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NORTH KOREA-SOUTH KOREA RELATIONS

NORTH CRANKS UP NUKES—AND SLAMS DOWN THE PHONE

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The first four months of 2023 brought no progress or respite in inter-Korean relations. Pyongyang sent no further drones into Southern airspace as it had in December, but continued to rattle Seoul with tests of advance weaponry and ever more lurid nuclear rhetoric. South Korea hardened its language and stance, with a restored emphasis on human rights in the North—now officially defined as an enemy once more. ROK President Yoon Suk Yeol also found enemies within: leftists who made contact with the DPRK in third countries were no longer ignored but prosecuted. More ominously, so were four top officials who served the previous president, Moon Jae-in, over how they handled two difficult inter-Korean incidents in 2019-20. Elsewhere, Seoul complained in vain about Pyongyang's abuse of its assets in two defunct joint ventures: stealing some, destroying others. Soon after, the North stopped answering the phone. It is hard to see how North-South relations will improve, but all too easy to imagine them getting even worse.

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Drone Fallout: Four Failings

The year began with South Korea still reeling from Dec. 26's North Korean drone incursion (see our previous issue for a fuller account). The post-mortems continued throughout January and beyond. It remains disputed how far this incident exposed serious risks, be they of actual attack—military drones are different and bigger beasts altogether, easier to detect—or of espionage. The one UAV that got close to the presidential residence is thought unlikely to have had the technology to take photographs usable for intelligence purposes.

But even if the danger was minimal, this incident was very embarrassing, exposing as it did gaping holes in border air defenses. On Jan. 26, the ROK Joint Chiefs of Staff (JCS) briefed the National Assembly's Defense Committee on the interim findings of its internal inquiry. As often in Seoul, some of this was leaked to the media (for full links, see the Chronology).

The JCS reportedly identified "insufficiencies" in four areas: threat perception, internal information-sharing, equipment, and training. Illustrating the first of these: although the frontline Army First Corps did detect at least one of the intruding UAVs, this was not initially classified as an emergency. The problem is that with over 2,000 radar trails daily, many are hard to interpret: "there are great limitations in determing [sic] that they are the enemy's small unmanned aerial vehicles." As for info-sharing, it transpired that there was no automatic incident referral process from frontline units to the Capital Defense Command; that has now been remedied. Steps are also being taken to improve anti-drone equipment and training, such as drills on Jan. 5. For obvious reasons, exactly how the ROK will beef up its defenses in this domain will not be publicized in detail.

Retaliation is Risky

Initially, of course, there was no way of knowing if this marked the launch of a whole new campaign of provocation by Pyongyang, or whether (as it turned out) it was just a one-off, at least for the time being; as of mid-May there have been no more drone incursions. For fear of the former, or perhaps hoping to prevent it, in the immediate aftermath of the incursion there were quasi-officials warnings that Seoul would strike back hard if the North tried this again. On Jan. 9 "a high-ranking presidential official" told the *JoongAng Ilbo* (Seoul's leading daily; its politics are center-right): "If the North sends [UAVs]...again, we will not just respond passively by shooting them down" but will retaliate by launching Southern drones "deep into North Korea in accordance with the principle of proportionality...We may send UAVs as far as Pyongyang and the launch station at Tongchang-ri [a major rocket launch site]."

Fortunately, such threats have not been put to the test. (One imagines Kim Jong Un channeling Clint Eastwood: "Make. My. Day.") True, South Korea is sorely provoked by this and much else the North does. But an escalatory response, even in a nonlethal area like UAVs, can only increase risk—besides being illegal under the 1953 Armistice. Worryingly, Yoon Suk Yeol, the conservative political ingenu who narrowly won the presidency last year, has adopted "<u>tit for</u> <u>tat</u>" reaction as a wider principle. Yet as retired ROK Lt. Gen. Chun In-bum told VOA, "a million things can go wrong." He gave four examples (bullets added):

- "Yoon's orders could be misinterpreted by an overeager South Korean military leader.
- North Korea could confuse South Korea's retaliation with an attack, and fire on the South.
- South Korean weapons could malfunction, as they did on multiple occasions during such responses last year.
- Advanced South Korean weapons, such as drones, could be captured by the North if sent across the border."

<u>Elsewhere</u> Gen. Chun has noted that tit-for-tat retaliation risks losing Seoul the moral high ground. Rules of engagement allow for selfdefense, but not revenge: a crucial distinction.

Much Talk, but Little Action—Thankfully

Early January's 'gloves off' hint-dropping in Seoul also extended to the policy realm. On Jan. 4 Yoon's spokesperson said that if the North again violates Southern territory, the president has "instructed the National Security Office to consider suspending the Sept. 19 (2018) military accord." Off the record, the presidential office went further, warning that any repetition could see Seoul suspend not only the military accord, but also the entire 2018 inter-Korean joint declaration, to which the military pact is technically an annex. The Ministry of Unification (MOU) chimed in too, saying it is reviewing whether any such suspension would make it legal again to resume propaganda broadcasts or sending leaflets across the border.

On leafleting, which raises wider issues such as freedom of speech, separate legal clarification came later in April from the ROK Supreme Court, as discussed below. All the rest is just talk, and one must hope it remains so. On the propaganda and military fronts alike, there seems no good rationale for Seoul to respond to Pyongyang's provocation on a tit-for-tat basis, let alone escalating matters. The South should not be the Korea raising tensions, in any circumstances.

