not, and reducing the cost is the aim, [the Commander of British Forces in] Hong Kong says he would be content to make the turn-round by civil air at approximately one-third the current airlift cost as quoted by MOD."⁵⁰ However, on receiving the MOD's negative reaction to these arguments, the FCO officials called the MOD's bluff by recommending that the MOD's proposal for the transfer of costs be accepted at the risk of the Select Committee on Foreign Affairs making inquiries concerning "the justification for expenditure of this order on what is in effect a British military deployment well outside the NATO [North Atlantic Treaty Organization] area."⁵¹ The idea of accepting the transfer of the total cost of maintaining the British platoon in the Honor Guard—which was then calculated to be GBP 650,000 a year but would rise to GBP 950,000 by 1987/1988—was in the end "quashed" by the Permanent Under-Secretary of the FCO, Sir Antony Acland, but the status quo managed to remain unchanged.⁵²

Interestingly, in early 1985, a rift seems to have occurred within the MOD between the top brass of the British military and some civilian officials concerning the British commitment to Korea. In January, the British Chiefs of Staff decided to undertake additional contingency planning

⁴⁹ TNA, FCO 21/4132, From Field to Elliott, November 11, 1982.

⁵⁰ TNA, FCO 21/4132, From Field to Elliott, November 11, 1982.

⁵¹ TNA, FCO 21/4132, From Elliott to Streeton, December 17, 1982.

⁵² TNA, FCO 21/4132, From Bowie to Hoare, June 21, 1988.

for Korea—in effect, commissioning “an urgent [planning] exercise to review how the UK might respond to a North Korean attack on the South”⁵³—as part of the annual review of Britain’s defense strategy and activities outside the NATO area. At this time, the only British contingency plan for a renewed conflict on the Korean peninsula was the Joint Theater Plan (JTP) 88, which was drawn up in 1971 and merely provided for five C-130 Hercules aircraft and two VC-10 aircraft to fly in a satellite communication dish and other related equipment in order to provide any necessary additional communications capacity.⁵⁴ The main instigator of this urgent planning exercise was none other than Sir Edwin Bramall, the Chief of the Defense Staff and therefore the professional head of the British armed forces, who was concerned that government ministers might “suddenly ask what work had been undertaken in relation to a longstanding commitment, even if it was morally rather than legally binding, and be critical if they were told that the answer was none.”⁵⁵ However, some sections of the MOD howled in protest at Bramall’s initiative regarding “the damage that could ensue if word of such planning got abroad [...] It will be particularly important to impress on all concerned that no hint of what is being considered should be given to the S[outh] Koreans or Americans [...] Any planning for Korea is no great priority [for the use of British resources] and should take its place in the queue.”⁵⁶ When a top secret report, in conjunction with the exercise, was published in March recommending that British forces in Hong Kong be allowed to participate in Team Spirit—an annual joint military training exercise involving the US military in Korea and the South Korean military—as a way of helping to demonstrate “the UN nature” of the American military presence in Korea,⁵⁷ these MOD officials argued that such

⁵³ TNA, FCO 21/3228, From Bell to Orr, June 13, 1985.

⁵⁴ TNA, FCO 21/4132, From Bowie to Hoare, June 21, 1988.

⁵⁵ TNA, FCO 21/3228, From Alston to Elliott, January 15, 1985.

⁵⁶ TNA, FCO 21/3228, From Legge to DROW, March 15, 1985.

⁵⁷ TNA, FCO 21/3228, From Sills to DMAO, March 11, 1985.

participation “could be taken to imply a continuing UK commitment to Korea [when] our long-term aim should be, as political circumstances allow, increasingly to distance ourselves from whatever vestigial commitment still remains.”⁵⁸ The MOD officials also reiterated that the British “contributions to the Commonwealth Liaison Mission and UN Honor Guard [...] represent a more than adequate involvement.”⁵⁹ However, the British Ambassador in Seoul, Nicholas Spreckley, argued that while there was indeed “no legal commitment for reinforcement,” the current British posture created the perception that Britain did consider that it had such a commitment, and that Britain did “not want to change [its] posture because this could be destabilizing” for the region.⁶⁰ Spreckley also voiced his approval for Bramall’s contingency planning since it was “possible that the government of the time might anyway want to reinforce, and it is accordingly sensible to establish what the options would be.”⁶¹ Clearly, some in the FCO were hoping to make the most of this unusual turn of events at the MOD and use the opportunity to try and strengthen the British commitment in Korea even further.

This internal disruption within the MOD over the reinforcement planning in Korea came at a particularly awkward time for the Ministry. In July of that year, in a meeting with the newly appointed British Defense Attaché in Seoul, the CINCUNC piled on the pressure by stressing that “North Korea and the Republic of Korea are technically still at war, and the truce negotiated in 1953 is very fragile” and that the “prime aim of United Nations Command Korea was currently to maintain [this] truce between North and South. In order to do that, the United Nations Command must be seen to be what its name implied and not just an American military association with the Republic of Korea. [...] It is the continued presence of the British Honor Guard platoon, small as it is, which gives

⁵⁸ TNA, FCO 21/3228, From Legge to DROW, March 15, 1985

⁵⁹ TNA, FCO 21/3228, From Legge to DROW, March 15, 1985.

⁶⁰ TNA, FCO 21/3228, From Seoul to FCO, April 18, 1985.

⁶¹ TNA, FCO 21/3228, From Seoul to FCO, April 18, 1985.

[the UNC] its essential credibility as a United Nations force [...] The British Honor Guard platoon [...] may only be a tiny force in fighting terms, but, politically, its presence is most significant.”⁶² The CINC then hammered the point home by “urging [the British] to maintain the numbers and the high profile of the platoon at its present level or better.”⁶³ As if this American squeeze were not enough for the MOD to wrestle with, France was reaccredited into the Military Armistice Commission in mid-October, over twenty years after the last French military contingent left Korean soil.⁶⁴ Following this reaccreditation, the French Defense Attaché based in Tokyo “lost no time” in joining the annual tour of the United Nations bases in Japan such as Camp Zama, Yokosuka Naval Base, and Sasebo Naval Base, while the French Defense Attaché in Seoul attended the UNCMAC meeting on October 26.⁶⁵ At a reception hosted by the British Defense Attaché in Seoul at his home on October 30, his French counterpart—a man “clearly finding his feet”—informed his American colleague and the senior South Korean liaison officer in attendance that France “took very seriously her responsibilities to the UNC” since France was “legally committed to support Korea militarily should Kim Il-sung invade the South again.”⁶⁶ The British Defense Attaché expressed his dismay at this French proclamation by informing the relevant officials in London that Britain “could have done without this on several counts.”⁶⁷ At a time when MOD officials were trying their best to extricate themselves from the British military commitment in Korea with the minimum of political or economic inconvenience, the French were openly declaring themselves bound to the Joint Policy Declaration of July 1953.⁶⁸ The British Defense Attaché clearly regarded this French ploy as

⁶² TNA, FCO 21/3228, From Seoul to MOD, July 2, 1985.