Nor is precedent encouraging. The last time the ROK unilaterally abrogated an inter-Korean enterprise was in Feb. 2016, when Park Geunhye abruptly closed the joint venture Kaesong Industrial Complex (KIC, discussed below). Anomalous as the KIC may have become amid rising nuclear and other tensions, seven years later it is hard to see how destroying the one last vestige of North-South interaction and win-win cooperation was a positive step.

Will Lingerie Malingerer Reveal All?

January also brought a new twist in a smaller story, which may become big news. Assiduous readers of this journal, who peruse our Chronology as well as the text—you really should, as that is where we report and reference many more items than there is space for in the main article—will recall that on Nov. 16 the *JoongAng Daily* ran what must be a contender for the ultimate clickbait headline (it's got it all): "Fugitive underwear boss gave Kim Jong-un Hermès saddle, say prosecutors." (This allegedly happened in 2019.)

Kim Seong-tae is a fugitive no longer. Nabbed by local police on a golf course in Thailand on Jan. 10, to general surprise the ex-chairman of SBW (Ssangbangwool) Group did not fight his extradition; the relative comfort of Korean versus Thai jails reportedly swayed his decision. Swiftly repatriated by a prosecution team, he was flown home on Jan. 17. On Jan. 20, he was formally arrested on charges including embezzlement, bribery, and illegal transfer of cash to North Korea. He has yet to appear in court, but prosecutors continue to leak tidbits to the media, especially the *JoongAng*, surely a questionable practice for matters *sub judice*.



Figure 1 Kim Seong-tae, former chairman of underwear maker Ssangbangwool Group, arrives at Incheon International Airport, from Thailand on Jan. 17, 2023. Photo: Pool/Yonhap

Thus on Jan. 31, citing "informed officials," Yonhap (the quasi-official ROK news agency) reported that Kim Seong-tae now claims to have delivered \$8 million—the amount gets larger with each report—to North Koreans in 2019. Nor was this solely to promote his own business interests—whatever those might be, given that Seoul has banned all inter-Korean commerce since 2016. Another aim was to advance a joint venture "smart farm" project promoted by the ROK's Gyeonggi Province (which surrounds the capital; nowadays in effect greater Seoul), and relatedly a visit to the DPRK by Gyeonggi's governor -- none other than Lee Jae-myung, who went on to become the then ruling liberal Democratic Party (DPK)'s presidential candidate last year, and now leads the party after his defeat by Yoon Suk Yeol.

Prosecution or Persecution

Clearly this case has a domestic political dimension. In a long and baleful bipartisan tradition of vindictiveness in Seoul, it is hard to avoid the impression that Yoon (a former prosecutor-general, who has given government jobs to not a few ex-colleagues), is going after Lee and others linked to his liberal predecessor Moon Jae-in—who did the same to associates of the president before him, the disgraced and impeached conservative Park Geun-hye. All else aside, this seems a perverse tactic for Yoon: the DPK controls the National Assembly, so he needs the opposition party's cooperation to get any legislation passed.

On March 22 Lee was <u>indicted</u> on separate corruption and related charges, not involving North Korea. In the SBW case, the prosecution is openly trying to establish a link between Lee and Kim Seong-tae. Each at first denied knowing the other, but Kim has since changed his tune. (They are connected indirectly in any case via Lee's former deputy governor and close associate, <u>Lee Hwa-young</u>.) Lee responded with waspish wit his image is more of a <u>vulgar</u> bruiser—<u>telling</u> reporters: "It appears that a new novel by the prosecution has been released. Considering their creative writing skills, it won't sell well." Watch this space.

It is the prosecution's job to pursue lawbreakers. The question is which cases, and persons, they choose to take up. Illegal financial transfers to the DPRK are one thing. Much more questionable is prosecuting former government officials for their policy decisions relating to North Korea, which sets a dangerous precedent. Yet that is the path Yoon has chosen on two contentious issues: the handover of two defecting fishermen to North Korea in November 2019, and the killing of ROK fisheries official Lee Dae-jun in DPRK waters almost a vear later. This journal covered both incidents at the time, and we commented on the disinterment of these cases in our penultimate issue (Sept. 2022, section headed "Reframing the Past"). (On the fishermen's case, see also this useful discussion from last year.)

Regarding the 2019 repatriation, on Feb. 28 four former ministers and top-level officials were indicted: Chung Eui-yong (ex-national security adviser and foreign minister), Noh Young-min (former presidential chief of staff), Suh Hoon (ex-NIS chief), and Kim Yeon-chul (quondam Minister of Unification). Accused variously of abuse of power, obstructing the fishermen's rights, and falsifying documents, they were not detained—except Suh, who was already behind bars awaiting trial for his role in the Lee Daejun case. (He was later released on bail on medical grounds, but remains under house arrest.)

Here too we must await the trials. Pending those, remember that the repatriated North

Koreans had confessed to mass murder. Did those who sent them back make the wrong call, morally or legally, when in ROK law confession alone does not suffice to convict? Might they not have acted in good faith? And in a democracy where rulers change, but with a constitution wherein the DPRK has no legal standing, who in future will want to shoulder responsibility for policy toward North Korea, if the reward is to risk imprisonment subsequently?

Watching the Defectors

The number of North Koreans <u>reaching</u> South Korea is now tiny, compared to earlier in this century (see details in the Chronology). Moreover, the raw figures, large or small, may hide important aspects. To be clear, almost no one goes directly from North to South Korea: the DMZ is all but impassable in any case, except to the rare soldier or gymnast.



Figure 2 Director Hanna Song speaks about genderbased violence of North Korean women who cross the DPRK-PRC border at the 52nd UN HRC event cohosted by Global Rights Compliance, FIDH, NKDB, and TJWG. Photo: Twitter/@GRC_HumanRights

Rather, those who reach Seoul have come from third countries, often by circuitous routes and after months or years outside the DPRK. Their trajectories differ significantly by gender. The great majority of arrivals are women. Almost all come from China, where they may have spent a long time in situations of varying degrees of legality and <u>grimness</u>. The far smaller number of men who make it to the ROK now, by contrast, tend to have escaped from labor contracts abroad. In January *Yonhap* noted a small surge from Russia, where the DPRK has for decades sent loggers and other contract workers (continuing even when banned by UN sanctions). Upheavals caused by the invasion of Ukraine apparently gave them their chance to flee.

Whenever and howsoever they came, how former North Koreans fare in their new life in the South has long been a concern. Lacking skills and relevant experience, very few find Seoul's fast-paced streets to be paved with gold. In April their welfare benefits were increased, and MOU pledged better monitoring. This followed a shocking <u>case</u> last October where the skeletal remains of a defector were found in her apartment. No one had missed her for a year, though she had once been a well-known success story. Nor was this the first such incident.

(This section includes helpful insights and analysis from Rev. <u>Eric Foley</u> of <u>Voice of the Martyrs</u>, who <u>works</u> closely with DPRK defectors. My thanks to him.)

Hey, That's Our Bus!

Politically the peninsula seems gripped by endless winter. Yet in Korea, as elsewhere, spring is sprung and nature blooms, heedless of human tensions. On April 5 *Rodong Sinmun* carried a picture of cherry blossoms in Pyongyang. Eagle-eyed readers in Seoul doubtless official: ordinary South Koreans are still banned from accessing DPRK media spotted an anomaly. The light traffic along sunny Juche Tower Street included a blue South Korean-made bus: one of several left behind at the Kaesong Industrial Complex (KIC), the joint venture just north of the DMZ which then-ROK President Park abruptly shut down in February 2016.



Figure 3 Cherry blossoms featured in Rodong Sinmun in Pyongyang, North Korea on April 5. 2023. Photo: Rodong Sinmun

This is not the first such sighting. In July 2022 a <u>screengrab</u> from the North's *KCTV* showed a similar <u>bus</u>, closer to home in Kaesong city. Nor

is this the first time the South has protested or tried to. On April 6 Seoul sought to raise this matter during the daily morning test of the inter-Korean hotline—but Pyongyang refused to accept the message.

South Korea voiced similar concerns about another former joint venture: the Mt. Kumgang tourist zone, rotting away on the opposite (eastern) side of the peninsula almost 15 years after it last saw any ROK tourists. Here the South's concern over misuse of its assets is less theft than demolition—and belated. Satellite photos suggest that the Haegumgang Floating Hotel, which ended up at Kumgangsan after a peripatetic history that took it from the Great Barrier Reef to Saigon (where it housed a glitzy nightspot), was torn down last year already.



Figure 4 Footage of what appears to be a South Korean bus left at the Kaesong Industrial Complex in North Korea on July 3, 2022. Photo: KCTV via NK News

And Then the Line Went Dead

To restate the obvious, North Korea these days evinces zero interest in anything South Korea says, or does, or once owned. Such thoroughgoing contempt raises the question: why even bother to have any lines of communication with such a despised enemy?

Evidently the same thought came to mind in Pyongyang. On April 7, one day after refusing to hear the South's complaint about its rerouted bus, the North did not answer the South's first daily test call on the inter-Korean liaison channel at 9 AM The same happened at 5 PM, and before that with the parallel routine daily calls at 4 PM on the two military hotlines: one each for the West and East Sea military regions. More than a month later, as of mid-May, this radio silence remained unbroken. While far from the first time North Korea has broken off contact to show its displeasure with the South, the current state of overall relations (hostile and non-existent, basically) suggests that these lines of communication will not soon be restored. As tensions rise, we can but hope that other channels behind the scenes still exist in case of need.

What Inter-Korean Future—If Any?

As spring gives way to summer, and Yoon marks his first year in office—just four more to go while Kim Jong Un could yet rule for another four decades—it is worth stepping back to ask what the inter-Korean future holds.

Executive summary: Not a lot, on present trends.

Besides the sadness—at least for those of us who hoped for better, and more than once dared to believe we were seeing it—of the current impasse between the two Koreas, and anxiety at the implications of ever tougher talk without any kind of peace process, there is the frustration of trying to discern exactly what either Korean regime seeks at this time, and how their means relate to ends. The Spice Girls put it more succinctly: "So tell me what you want, what you really really want."

What does Kim Jong Un want? We know what he is doing, but not really why. Recent DPRK foreign and security policy has three major strands. First, and most directly within our remit here, he has zero interest in better inter-Korean relations. Maybe he never did, and cultivating Moon Jae-in was merely a ruse to get to Trump. At all events, after the US-DPRK summit in Hanoi in February 2019 collapsed, for three years Kim rudely cold-shouldered the friendliest ROK leader he will ever meet, as amply documented in these pages. *A fortiori*, Pyongyang will not change its tune now that it faces a very different kettle of fish in Yoon Suk Yeol.

Second, Kim has greatly enhanced North Korea's nuclear capabilities. Hardware and rhetoric alike only grow more menacing, with ICBMs now posing a global as well as a local threat. Especially enervating for Seoul is the constant harping on nuclear first-use, and developments in weaponry such as multiple launch rocket systems (MLRS) whose target is on the peninsula.