⁶³ TNA, FCO 21/3228, From Seoul to MOD, July 2, 1985.

⁶⁴ TNA, FCO 21/3228, From Hackworth to Currie, November 5, 1985.

⁶⁵ TNA, FCO 21/3228, From Hackworth to Currie, November 5, 1985.

⁶⁶ TNA, FCO 21/3228, From Hackworth to Currie, November 5, 1985.

⁶⁷ TNA, FCO 21/3228, From Hackworth to Currie, November 5, 1985.

⁶⁸ TNA, FCO 21/3228, From Hackworth to Currie, November 5, 1985.

a means to boost French defense sales to Korea: although “membership of the UNCMAC per se does not directly aid sales of defence equipment (in that Attachés who are also UNCMAC members get much better access to UNC/[Republic of Korea-United States Combined Forces Command] Koreans than those who are not, but this enhanced access does not extend to the ROK procurement staff who have no UNC connections),” the Koreans were always “looking for a declared political commitment, and if France gives it to them, then this must enhance French sales prospects. Furthermore, both Americans and Koreans are likely to draw invidious comparisons between France’s declared position over the binding force of the [Joint Policy Declaration] and [Britain’s] non-committal stance”⁶⁹ as per the FCO’s confirmed view made in 1983 that the Declaration “does not impose any legal obligation on the United Kingdom to go to the assistance of South Korea”⁷⁰ since the Declaration “is not a legally binding document.”⁷¹ Therefore, this unexpected French intervention, as well as the renewed American pressure, indeed had the potential for Bramall, whose support for Korea was regarded as one of his “pet subjects,” to press the case for a stronger British military commitment to Korea.⁷²

The South Korean authorities, meanwhile, seemed to be putting in their own effort to emphasize how close and important Seoul regarded the defense relationship with London, while the reinforcement issue was being actively discussed within the MOD during the course of 1985. In October, a party from the Korean National Defense College visited London and was briefed by David Trefgarne, the Minister of State at the Ministry of Defense, on British defense policy. During the briefing, a member of the Korean delegation suddenly informed Trefgarne that in “light of the threat to us from China and Japan, as well as the Soviet

⁶⁹ TNA, FCO 21/3228, From Hackworth to Currie, November 5, 1985.

⁷⁰ TNA, FCO 21/5833, From Bowen to PS/SofS, January 7, 1994.

⁷¹ TNA, FCO 21/5833, From Hum to Reeves, December 15, 1993.

⁷² TNA, FCO 21/3228, From Bell to Orr, June 13, 1985.

Bloc, [the South Koreans] are considering the possibility of acquiring a nuclear capability” and asked him bluntly “what lessons can you derive from your experience of nuclear weapons.”⁷³ Given that South Korea had ratified the Nuclear Non-proliferation Treaty in 1975—and probably thinking that no high-ranking Korean military official would ever have been that indiscreet about such a sensitive and potentially illegal course of action without having received prior instructions from his superiors in Seoul—the FCO was “to say the least somewhat surprised” at this extraordinarily candid Korean remark and went so far as to request the British embassy in Seoul to verify “the extent to which [the Korean military official’s] views might reflect official thinking” in the Seoul administration.⁷⁴ In any case, despite the American pressure, the French intervention, and the Korean overtures, however, Bramall came to the conclusion in December of that year that no further planning on sending reinforcements to Korea would be necessary, thereby undoubtedly putting many MOD officials’ minds at rest and reconstructing the collective MOD effort to remove the British military commitment from Korea.⁷⁵

The Foreign Office Triumph over Korea at the End of the Thatcher Government

At the intragovernmental Far East and Australian Regional Review in January 1987, the MOD proclaimed its desire to withdraw the Honor Guard by 1994—a point which they raised again later that year. The FCO argued that they “wanted to see how the political situation in the ROK developed”—such as the Presidential election in December 1987 and the Seoul Olympic Games in September 1988—before entertaining any possibility of a potential change in British military policy for Korea.⁷⁶ The

⁷³ TNA, FCO 21/3230, From Kenyon to McCleary, October 23, 1985.

⁷⁴ TNA, FCO 21/3230, From Kenyon to McCleary, October 23, 1985.

⁷⁵ TNA, FCO 21/4132, From Bowie to Hoare, June 21, 1988.

⁷⁶ TNA, FCO 21/4132, From Bowie to Hoare, June 21, 1988.

FCO was, at this time, especially mindful of the possibility that, as mentioned earlier, British withdrawal could “run the risk of upsetting the South Koreans in a way that might have a knock-on effect on government decisions about commercial contracts, particularly arms sales.”⁷⁷ The Northern Irish defense contractor Shorts had won a contract worth GBP 30 million to sell Javelin missiles to the South Korean military at the end of 1986,⁷⁸ and although this was admittedly due more to “a letter from [Margaret] Thatcher to President Chun which was the key factor in encouraging the Korean government to hold out against intense American pressure to buy the Stinger missile, which the Korean Armed Forces did not want,” there was no guarantee that the removal of Britain’s military commitment to Korea would have no adverse effects on future British arms sales to Seoul.⁷⁹ This FCO concern was ironically strengthened by a visit to South Korea by the British Defense Secretary, George Younger, in March 1988. During the visit, Younger told the Korean Foreign Minister, Choi Kwang Soo, that the “small [British] contingent for the UN Honor Guard was an important commitment and popular posting [for British soldiers from Hong Kong] and had talked to [the Korean Defense Minister] about developing defence contacts and the possibility of encouraging joint ventures on production of defence equipment,”⁸⁰ to which Choi replied that “the size of the Honor Guard was not significant, but the political commitment that it represented was.”⁸¹ Choi then attempted to entice the British delegation further into maintaining the military commitment by commenting that whilst the South Korean armed forces “used essentially American equipment, there was some scope for diversification and cooperation with other countries [...] Any contribution that the UK could make to peace and stability in the region would be

⁷⁷ TNA, FCO 21/4132, From Bowie to Hoare, June 21, 1988.

⁷⁸ TNA, FCO 21/5254, Defense Sales List written by Davies, February 13, 1992.