Why does Kim do this? His arsenal now goes far beyond anything needed for self-defense. If his motives are obscure, the consequences of his actions grow ever clearer. Understandably, calls for South Korea to have its own nuclear deterrent are getting louder. A case in point is Seoul mayor Oh Se-hoon: not some far-right backwoodsman, but a moderate modernizing centrist -- and a likely presidential contender in 2027. When someone like Oh says Seoul needs nukes and damn the consequences, one must wonder how long Biden and Yoon can head off such talk by arrangements which to critics look more like a fudge than a guarantee. And if Biden's successor (perish the thought) turns out to be Donald Trump redux, the latter's toxic mix of contempt for US allies with utter unpredictability greatly increases the odds that South Korea's next president—or maybe the present one, given some comments Yoon has made—will grasp the nuclear nettle. Is that really what Kim Jong Un wants?

Strikingly, and perhaps consolingly, Kim's third foreign policy plank is to cleave ever closer to China and Russia. If such a new Cold War bloc is depressing globally, on the peninsula it may be positive. Xi and Putin have their own fish to fry; neither wants another costly Korean distraction, as in 1950–53. They may therefore restrain Kim, should that prove necessary.

Who will restrain Yoon Suk Yeol? Obviously he and Kim are not equivalent. South Korea is much provoked, and an effective responses are hard to find. But Yoon lacks political-much less military—experience, which is unsettling. Tough talk of tit for tat or threefold retaliation may play to the gallery, but it does not make the peninsula safer. Beyond the rhetoric, Yoon's government seems to have no new ideas on how to tackle the Northern question, judging from its policy initiatives to date. Re-emphasizing human rights, shamefully downplayed under Moon, seems proper, but also tells Pyongyang that this ROK government has no real interest in dialogue on any mutually acceptable terms. The same signal is sent by creating an advisory body to draw up a new policy blueprint for unification "based on freedom and democratic values." Professing mutual respect for each others' systems was always a headache in practice, but without it, what basis can there be for serious dialogue?

One suspects that Yoon wishes North Korea would just go away. His interests lie elsewhere:

notably (and laudably) in mending fences with Japan, as discussed elsewhere in this issue. But Kim will not give him that pleasure, or luxury. The question then is twofold: what nasty surprises Pyongyang has in store, and how Seoul, under an untried leader who clearly wants to look like a hard man, will respond. Hold on to your seats.

CHRONOLOGY OF NORTH KOREA-SOUTH KOREA RELATIONS

JANUARY—APRIL 2023

Jan. 3, 2023: South Korea's Ministry of Unification (MOU) <u>reveals</u> that in 2022 it approved twelve applications by NGOs to send humanitarian aid to North Korea, worth a total of 5.52 billion won (\$4.32 million). Five of these were since Yoon Suk Yeol took office as President last May, including a shipment of (unspecified) goods worth 300 million won in December. It is <u>not known</u> how much, if any, of this aid has actually reached the DPRK, which nowadays normally spurns assistance from the ROK.

Jan. 4, 2023: A propos Dec. 26's incursion by five DPRK drones across the Demilitarized Zone (DMZ, the de facto inter-Korean border), discussed in our <u>last issue</u>, President Yoon's spokesperson <u>says</u> he has "instructed the National Security Office to consider suspending the Sept. 19 (2018) military <u>agreement</u> in the event North Korea carries out another provocation violating our territory." Yoon also "instructed" Defense Minister (MND) Lee Jong-sup to beef up the ROK's military drone capacity. His office says the North has "explicitly" violated the 2018 accord 17 times since October.

Jan. 5, 2023: Amplifying the above, ROK media <u>cite</u> unnamed officials as warning that Seoul could suspend not only the military pact but also 2018's inter-Korean joint declaration, should Pyongyang again intrude on its territory. A "key presidential official" <u>tells</u> *Yonhap*, the quasi-official ROK news agency: "It's part of our sovereignty to invalidate inter-Korean agreements if circumstances change." Hinting at a major policy shift, MOU <u>says</u> it is reviewing whether it could legally resume propaganda broadcasts or sending leaflets if these agreements were suspended. (As of mid-May no such change of policy or practice has been observed.)

Jan. 5, 2023: In a U-turn, a military official <u>ad-mits</u> that on Dec. 26 one DPRK drone did penetrate a 3.7-kilometer-radius no-fly zone around the presidential office in Seoul's Yongsan district. The ROK Joint Chiefs of Staff (JCS) had previously dismissed such claims as "untrue and groundless." Military authorities still insist there was no security risk, doubting whether the North's UAV was even capable of taking usable photographs.

Jan. 5, 2023: ROK armed forces <u>conduct</u> further air defense drills, this time including live fire, against enemy drone infiltrations. Some 50 aircraft are deployed, including KA-1 light attack planes and 500MD helicopters, as well as troops armed with drone jammer guns.

Jan. 8, 2023: South Korea's liberal opposition Democratic Party (DPK), which controls the National Assembly, <u>calls</u> the ROK's tit-for-tat sending a drone across the DMZ on Dec. 26 a "reckless" breach of the 1953 Armistice which blurred Pyongyang's culpability. Rejecting this charge, MND <u>claims</u> that its riposte was "a corresponding self-defense measure." (See also Jan. 26 below.)

Jan. 9, 2023: ROK presidential office <u>reveals</u> that last year (no date was cited) it granted a meeting request by DPRK human rights activists—including the militant group Fighters for Free North Korea (<u>FFNK</u>), which has persisted with now illegal balloon launches of leaflets across the Demilitarized Zone (DMZ)—and is "keeping the channel open." Under Yoon's predecessor Moon Jae-in, the Blue House shunned such groups as hostile.

Jan. 9, 2023: subscription website <u>NK News</u> <u>reports</u> that the United Nations Command (UNC) has set up a Special Investigation Team to probe whether recent drone flights over the Military Demarcation Line (MDL) violated the Armistice. That could mean the ROK's as well as the DPRK's launches. (For UNC's verdict, see Jan. 26 below.)

Jan. 9, 2023: ROK media <u>report</u> that three persons on Jeju Island, linked to the small leftist Progressive Party and the Korean Peasants' League, are under police investigation for running a pro-North underground group since 2017, directed by DPRK agents. The accused deny the charges and are refusing the NIS's summons. A separate probe into another pro-Pyongyang network has led to raids in Jeju, Seoul, South Gyeongsang and North Jeolla provinces. (See also Jan. 18 and Feb. 1 below.)

Jan. 9, 2023: FFNK <u>says</u> it will use drones rather than balloons to send leaflets into North Korea "at the earliest date possible." MOU <u>asks</u> it not to and urges caution.

Jan. 9, 2023: "A high-ranking presidential official" <u>tells</u> the *JoongAng Ilbo* (Seoul's leading daily; its politics are center-right): "If the North sends [UAVs] ... again, we will not just respond passively by shooting them down." Rather, the ROK will send its own drones "deep into North Korea in accordance with the principle of proportionality ... We may send UAVs as far as Pyongyang and the launch station at Tongchang-ri [a major rocket launch site]."

Jan. 10, 2023: MOU <u>says</u> that in 2022 only 67 Northern defectors reached South Korea: second lowest annual figure ever, after the 63 who arrived in 2021. (See also Jan. 25.)

Jan. 10, 2023: Eight months after fleeing to Singapore, Kim Seong-tae, former chairman of Ssangbangwool (SBW) Group, an underwear maker, is <u>arrested</u> at a golf club in Thailand. Besides corruption charges, Kim is alleged to have illegally transferred funds to Norh Korea. (See Nov.16, 2022 in our previous <u>Chronology</u>, and Jan. 12, 17, 20, 31 and March 21 below.)

Jan. 12, 2023: Belying expectations of a lengthy contested extradition process, "judicial and other officials" <u>tell</u> *Yonhap*, South Korea's quasi-official news agency, that Kim Seong-tae has decided to come home and face the music. (One reason, reportedly, is that South Korean jails are more salubrious than Thai ones.)

Jan. 17, 2023: Handcuffed and flanked by prosecutors, Kim Seong-tae <u>arrives</u> at Incheon International Airport. Answering a reporter's question, he denies knowing opposition leader Lee Jae-myung. Lee says the same, but a former Ssangbangwool executive claims otherwise. Prosecutors begin questioning Kim the same day.

Jan. 18, 2023: After an hours-long standoff, a team from the National Intelligence Service

(NIS) and the National Police Agency (NPA) <u>raids</u> the Seoul headquarters of the Korean Confederation of Trade Unions (KCTU, the more left-wing of South Korea's two umbrella union groupings), "on suspicion of anti-communist law violations by some of its members." Amid reports of a scuffle, KCTU claims excessive force was used. Two simultaneous smaller raids take place elsewhere on KCTU members and affiliates. (See also March 28 below.)

Jan. 20, 2023: Suwon District Court grants a warrant and Kim Seong-tae is formally <u>arrested</u>. The charge-sheet includes embezzlement, bribery and illegal transfer of cash to North Korea.

Jan. 21, 2023: MOU data <u>show</u> that 3,647 applicants to meet North Korean family members died last year. Out of around 134,000 who originally registered for this scheme, only 42, 624—fewer than one-third—are still alive. Since 2000 there have been 21 rounds of face-to-face reunions, but none since Aug. 2018 and no realistic prospect of resumption. (See also Feb. 7.)

Jan. 25, 2023: Citing an unidentified "source," *Yonhap* <u>claims</u> that nine of the 67 North Korea defectors who reached Seoul in 2022 were workers coming from Russia. All male and previously unknown to each other, they include two soldiers in their 20s and several long-time loggers in their 40s-50s. Russia's invasion of Ukraine "caused a stir" which prompted their separate decisions to flee. MOU declines to confirm any of this, on security grounds.

Jan. 25, 2023: North Korea drone post-mortem continues. Citing "informed sources"—no doubt lawmakers briefed ahead of tomorrow's committee session; see Jan. 26—the ROK JCS blames "insufficiencies" on four fronts—threat perception, internal information-sharing, equipment and training—for the botched military response to the five DPRK UAVs which violated ROK airspace a month ago. Whether heads will roll in Seoul for this is unclear: "As the inspection is not over yet, we are not at the stage to mention a disciplinary step if any."

Jan. 26, 2023: Briefing the National Assembly's defense committee on the interim findings of its internal inquiry into the drone incident, the JCS <u>explains</u> that although the frontline Army First Corps detected at least one of the intruders, this was not initially classified as an emergency. With over 2,000 radar trails daily, many are hard

to interpret: "there are great limitations in determing [sic] that they are the enemy's small unmanned aerial vehicles."