⁷⁹ TNA, FCO 21/4132, From Bowie to Hoare, June 21, 1988.

⁸⁰ TNA, FCO 21/4132, From Bowie to Carter, June 15, 1988.

⁸¹ TNA, FCO 21/4132, From Bowie to Carter, June 15, 1988.

most welcome. The ROK was a small country, in a strategically important area, and remained concerned about Soviet objectives.”⁸² Emboldened by this positive attitude towards the British commitment to Korea from the political lord and master of their Whitehall rivals, the FCO felt confident enough to issue a statement to the MOD in June 1988 arguing that although “the internal political situation in Korea has calmed down considerably, nothing has changed in the region as a whole which leads us to conclude that it is time to change our defense relations. In particular, we see value in the continued presence of the Honor Guard, to which the Koreans clearly attach importance judging from the record of Mr. Younger’s call on the Korean Foreign Minister on March 28. We will naturally be willing to review this question regularly, and it may be that the picture will look differently in the 1990s. But, for the time being, we would like to maintain the present arrangement.”⁸³ Once again, having had their master plan for Korea foiled by the FCO—who were this time armed with covering fire from none other than the Defense Secretary—the MOD had little choice but to put a hold on their plans to establish a clear government policy to withdraw the military commitment from Korea. In a letter to the Commander of British Forces in Hong Kong in November 1988, the MOD explained that in line with the FCO’s pro-status quo stance and the Defense Secretary’s pro-FCO attitude on the matter, a final decision on the future of the British contingent to the UN Honor Guard would probably not take place until 1993.⁸⁴ With all interested parties having reached this conclusion—willingly or otherwise—by the end of 1988, there would be no more in-depth, intragovernmental discussion on the subject of withdrawing the British military commitment in Korea during the remaining years of the Thatcher administration.

⁸² TNA, FCO 21/4132, From Bowie to Carter, June 15, 1988.

⁸³ TNA, FCO 21/4132, From Bowie to Whitaker, June 20, 1988.

⁸⁴ TNA, FCO 21/4132, From Walker to Johnson, November 24, 1988.

The Reemergence of the Military Commitment Debate under the Major Government

Of course, the discussion over the future of the British military commitment in Korea could not be held up indefinitely, given the tumultuous events that would engulf the global arena in the 1990s. The most pressing, and directly relevant, issues concerning the British military commitment to Korea were the handover of Hong Kong to the People's Republic of China in July 1997 and the Persian Gulf War which lasted from August 1990 to February 1991. In December 1984, London and Beijing had signed the Sino-British Joint Declaration, in which Britain agreed to the transfer of the sovereignty of Hong Kong to China in 1997 under the condition that "Hong Kong would enjoy a high degree of autonomy and separate economic, social, political, and legal systems—the 'One Country, Two Systems' arrangement—for fifty years."⁸⁵ As such, the MOD felt it necessary for the British military's Hong Kong Garrison—which was approximately 9,000 strong in January 1990 and from which the British contingent to the United Nations Honor Guard in Korea was deployed⁸⁶—to be gradually run down from 1991 onwards in preparation for the handover deadline.⁸⁷ This in turn meant that as the "size of the garrison shrinks, it will become increasingly difficult to provide the manpower and necessary support for this deployment [to the UN Honor Guard in Korea]."⁸⁸ To add to this dilemma, Britain's involvement in the said Persian Gulf War—which saw the deployment of nearly 35,000 army personnel during the campaign⁸⁹ and the continued patrol of two

⁸⁵ Cora Chan, "Subnational Constitutionalism in Hong Kong," in *Constitutionalism in Context*, edited by David Law (Cambridge University Press, 2022), 381.

⁸⁶ L. Raynor, "The Security Forces," in *The Other Hong Kong Report 1990*, edited by Richard Y. C. Wong and Joseph Y. S. Cheng (The Chinese University of Hong Kong Press, 1990), 194.

⁸⁷ TNA, FCO 21/5254, From Howard to Warren, August 9, 1991.

⁸⁸ TNA, FCO 21/5254, From Howard to Warren, August 9, 1991.

⁸⁹ Theo Farrell, Sten Rynning, Terry Terriff, *Transforming Military Power since the Cold War: Britain, France, and the United States, 1991-2012* (Cambridge University Press, 2013), 123.

no-fly zones in Iraq after the war officially came to an end in April 1991⁹⁰ —meant that pressures on the British defense budget were “more critical than they have ever been.”⁹¹ Consequently, barely nine months after the John Major government came into power in November 1990, the MOD officially informed the FCO in August 1991 that the Ministry could “no longer afford to ignore the [GBP] 1 m[illion] or so a year that the Honor Guard and the rest of our UN related presence costs us” and therefore proposed that the military commitment “should cease by the end of financial year 92/3.”⁹² The MOD added that the FCO should work with the MOD “towards the dismantling of the UN apparatus in South Korea, as it becomes increasingly anachronistic and unnecessary. In this way, the requirement for the UK contribution would disappear naturally, and we could achieve our objective [of commitment withdrawal] without causing any difficulties in our relations with Seoul and Washington.”⁹³

Unsurprisingly, the British diplomats in Seoul reacted strongly against this MOD proposal. Citing “the importance of not delivering mistaken signals at a time of delicate negotiations” amongst the interested parties following Washington’s announcement in September 1991 of the unilateral withdrawal of all naval and land-based tactical nuclear weapons deployed abroad and Seoul’s subsequent Declaration on the Denuclearization of the Korean Peninsula the following November,⁹⁴ the diplomats argued that “any unilateral move by the UK to end our Honor Guard role would run the risk of throwing a spanner into a delicate set of works at one of the worst possible times.”⁹⁵ The diplomats also cited the comment of Admiral Benjamin Bathurst, the Vice-Chief of the UK Defense Staff, on a report that he wrote of his visit to Seoul in October. Bathurst had commented that the UK position was that “the timing of

⁹⁰ Rosemary Hollis, *Britain and the Middle East in the 9/11 Era* (Wiley-Blackwell, 2010), 25

⁹¹ TNA, FCO 21/5254, From Howard to Warren, August 9, 1991.

⁹² TNA, FCO 21/5254, From Howard to Warren, August 9, 1991.

⁹³ TNA, FCO 21/5254, From Howard to Warren, August 9, 1991.

⁹⁴ TNA, FCO 21/5254, From Seoul to FCO, December 30, 1991.

⁹⁵ TNA, FCO 21/5254, From Seoul to FCO, December 30, 1991.

such a [...] removal of the Honor Guard would have to be judged against events, but one year to eighteen months' notice would be required to prepare the ground. We need therefore to build some flexibility into any [...] saving measure.”⁹⁶ The diplomats took this comment to mean that the Vice-Chief “accepts the view we hold and believes the Honor Guard commitment should be [continued] annually until the signal is received from UNC that the Honor Guard [...] are no longer required.”⁹⁷ Upon receiving this advice from Seoul, the FCO decided it was necessary to “act quickly if we are to forestall any action by MOD to cease the funding of the British contingent”⁹⁸ and subsequently prepared a briefing note for the Minister of State at the FCO, the Earl of Caithness. In this note, the FCO advised Caithness that “a unilateral move by Britain to pull out of the Honor Guard before the UNC machinery in Korea starts to be dismantled could upset the South Koreans in a way that might well have an adverse effect on [Korean] Government decisions about commercial contracts, particularly in the defence sales field. [Also,] the North Koreans are unpredictable, and that unpredictability was enhanced by news in December that Kim Jong-il, son of [Kin Il-sung], had taken over Supreme Command of the North's armed forces. [...] Any unilateral move by the UK at the present time to end its Honor Guard role would run the risk of throwing a spanner into what is a delicate set of works. Things may become even more delicate over the next year or so. [...] There is no point [...] in risking millions of pounds worth of British contracts, perhaps sending the wrong signals to North Korea, and maybe upsetting the Americans/UNC, in order to save [GBP] 1 million [per annum].”⁹⁹ On the basis of this note, Caithness sent a letter to Archie Hamilton, the Minister of State at the MOD, in February 1992 arguing that “to make a decision now to pull out our UN Honor Guard contingent at the end of FY

⁹⁶ TNA, FCO 21/5254, From Seoul to FCO, December 30, 1991.

⁹⁷ TNA, FCO 21 5254, From Seoul to FCO, December 30, 1991.

⁹⁸ TNA, FCO 21/5254, From Morris to Davies, January 9, 1992.

⁹⁹ TNA, FCO 21/5254, From Davies to Burns, February 12, 1992.

1992/93, regardless of the situation on the ground then, would be wrong [...] It would be far better in my opinion for us to keep our option open and to review the situation say every six months with a view to withdrawing once the conditions on the ground seemed right.”¹⁰⁰ But, Hamilton staunchly defended his Ministry’s position the following March, stating that he found it “hard to believe that the withdrawal of 30-40 British military personnel will really make a significant difference” to the “progress in reconciliation between North and South and the denuclearization of the peninsula” and that “the validity of such a connection [between retaining the Honor Guard and success in defense sales] is difficult to prove either way, but it would certainly be unprecedented for us to maintain an operational deployment [...] primarily in support of defence sales.”¹⁰¹ On receiving this MOD reply, the FCO decided to “return to the charge” and retorted that it was “the Koreans, not us [...] who have made a linkage between defence support and defence sales,” and that since Caithness had sent his letter of February 26 to Hamilton, the North Koreans “have formally called on at least four UNC countries, Canada, Australia, France, and the UK to withdraw their UNC military presence from South Korea. All concerned have declined on the grounds that in the absence of a peace treaty, the provisions of the Armistice Agreement should continue to be adhered to, and that any weakening of the UNC presence at this time would play into North Korean hands.”¹⁰² Furthermore, the FCO informed the MOD of the US State Department’s opinion, which was relayed verbally to the British embassy in Washington in early May, that against “the background of serious US and international concern over the prospects for nuclear inspections in North Korea [fol-

¹⁰⁰ TNA, FCO 21/5254, From Caithness to Hamilton, February 26, 1992.

¹⁰¹ TNA, FCO 21/5254, From Hamilton to Caithness, March 16, 1992.

¹⁰² TNA, FCO 21/5254, From Davies to Burns, May 11, 1992. The South Korean Vice Minister of Defense told the British ambassador in Seoul in 1991 that there would be “a clear linkage [...] between Korea’s defence sales purchases and countries to which Korea would look for assistance in dealing with aggression.” TNA, FCO 21/5254, From Davies to Burns, February 12, 1992.

lowing North Korea's signing of a comprehensive safeguards agreement with the International Atomic Energy Agency in January 1992],” the Americans hoped Britain “would retain our UN Honor Guard commitment. Progress had been made with the North Koreans because of concerted international pressure, and this was the wrong moment to signal that we no longer thought the UN arrangements were necessary. It was important to hold firm.”¹⁰³ With all these counterarguments in place, the new Minister of State at the FCO, Alastair Goodlad, wrote to Hamilton in May stating his hope that the latter would “accept that there are sound reasons for avoiding an early decision on the ending of MOD funding for the British element in the Honor Guard in Korea. There is no doubt [that] now is not the time even to suggest any weakening of the UNC's presence there. It would look odd at the very least if Britain, one of South Korea's strongest supporters, were to appear suddenly to make a concession to the North by withdrawing its Honor Guard contingent.”¹⁰⁴

Such inter-ministerial exchanges of letters between two prominent Conservative Members of Parliament led the Foreign Secretary himself, Douglas Hurd, to take a closer interest in the issue of the British military commitment in Korea.¹⁰⁵ Upon receiving a request from Goodlad to review the relevant papers before his meeting with Hurd in early June on the matter, the buoyant FCO officials reiterated that “there is a good case for maintaining that we should not withdraw from the honor guard [...] This is not the time to flinch. We are not saying to the MOD that the honor guard should remain for all time. But, it should be scaled down or phased out on timing of our choosing, taking into account the important political developments between North and South which are now underway.”¹⁰⁶

¹⁰³ TNA, FCO 21/5254, From Davies to Burns, May 11, 1992.

¹⁰⁴ TNA, FCO 21/5254, From Goodlad to Hamilton, May 20, 1992.

¹⁰⁵ TNA, FCO 21/5254, From Tibber to Hum, June 2, 1992.

¹⁰⁶ TNA, FCO 21/5254, From Hum to Coles, June 5, 1992.