Jan. 26, 2023: Exactly one month after North Korea's drone incursion, the US-led United Nations Command (UNC), which has oversees the DMZ, <u>finds</u> that both Koreas violated the 1953 Armistice by sending UAVs into each other's airspace on Dec. 26. MND retorts that the ROK's retaliatory drone was in self-defense, ergo not covered by the Armistice Agreement.

Jan. 27, 2023: In a report to President Yoon, MOU <u>sets out</u> seven key policy objectives for 2023. The ministry will try to "normalize" inter-Korean relations by seeking both direct and indirect contacts with Pyongyang, including via NGOs and international bodies. Yet Minister Kwon Young-se says that although ready to talk at any time. Seoul is not contemplating any new offer to do so: "It is important for North Korea to come back to dialogue with sincerity."

Jan. 27, 2023: South Korea's liberal opposition DPK <u>slams</u> the ruling conservative People Power Party (PPP) for trying to stop the transfer of authority to conduct DPRK-related anti-espionage probes from the NIS to the police (NPA), scheduled for end-2023. With President Yoon calling for this to be reconsidered, the DPK says: "Yoon has revealed his snaky (sic) true intention ... after using the NIS to noisily raid labor union offices" (see Jan. 18 above).

Jan. 30, 2023: ROK Coast Guard—specifically its Western Regional HQ in the southern port city of Mokpo—<u>arrests</u> an unnamed oil dealer. He is accused of supplying 19,000 tons of diesel fuel, worth 18 billion won (\$14.65 million), to North Korea in 35 ship-to-ship transfers during Oct. 2021-Jan. 2022, using a Chinese firm as intermediary for transport and payment. Two accomplices are booked without detention. This is the first arrest in such a case.

Jan. 31, 2023: Citing "informed officials" (aka leaking prosecutors), *Yonhap* <u>reports</u> that under questioning Kim Seong-tae claims to have de-livered \$8 million to North Korea in 2019, to promote Gyeonggi Province's smart farm project and a potential visit by Lee Jae-myung, then Gyeonggi governor. Kim now says he does know Lee; the latter still denies this.

Feb. 1, 2023: Prosecutors in the southwestern ROK city of Jeonju <u>charge</u> a local activist, Ha Yeon-ho, head of the Jeonbuk People Movement, with breaking the National Security Law by having unauthorized contacts with North Koreans. Ha allegedly met DPRK agents several times during 2013–19 in Beijing, Hanoi and elsewhere, and sent email reports to Pyongyang on South Korean politics. Denying the charges, Ha says the investigation is suppression.

Feb. 1, 2023: On the same day, Seoul Central District Court <u>approves</u> a prosecution request to detain four unnamed activists from Changwon in the southeastern ROK. Taking orders from DPRK agents in Cambodia and elsewhere, the accused allegedly founded an anti-government organization which organized pro-Pyongyang and anti-US activities.

Feb. 2, 2023: Relatives of Kim Jung-wook and Kim Kuk-gi—ROK missionaries arrested by North Korea in 2013 and 2014 respectively— <u>meet</u> Elizabeth Salmon, UN special rapporteur for DPRK human rights, who is visiting Seoul, to seek UN help in gaining their release. The two Kims are among nine South Koreas currently detained in North Korea for alleged anti-state crimes; three of them are priests.

Feb. 3, 2023: Meeting with Ven. Jinwoo—president of the Jogye Order, South Korea's largest Buddhist denomination—MOU Kwon Young-se asks for help from "the Buddhist circle" in improving ties with North Korea. Kwon stresses that the government wants to revive humanitarian exchanges. *Yonhap*'s report does not say how Ven. Jinwoo responded.

Feb. 6, 2023: NIS <u>says</u> it has formed a three-way inter-agency team with the NPA and the Supreme Prosecutors' Office (SPO) to probe domestic espionage cases linked to North Korea but only until Dec. 31. Under a contentious reorganization by Yoon's predecessor Moon Jae-in, from 2024 the NIS will lose its investigative powers in such cases to the police.

Feb. 6, 2023: Amid US-PRC tensions over a Chinese weather balloon which overflew the US before being shot down, an anonymous official <u>tells</u> *Yonhap* that a suspected DPRK weather balloon, some 2 meters long, entered ROK airspace (where exactly is not specified) for a few hours on Feb. 5. Unlike their US counterparts, South Korea's military took no action "as it deemed

the balloon as having no intention for spying activities."

Feb. 7, 2023: Under its work plan for 2023–25, MOU <u>vows</u> to "mobilize all available policy means to resolve the issue of families separated by the 1950–53 Korean War, prioritizing identifying whether their relatives in North Korea are alive." This hardly seems a realistic hope. Last Sept. Minister Kwon <u>proposed</u> resuming family reunions, but Pyongyang did not deign to <u>reply</u>.

Feb. 10, 2023: South Korea's Foreign Ministry <u>announces</u> the ROK's first bilateral sanctions against the DPRK's illicit cyber-activities, including cryptocurrency theft. These target four named individuals and seven organizations under the Reconnaissance General Bureau (RGB), North Korea's military intelligence agency. Earlier in Yoon's presidency Seoul sanctioned persons and institutions involved in the DPRK's WMD programs, and in evading multilateral UN Security Council (UNSC) sanctions. As the two Koreas have no intercourse, the South's sanctions are largely symbolic.

Feb. 16, 2023: As widely <u>trailed</u>, and interestingly timed—on Kim Jong II's birthday, a major public holiday in the DPRK—MND publishes a new <u>Defense White Paper</u> (though dated 2022). This calls North Korea an "enemy" for the first time since 2017; under Moon Jae-in that expression was excised. Kim Jong Un is now referenced merely by name; in the Moon era, more courteously, his title was also given (chairman of the State Affairs Commission).