The Unexpected Ambush: The Obstinacy of Hurd and the Absence of SOFA

However, this optimistic outlook of the FCO in regards to the continuation of the British military commitment to Korea would soon be dealt a severe blow by a series of unexpected events in both London and Seoul. Firstly, during the meeting on June 5, 1992 between Douglas Hurd and Alastair Goodlad, the Foreign Secretary stated that he himself was “not persuaded of the need to continue with the Honor Guard. He made clear that, if it were FCO money, he would not agree to further funding beyond this [financial year].”¹⁰⁷ This unexpected conclusion from none other than their own minister—which came about despite the enormous effort put in by the diplomats in order to persuade all those involved of the necessity of retaining the Honor Guard—greatly surprised and annoyed the relevant FCO officials, who found it “ironic that ministers took this view on the day we saw the North Koreans [in London] and made clear to them our determination to strongly support the proper function of the MAC and the [Neutral Nations Supervisory Commission].”¹⁰⁸ As if to rub salt into the wound, Hamilton of the MOD chose that particular moment to write back to Goodlad stating that the MOD would only agree to retain the Honor Guard contribution “provided that the FCO agree to reimburse MOD for the extra costs involved [which] would amount to between [GBP] 0.5 m[illion] and 1 m[illion] per annum.”¹⁰⁹ In view of Hurd’s negative views on any FCO spending for the retention, the MOD ultimatum was obviously unacceptable to the FCO. It was, in the FCO officials’ view, a “pretty unsatisfactory” state of affairs.¹¹⁰

As if this ‘friendly fire’ was not damaging enough, a legally significant and highly alarming incident occurred in Seoul around the same

¹⁰⁷ TNA, FCO 21/5254, From Davies to Wright, June 10, 1992.

¹⁰⁸ TNA, FCO 21/5254, From Davies to Wright, June 10, 1992.

¹⁰⁹ TNA, FCO 21/5254, From Hamilton to Goodlad, June 9, 1992.

¹¹⁰ TNA, FCO 21/5254, From Davies to Wright, June 10, 1992.

time, which would ultimately serve to pour cold water over the FCO's valiant efforts to keep the British military commitment to Korea alive. On June 10, Gurkha troops from the British contingent of the UN Honor Guard were involved in a bar fight with Korean civilians in Seoul, which resulted in one Korean being seriously injured.¹¹¹ This led to the detainment of the Gurkha soldiers by Korean authorities, but they were then handed over to UNC authorities.¹¹² In cases such as this, US military personnel were subject to the 1966 US-ROK Status of Forces Agreement (SOFA). However, non-US military personnel under the UNC in Korea were subject to the provisions of Article 3.13 of the Agreement on Economic Coordination Between the Republic of Korea and the Unified Command—the so-called Meyer Agreement of May 1952—which reads as follows:

To grant to individuals and agencies of the Unified Command, except Korean nationals, such privileges, immunities, and facilities as are necessary for the fulfillment of their function within the Republic of Korea and of the above-cited resolutions of the United Nations, or as have been heretofore granted by agreement, arrangement or understanding or as maybe agreed upon formally or informally hereafter by the parties or their agencies.¹¹³

The UN Command and the legal advisers of the UK embassy in Seoul had all advised the British diplomats that “their interpretation of the treaty governing the status of UN troops in Korea was that they were immune from Korean civilian proceedings.”¹¹⁴ As such, the British embassy decided “to remove the five principal miscreants to Hong Kong for investigation and possible court martial by the military authorities there”

¹¹¹ TNA, FCO 21/5253, From Davies to Barratt, July 16, 1992

¹¹² TNA, FCO 21/5253, From Seoul to FCO, June 23, 1992.

¹¹³ TNA, FCO 21/5253, From Seoul to FCO, June 23, 1992

¹¹⁴ TNA, FCO 21/5253, From Seoul to FCO, June 23, 1992.

and issued a formal diplomatic note of this action to the Korean Ministry of Foreign Affairs (MFA) on June 18.¹¹⁵ It was also agreed that the Korean police would be able to interview all the Gurkhas involved who had not yet left for Hong Kong.¹¹⁶ Five days later, however, the MFA summoned the First Secretary of the embassy as well as the Assistant Defense Attaché and informed them that the said incident “fell within Korean civil jurisdiction, and [Britain] had therefore acted improperly in removing some of the alleged offenders to Hong Kong.”¹¹⁷ The MFA’s logic was that since the incident occurred while the Gurkha soldiers were off-duty, Article 3.13 of the Meyer Agreement was not applicable in this case because “the Honor Guard only enjoy immunity in respect of acts performed in the course of their duties.”¹¹⁸ This was a baffling situation for the UK diplomats because not only was this in conflict with the original advice given by the legal experts, but the British embassy was also “not aware of any previous incidents involving [non-US] nationals in the UN Honor Guard in which the Korean authorities have insisted that they have jurisdiction.”¹¹⁹ Concerned that they would find themselves “unwittingly agreeing to setting precedents with potential wider ramifications,” the British embassy sought urgent advice from London on how to deal with the matter.¹²⁰ The FCO’s view was that “full immunity from criminal jurisdiction is necessary for the fulfillment of the functions of the members of the UN Command. It seems wrong to us that the British element in the Honor Guard should be viewed and treated differently from the US element, despite the Status of Forces Agreement. [...] If the argument continues, it may be necessary to turn up examples of Status of Forces Agreements which we can use to establish formally general prac-

¹¹⁵ TNA, FCO 21/5253, From Seoul to FCO, June 23, 1992.

¹¹⁶ TNA, FCO 21/5253, From Seoul to FCO, June 23, 1992.

¹¹⁷ TNA, FCO 21/5253, From Seoul to FCO, June 23, 1992.

¹¹⁸ TNA, FCO 21/5253, From FCO to Seoul, June 24, 1992.

¹¹⁹ TNA, FCO 21/5253, From Seoul to FCO, June 23, 1992.

¹²⁰ TNA, FCO 21/5253, From Seoul to FCO, June 23, 1992.

tice in this area.”¹²¹

The situation rapidly deteriorated on June 24 when, on arriving at the police station for questioning at the request of the Korean authorities as previously agreed, one of the two Gurkha miscreants present was promptly detained and then formally charged.¹²² The incident could not have occurred at a more awkward moment for both countries: Alastair Goodlad happened to be on an official visit to Seoul at that time and was able to visit the detained Gurkha in question as well as lodge a protest to the Superintendent of Police.¹²³ The British embassy immediately lodged a complaint to the MFA concerning this detention and stressed the urgent need to “reach mutual agreement on the interpretation of the wording of the treaty to avoid any further problems of this nature.”¹²⁴ In preparation for this showdown with the Koreans, the UK diplomats—in line with the FCO’s advice—prepared their official reasoning that when the Meyer Agreement was signed, “executive jurisdiction over United Nations forces in Korea lay with the United Nations and not with the Korean authorities,” and therefore Article 3.13— which remained in place for non-US military personnel in the UNC—merely “confirmed an already existing informal understanding that full immunity would apply to UN forces and that as the Article remains unchanged, so full immunity continues to apply.”¹²⁵

This now meant that the British diplomats could choose one of two options when confronting the Korean side: they could either “continue to argue that we were justified in the action we took [or] concede that the Koreans have jurisdiction in the matter.”¹²⁶ The embassy clearly preferred to take the latter option in order “to settle this matter quickly as possible by telling the Koreans that in the interests of seeing the case set-

¹²¹ TNA, FCO 21/5253, From FCO to Seoul, June 24, 1992.

¹²² TNA, FCO 21/5253, From Seoul to FCO, June 26, 1992.

¹²³ TNA, FCO 21/5253, From Seoul to FCO, June 26, 1992.

¹²⁴ TNA, FCO 21/5253, From Seoul to FCO, June 26, 1992.

¹²⁵ TNA, FCO 21/5253, From Seoul to FCO, June 30, 1992.

¹²⁶ TNA, FCO 21/5253, From Seoul to FCO, June 30, 1992.

tled quickly and to avoid unnecessary damage to bilateral relations, we are willing to concede jurisdiction in this instance [...] The prosecutor has indicated to us that if we are prepared to concede the principle of jurisdiction, he will be willing to release the Gurkha and close the whole case.”¹²⁷ But, the FCO, which expressed surprise that the “question of what legal regime applied to the non-US members of the Honor Guard” had been unclear for “so long,” instructed the embassy “not to indicate to the Koreans at this stage that we may be prepared to concede that they have jurisdiction” and to discuss this problem with other non-US members of the Honor Guard.¹²⁸

However, the FCO instructions arrived in Seoul only after a British diplomat had met with the relevant MFA official on the issue on July 1. At this meeting, the MFA official reiterated that Article 3.13 “states that immunities and privileges are granted to individuals within the Unified Command [...] for the fulfillment of their function [and that] this is consistent with Section 18 of the Convention on Privileges and Immunities of the United Nations under which officials of the UN are immune from legal process in respect to all acts performed by them in their official capacity.”¹²⁹ The British diplomat replied that while he “did not necessarily accept this interpretation” in line with the official position of his embassy, he would nevertheless be “prepared to have the matter dealt with by the Korean authorities in this case, provided it was agreed that the two sides, in cooperation with other members of the UN Command, could then get together to agree an interpretation of Article 3.13” so that the incident “should not be allowed to damage bilateral relations.”¹³⁰ In their report to London on the meeting, the embassy strongly advised London that no further action should be taken on the issue since “a face saving compromise has now been reached whereby the prosecutor can claim to

¹²⁷ TNA, FCO 21/5253, From Seoul to FCO, June 30, 1992.

¹²⁸ TNA, FCO 21/5253, From FCO to Seoul, June 30, 1992.

¹²⁹ TNA, FCO 21/5253, From Seoul to FCO, July 1, 1992.

¹³⁰ TNA, FCO 21/5253, From Seoul to FCO, July 1, 1992.

have stuck to his principles over jurisdiction, while in practical terms the matter is dealt with by UK military authorities.”¹³¹ Consequently, the Korean prosecutor decided on July 3 that “in view of the good relations between the UK and Korea, no further action would be taken, and the Gurkha would be released.”¹³²

While this dispute between Britain and Korea concerning the jurisdiction over the British Gurkha soldiers may have been settled amicably and quickly, the matter had obviously, in the words of an FCO official, “thrown up many questions” concerning the British military commitment to Korea.¹³³ It had come, as mentioned above, as a great surprise to the British authorities to discover that no clear position had been developed as to the exact legal status of British soldiers in Korea throughout the 40-odd years that British troops had been on Korean soil. It was now imperative that this legal quandary be solved as quickly as possible “to avoid future uncertainty should other incidents [involving British soldiers] occur.”¹³⁴ Another such fiasco, especially if it once again received the same “high-level intervention” as the Gurkha incident had, could indeed “lead some to question the merits of keeping British soldiers in Seoul”—a situation the FCO was desperately hoping to avoid.¹³⁵

Rather unhelpfully, the UNC sent over to the British embassy a written legal opinion on the Status of Honor Guard Foreign Soldiers four days after the Gurkha soldier had been set free by the Korean authorities which, “if available earlier, might have helped [the British embassy] avoid all subsequent difficulties.”¹³⁶ This written legal opinion was clearly at odds with the original advice that the UNC had relayed to the embassy at the beginning of the Gurkha incident: non-US members of the Honor Guard were indeed “subject to civil and/or criminal liability under

¹³¹ TNA, FCO 21/5253, From Seoul to FCO, July 1, 1992.

¹³² TNA, FCO 21/5253, From Seoul to FCO, July 3, 1992.

¹³³ TNA, FCO 21/5253, From FCO to Seoul, July 17, 1992.

¹³⁴ TNA, FCO 21/5253, From Morris to PS/Mr. Goodlad, July 7, 1992.

¹³⁵ TNA, FCO 21/5253, From FCO to Seoul, July 2, 1992.

¹³⁶ TNA, FCO 21/5253, From Seoul to FCO, July 7, 1992.

the ROK law for any injury caused by them while not in the performance of their official duties. In these non-duty cases, US soldiers are also subject to civil and/or criminal liability.”¹³⁷ The only difference between arrangements for US members and those for non-US members was that while the US-ROK SOFA “provides procedure for waiver of jurisdiction or transfer of custody,” the Meyer Agreement did not.¹³⁸

Having received official confirmation that the principle of Korean jurisdiction would be applied equally to both UK and US members of the Honor Guard in similar circumstances, the British embassy informed the FCO that there should be “no difficulty [accepting] the Korean interpretation of Article 3.13 limiting immunity to acts committed during official duties.”¹³⁹ However, the diplomats expressed concern about “two areas where the legal provisions are unclear or unsatisfactory.”¹⁴⁰ The first concerned off-duty offenses, such as the Gurkha incident: was the FCO “content for these to be handled entirely under Korean law or would we wish to push for protection comparable to that offered under the US/Korea SOFA?”¹⁴¹ The second concerned the problem of “what, if any, protection is accorded to dependents under Article 3.13. In particular, the members of the CLM are here for up to two years at a time, and a number of them are here with wives and families. Our understanding is that, like the Honor Guard, they would also be covered by Article 3.13. But, unlike the [US-ROK] SOFA, Article 3.13 makes no mention of immunity for dependents.”¹⁴² The embassy in particular stressed the need for “urgent clarification” on the latter concern.¹⁴³

On receiving this report from the embassy in Seoul, the FCO realized that it would indeed be necessary to negotiate a proper SOFA in or-

¹³⁷ TNA, FCO 21/5253, From Howells to Davies, July 8, 1992.