Feb. 28, 2023: Seoul Central District Prosecutors Office <u>indicts</u> four of Moon Jae-in's former minister-level officials for alleged involvement in the forced repatriation of two North Korean fishermen in 2019. Chung Eui-yong (ex-national security adviser and foreign minister), Noh Young-min (former presidential chief of staff), Suh Hoon (ex-NIS chief) and Kim Yeonchul (quondam MOU) are accused variously of abuse of power under the NIS law, obstructing the fishermen's rights, and falsifying documents. They are not held; Suh is already detained on other charges (see April 3 below).

Feb. 28, 2023: MOU <u>launches</u> the Unification Future Planning Committee (UFPC). This new 34strong advisory committee of experts from academia and NGOs is tasked with drawing up a new policy blueprint for unification "based on freedom and democratic values." It will meet quarterly. Its five sub-panels include military matters, economic affairs and humn rights.

March 7, 2023: As often, ROK lawmakers <u>leak</u> tidbits from an NIS briefing to the press. The spy agency claims that the oldest of Kim Jong Un's three children is a son; rumors that he has phys-ical and mental issues are unconfirmed. His ever more prominent daughter Kim Ju Ae is home-schooled and enjoys riding, swimming and ski-ing. The third child's sex is unknown.

March 7, 2023: ROK JCS <u>deny</u> claims by their DPRK counterpart, the General Staff of the Korean People's Army (KPA), of a "very grave military provocation": namely firing over 30 artillery shells at a range in Paju near the DMZ. Seoul calls this "not true and a groundless claim."

March 9, 2023: Case papers for the officials indicted on Feb, 28 (see above) <u>reveal</u> that the fishermen were deceived: not realizing they were being repatriated, until their blindfolds were removed at Panmunjom. When the penny dropped, they struggled and attempted selfharm.

March 9, 2023: MOU Kwon <u>tells</u> Voice of America (VOA) that the Moon-era law which prohibits sending leaflets into North Korea is an "absolutely bad act" which needs revision: "The clause ... which legally blocks the things that could help North Korean people's right to know has a problem." In Nov. Kwon opined similarly to the Constitutional Court.

March 13, 2023: Oh Se-hoon, mayor of Seoul and a likely future PPP presidential contender, <u>tells</u> Reuters that South Korea should build nuclear weapons to bolster its defences against North Korea, even at the risk of international repercussions.

March 17, 2023: MOU <u>announces</u> increased financial and other support for North Korean defectors, including the first rise in the basic resettlement subsidy for four years.

March 21, 2023: South Korea <u>bans</u> the export via third countries of 77 items that could be used in North Korea's satellite program. Pyongyang has said it will put a military reconnaissance satellite into orbit this spring.

March 21, 2023: Lee Hwa-young (former vice governor of Gyeonggi Province and a close ally of opposition leader Lee Jae-myung), who already faces charges of bribery, is further <u>indicted</u> for collusion in Ssangbangwool Group's alleged illegal transfer of funds to North Korea in 2019–20. (More details in Korean <u>here</u>.)

March 23, 2023: For the first time since 2018 the ROK joins other democracies in co-sponsoring the United Nations Human Rights Council (UN-HRC)'s resolution on DPRK human rights. UN-HRC has passed such a resolution every year since 2003, but during 2019–22 Moon Jae-in's administration was not among its sponsors. In Dec. South Korea sponsored a similar resolution in the UN General Assembly (UNGA), again after a four-year hiatus.

March 24, 2023: MOU <u>calls on</u> North Korea to "faithfully" repay a loan that falls due today. In 2007, amid briefly burgeoning cooperation after the second North-South summit, Seoul loaned Pyongyang industrial raw materials, worth US\$80 million, to make garments, shoes and soap. Repayment was meant to be in kind, with minerals such as zinc; but the North has made no payments since 2008.

March 24, 2023: North Korea <u>claims</u> to have successfully tested an underwater nuclear attack drone during March 21–23, able to cause a "ra-dioactive tsunami" and destroy enemy ports.

March 24, 2023: Speaking at a memorial service on West Sea Defense Day (commemorating the 55 ROK service members killed off the west coast between 2002–2010), President Yoon <u>says</u>: "I will make sure North Korea pays the price for its reckless provocations."

March 27, 2023: ROK JCS <u>sounds</u> a skeptical note on the DPRK's new weapon (see March 24): "Our military is putting weight to the possibility that the claim might have been exaggerated or fabricated." Any new system is at an early stage of development.

March 28, 2023: Amid recent intensified WMD tests by North Korea, ROK President Yoon <u>tells</u> his Cabinet: "From now on, the unification ministry should stop giving away to North Korea (sic) and make it clear that as long as North Korea pursues nuclear development, we cannot give them a single won." **March 28, 2023:** Four unnamed current or former KCTU officials are <u>arrested</u> for alleged illegal contact with DPRK spies in third countries, including Vietnam (Hanoi), Cambodia (Phnom Penh) and China (Guangzhou). According to prosecutors, the chief suspect also briefed Pyongyang about ROK political developments on some 100 occasions, and was given orders—including to lead anti-government rallies. (See also Jan. 18, above.)