¹³⁸ TNA, FCO 21/5253, From Howells to Davies, July 8, 1992.

¹³⁹ TNA, FCO 21/5253, From Seoul to FCO, July 7, 1992.

¹⁴⁰ TNA, FCO 21/5253, From Seoul to FCO, July 7, 1992.

¹⁴¹ TNA, FCO 21/5253, From Seoul to FCO, July 7, 1992.

¹⁴² TNA, FCO 21/5253, From Seoul to FCO, July 7, 1992.

¹⁴³ TNA, FCO 21/5253, From Seoul to FCO, July 7, 1992.

der to protect the legal rights of British soldiers and their families in Korea.¹⁴⁴ But then, two major problems arose in the course of discussions concerning potential negotiations for a SOFA. The first was whether this was a matter on which the FCO should take the lead, or whether this was an issue within the purview of the MOD.¹⁴⁵ This was an extremely delicate point for the FCO because if the MOD—which, as seen above, wanted to remove the British commitment to Korea as soon as possible—were to take a leading role in planning for any SOFA negotiations, it was obvious that MOD officials would bring up the complexities, the rigmarole, and the hassle of negotiating a new SOFA as a pretext to justify the withdrawal of the British contingent at the earliest opportunity.

The second issue was the dilemma of who would actually be conducting the negotiations for a new SOFA. The legal advisers in the FCO argued that since the UN Honor Guard is under the command of the UNC, the UNC should be responsible for negotiating with the South Korean government a new SOFA for the British contingent.¹⁴⁶ However, some officials in the Research Department of the FCO disagreed with this view. From the beginning of the 1970s, as seen above, there had been a dispute between the British government and the UNC over the question of who had command over the British contingent of the UN Honor Guard.¹⁴⁷ The view of the Research Department was that the contingent was under the command of the British Defense Attaché in Seoul and that the contingent was only “loaned temporarily to the UN Commander for ceremonial purposes [...] In the event of hostilities, it had been the view of the Defence Attaché in Seoul that these troops automatically revert to his immediate command.”¹⁴⁸ Following this logic, it was not for the UN Command to negotiate a SOFA either for the British con-

¹⁴⁴ TNA, FCO 21/5253, From Davies to Barratt, July 16, 1992.

¹⁴⁵ TNA, FCO 21/5253, From Davies to Barratt, July 16, 1992.

¹⁴⁶ TNA, FCO 21/5253, From Barratt to Davies, July 22, 1992.

¹⁴⁷ See Won, “Britain’s Retreat East of Suez,” 92.

¹⁴⁸ TNA, FCO 21/5253, From Hoare to Davies, July 24, 1992.

tingent or for the CLM which was also under the command of the British Defense Attaché: the British government would have to either negotiate for one directly with the Koreans or, by leaving the negotiations to the UNC, in effect admit that the British contingent was under American command.¹⁴⁹ Also, even if one assumed for the sake of argument that the British contingent was under the command of the CINCUNC—a position that, as seen above, had been unsurprisingly advocated by the Americans¹⁵⁰—the Research Department could see “little enthusiasm on the part of the UN Command for negotiating a separate [SOFA] to cover [British forces]” when the Americans already had a SOFA of their own.¹⁵¹ The FCO, being able to find no satisfactory solution to this conundrum, in effect washed its hands of the situation by writing to the MOD at the end of July indicating that the MOD “should confirm the exact position” of the command structure of the Honor Guard and the CLM, and informing them that whatever the outcome was, “this is likely to take well over a year to set up”—a longer-than-ideal period of time during which incidents similar to the Gurkha debacle could well occur again and thus further frustrate the FCO argument on Korea.¹⁵²

Up until July 1992, the main MOD arguments for withdrawing the British military commitment in Korea were about saving money and staying out of a potential military conflict in the Korean peninsula—arguments that the FCO had just about managed to stave off by deploying various counterarguments concerning the need to maintain good relations with the United States, to increase defense sales to South Korea, and “to maintain the firmest possible front against [North Korea] over nuclear inspections and their desire for expanded diplomatic relations.”¹⁵³ But, in July 1992, a serious legal anomaly—an unexpected dilemma that had the

¹⁴⁹ TNA, FCO 21/5253, From Hoare to Davies, July 24, 1992.

¹⁵⁰ TNA, FCO 46/832, From Seoul to MOD, April 1972.

¹⁵¹ TNA, FCO 21/5253, From Hoare to Davies, July 24, 1992.

¹⁵² TNA, FCO 21/5253, From Hoare to Davies, July 29, 1992.

¹⁵³ TNA, FCO 21/5254, From Hum to Coles, June 5, 1992.

potential not only to cause serious distress for British soldiers and their families in Korea but also to create significant political and diplomatic difficulties for the British government—had completely taken the wind out of the FCO’s sails on the matter of the British military commitment in Korea. The writing was now clearly on the wall.

Conclusion

With there being no SOFA to cover the British military contingent to Korea—a situation that the FCO felt was impossible to remedy since entering into negotiations for one at that stage would be “too late”¹⁵⁴—and with Hurd’s decision that no FCO money could be used to fund the retention of the British Honor Guard in Korea,¹⁵⁵ all that remained for the FCO to do was to “bite the bullet and accept that the time has come to pull our Honor Guard contingent out of Korea.”¹⁵⁶ Therefore, in choosing a timetable for withdrawal which would “not only soften the blow for the South Koreans and the Americans but also avoid making what might appear to be a significant concession to the North Koreans at a time when they have been calling for just this kind of disengagement,” the FCO proposed that the MOD conduct a two-stage withdrawal, “one at the end of this financial year [in early April 1993] and the remainder by the end of FY 93/94.”¹⁵⁷ But, the MOD, knowing full well that the tide had finally and irreversibly turned in their favor, rejected this proposal out of hand and replied that this could only happen if the FCO “were prepared to pick up” the cost of maintaining the remaining soldiers from 1993 to 1994.¹⁵⁸ This being an impossible scenario for the FCO to accept, the FCO had no choice but to wave the white flag and conclude that “it

¹⁵⁴ TNA, FCO 21/5255, Checklist of Points for FCO/MOD Meeting, July 13, 1992.

¹⁵⁵ TNA, FCO 21/5255, From Gozney to Coles, July 15, 1992.

¹⁵⁶ TNA, FCO 21/5255, From Davies to Hum, September 28, 1992.

¹⁵⁷ TNA, FCO 21/5255, From Goodlad to Hamilton, July 22, 1992.

¹⁵⁸ TNA, FCO 21/5255, From Hamilton to Goodlad, August 25, 1992.

would be acceptable for the whole of our Honor Guard contingent to be withdrawn at the end of FY 1992/1993.”¹⁵⁹ After much wrangling between the two ministries that ensued concerning the precise date of withdrawal, it was agreed that the British contingent would leave Korea for the final time on March 15, 1993,¹⁶⁰ and that the CLM—the main function of which was to provide support for the British contingent and therefore would not be needed when the British soldiers left Korea—would be wound up two months later.¹⁶¹ On January 15, 1993, the British Defense Attaché formally informed the CINCUNC, General Robert RisCassi, of Britain’s intention to withdraw the Honor Guard, and the British ambassador to Seoul also informed his American counterpart of this decision on the same day,¹⁶² while the South Korean government was only notified by a Note Verbale sent to the MFA three days later, on January 18.¹⁶³ As scheduled, on the morning of March 15, the most tangible and visible element of the 43-year-long British military commitment to Korea left Osan Air Base for the last time.

Much has been made in the press of recent admissions to the United Nations Command of European nations such as Italy in 2013 and Germany in 2024 as a symbol of their “dedication to shared security and [...] close ties with like-minded partners, particularly the US and Korea”¹⁶⁴ and of their determination to “stand firm against those who want to undermine peace and stability, against those who attack our common order.”¹⁶⁵ While there is no evidence to suggest that the intentions of these nations are anything but sincere and well-meaning, it must be remembered that the British government, when notifying the South Korean

¹⁵⁹ TNA, FCO 21/5255, From Goodlad to Hamilton, September 28, 1992.

¹⁶⁰ TNA, FCO 21/5517, From Hamilton to Goodlad, January 11, 1993.

¹⁶¹ TNA, FCO 21/5517, From Cochrane to DPSO/CDS, January 15, 1993.

¹⁶² TNA, FCO 21/5517, From Seoul to FCO, January 15, 1993.

¹⁶³ TNA, FCO 21/5517, From Seoul to FCO, January 20, 1993.

¹⁶⁴ “Germany joins UN Command as 18th member state,” *The Korea Times*, August 2, 2024.

¹⁶⁵ “Germany joins multinational force monitoring Korean border,” *Deutsche Welle*, August 2, 2024.

government of the withdrawal of its contingent to the UN Honor Guard in 1993, tried to soothe Seoul's ruffled feathers by emphasizing the fact that Britain "remains a member of the United Nations Command and the Military Armistice Commission"¹⁶⁶ while simultaneously doing everything possible in order to rid herself of her military commitment to Korea and thereby free herself of the burden of having to undertake any prominent military role in a future conflict on the Korean peninsula. While the increase in the size of the UNC may indeed endow South Korea with a certain amount of cachet on the world stage vis-à-vis Seoul's endeavors to attain global political prominence over Pyongyang, it would be foolhardy to simply and automatically assume that the member states' proclaimed commitment to the objectives of the UNC would be fulfilled as expected and as required should a conflict on the peninsula occur again. Rather than relying on abstract and general declarations of military support which may be regarded by some as legally unenforceable—such as the Joint Policy Declaration on Korea—Seoul would do well to take measures that will allow for the negotiating of clear, precise, and concrete military commitments from the UNC member nations.

¹⁶⁶ TNA, FCO 21/5517, From Seoul to FCO, January 14, 1993.

BIBLIOGRAPHY

Primary Sources

- The National Archives of the United Kingdom (TNA), FCO 21/347.
_____, FCO 21/352.
_____, FCO 21/947.
_____, FCO 21/1073.
_____, FCO 21/1996.
_____, FCO 21/2328.
_____, FCO 21/3228.
_____, FCO 21/3230.
_____, FCO 21/4132.
_____, FCO 21/5253.
_____, FCO 21/5254.
_____, FCO 21/5255.
_____, FCO 21/5517.
_____, FCO 21/5833.
_____, FCO 46/832.
_____, FCO 46/1007.
_____, FCO 46/1171.

Secondary Sources

- Breen, Michael. *Kim Jong-Il: North Korea's Dear Leader*. Wiley, 2012.
- Colman, Jonathan. *A 'Special Relationship?' Harold Wilson, Lyndon B. Johnson, and Anglo-American Relations 'at the Summit,' 1964-68*. Manchester University Press, 2004.
- Darwin, John. *Unfinished Empire: The Global Expansion of Britain*. Bloomsbury, 2012.

- Farrell, Theo, Sten Rynning, Terry Terriff. *Transforming Military Power since the Cold War: Britain, France, and the United States, 1991-2012*. Cambridge University Press, 2013.
- Geldenhuis, Deon. *Isolated States: A Comparative Analysis*. Cambridge University Press, 1990.
- Grey, Jeffrey. *The Commonwealth Armies and the Korean War*. Manchester University Press, 1988.
- Hollis, Rosemary. *Britain and the Middle East in the 9/11 Era*. Wiley-Blackwell, 2010.
- Hyam, Ronald. *Britain's Declining Empire: The Road to Decolonization, 1918-1968*. Cambridge University Press, 2006.
- Korea Institute of Military History. *The Korean War*, vol. 3. University of Nebraska Press, 2001.
- Law, David., ed. *Constitutionalism in Context*. Cambridge University Press, 2022.
- Lee, Chae-Jin. *A Troubled Peace: US Policy and the Two Koreas*. Johns Hopkins University Press, 2006.
- Leifer, Michael. *Dictionary of the Modern Politics of South-East Asia*. Routledge, 2001.
- Long, Lonnie M., Gary B. Blackburn. *Unlikely Warriors: The Army Security Agency's Secret War in Vietnam*. iUniverse, 2013.
- McNair, E. *A British Army Nurse in the Korean War: Shadows of the Far Forgotten*. Tempus, 2007.
- Thompson, Sue. *British Military Withdrawal and the Rise of Regional Cooperation in South-East Asia, 1964-73*. Palgrave Macmillan, 2015.
- Won, Tae Joon. "Britain's Retreat East of Suez and the Conundrum of Korea 1968-1974." *Britain and the World* 9, no. 1 (2016): 76-95.
- _____. "To Be or Not to Be? The North Korean Challenge to British Foreign Policy, 1971-1976." *Britain and the World* 7, no. 2 (2014): 212-37.
- Wong, Richard Y. C., Joseph Y. S. Cheng, eds. *The Other Hong Kong Report 1990*. The Chinese University of Hong Kong Press, 1990.