March 31, 2023: For the first time, MOU <u>pub-lishes</u> its annual report on North Korean human rights. It has compiled one each year since 2018, as mandated by a 2016 <u>law</u>; but under Moon Jae-in these were not made public. The 450 page report describes some 1,600 violations of human rights, based on the testimony of 508 defectors between 2017-22. (See also April 26.)

April 3, 2023: Seoul Central District Court <u>grants</u> bail on medical grounds (cardiovascular issues) to Suh Hoon. Now aged 70, Moon Jae-in's former national security adviser had been detained since Dec. on charges related to his handling of the Sep. 2020 killing of an ROK fisheries official in mysterious circumstances by North Korea.

April 5, 2023: A <u>photograph</u> of a Pyongyang street in *Rodong Sinmun*, daily paper of the DPRK's ruling Workers' Party (WPK), includes a South Korean-made bus: one of several abandoned in the Kaesong Industrial Complex (KIC) when then-ROK President Park Geun-hye unilaterally <u>closed</u> the joint venture in February 2016, in retaliation for North Korean nuclear and rocket tests.

April 6, 2023: MOU publicly <u>warns</u> the North to stop unauthorized use of the KIC and ROK property therein (or therefrom). It adds that Seoul sought to convey this message officially via the inter-Korean hotline earlier today, but Pyongyang <u>declined</u> to accept it.

April 7, 2023: North Korea does not <u>respond</u> to the South's usual twice-daily calls at 9 a.m. and 5 p.m. on their telephone liaison channel, nor to the separate daily test calls at 4 p.m. on two military hotlines covering the West and East Seas. Seoul's calls to the latter on April 8 and 9 also go unanswered (the civilian liaison line does not operate at weekends). **April 10, 2023:** With the North unresponsive to the South's routine liaison telephone calls for a fourth day, MOU <u>concludes</u> that Pyongyang has unilaterally severed all communications. The DPRK has made no official announcement or comment about this. (Past, briefer failures to answer were sometimes caused by technical problems; but usually the reason is political.)

April 11, 2023: MOU Kwon issues a <u>statement</u> on Pyongyang's continued radio silence: "The [ROK] government expresses strong regret over the North's unilateral and irresponsible attitude. We strongly warn that this will only lead the North to isolate itself and face more difficult situations."

April 12, 2023: MOU <u>says</u> that, for a sixth day, the North is still not picking up the phone: on either the main inter-Korean liaison channel, or the two military hotlines. As of mid-May this stony silence continues.

April 12, 2023: In a report to a National Assembly committee, MOU <u>says</u> North Korea has been raising threat levels by repeatedly holding drills to simulate tactical nuclear attacks

April 14, 2023: MOU <u>publishes</u> its annual Unification White Paper: first during Yoon's presidency. Its language is tougher than in the Moon Jae-in era; calling for instance for the denuclearization of North Korea, not of the Korean peninsula as formerly. MOU says: "The priority ... has been shifted to efforts to denuclearize North Korea, normalize the inter-Korean ties, improve the North's human rights records and prepare for unification." 2022 saw zero inter-Korean trade or personnel visits. A trickle of humanitarian aid remains, worth 2.6 billion won (\$2 million), down from 3.1 billion won in 2021. An English version is forthcoming.

April 19, 2023: *JoongAng Ilbo* <u>reports</u> that North Korea is soliciting Chinese investment for the Kaesong Industrial Complex (KIC). Next day MOU in effect <u>confirms</u> this: "Intelligence related to participation of companies from a thirdparty country in the factory zone has been detected, [and] we are looking into it with relevant institutions."

April 23, 2023: A survey by <u>Realmeter</u>, a leading ROK pollster, <u>finds</u> that 56% of the 1,008 adults sampled support South Korea developing its

own nuclear weapons to confront North Korea's nuclear threat. 41% are opposed, mainly fearing that this would incur sanctions.

April 23, 2023: Another poll by an NGO, of South Koreans in their 20s and 30s, <u>reports</u> that 24% deem Korean unification "absolutely necessary"—but 61% disagree. 88% view North Korea unfavorably; even more (91%) are negative towards China. By contrast, 67% have positive views of the US, and almost as many (63%) are favorably disposed towards Japan.

April 24, 2023: MOU <u>says</u> it is considering suing the DPRK for its "clear invasion of [ROK] property rights" at the KIC (see April 5, 6 and 19 above). Potential plaintiffs could include the Export-Import Bank of Korea (KEXIM), which handles government funds for inter-Korean cooperation, and MOU's own subsidiary the Kaesong Industrial District Foundation. Which jurisdiction any suit would be filed in is unclear, and the chances of redress non-existent. (See also May 5, below.)

April 25, 2023: MOU data show that 34 North Koreans (five men and 29 women) reached Seoul in the first quarter of this year: up from 11 in Q1 2022 and 25 in Q4, and bringing the cumulative total of defectors in South Korea to 33,916. (See also Jan. 10 and Jan. 25 above.)

April 26, 2023: MOU <u>publishes</u> an English-language version of its report on North Korean human rights. This is freely available on the ministry's <u>website</u>. (See also March 30.)

April 27, 2023: Reversing rulings by two lower courts, the ROK Supreme Court <u>finds</u> that the previous Moon Jae-in administration unjustly revoked the legal status of the militant balloon-launching activist group Freedom Fighters for North Korea (FFNK). The case will now go for retrial. For some reason this verdict is not publicized until May 5.

April 28, 2023: Meeting with US Defense Secretary Lloyd Austin in Washington, President Yoon <u>warns</u> that any use of nuclear weapons by North Korea would elicit an "overwhelming" nuclear response.