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Spy scandal in South Korea Part 2.

The exposure of an ex-CIA operative working for South Korea's National Intelligence Service



In South Korea the summer of 2024 has been marked by a series of spy scandals, which vividly illustrate a number of the country's domestic and foreign policy problems. In this article we will look at a scandal involving the US and South Korean intelligence agencies.

On July 16, 2024, the US federal prosecutor's office has charged Sue Mi Terry, a prominent US expert on North Korea and a former CIA officer and analyst, with acting on behalf of the South Korea and violating the Foreign Agents Registration Act (FARA). She was arrested but was released on \$500,000 bail the same day.

Who is Sue Mi Terry?

She is an ethnic Korean (Korean name Kim Su Mi), who was born in South Korea in 1972, and moved to the US when she was 12. She holds a B.A. in political science from New York University and an M.A. and Ph.D. in international relations from the Fletcher School of Law and Diplomacy at Tufts University.

She worked for the CIA from 2001 to 2008, after which she transferred to the White House where she served on the National Security Council. After leaving government service in 2010, she held an academic position at Columbia University, and worked as a senior fellow in the Korea office of the Center for Strategic and International Studies, then at the National Intelligence and National Security Council. In 2021, she became director of the Hyundai Motor-Korea Foundation Center for Korean History and Public Policy at the Wilson Center in Washington, DC. Most recently, she was a senior fellow at the Council on Foreign Relations (CFR) in New York, where her husband Max Boot, a conservative foreign policy observer and Washington Post columnist, works in the same capacity.

Often quoted in the expert community as an expert on North Korea she has regularly appeared as such on US news programs. [In 2023, she featured prominently in the documentary](#) Beyond Utopia, which chronicles “the perilous journeys of North Koreans looking to escape to freedom.”

Of course, after the indictment, many of the author’s articles in the The Washington Post or Foreign Affairs have been labeled with a note [that the text was written by a foreign agent](#).

What is she being accused of?

Contrary to what was expected, the main charge against Terry’s is not espionage, although some news outlets initially reported just that. In a press release, United States Attorney Damian Williams [stated](#) Terry allegedly “subverted foreign agent registration laws in order to provide South Korean intelligence [NIS] officers with access, information, and advocacy.”

Terry is charged with conspiracy to violate the FARA, and failure to register under the FARA, both of which offences carry a maximum penalty of five years imprisonment.

According to the indictment, after leaving US government service, Terry worked as an agent for the South Korean government without registering with the Attorney General as a foreign agent, as required by law. The FARA, which was passed in 1938 to combat Nazi propaganda, requires any person who engages in political and advertising activities on behalf of a foreign government (and thus acts an agent of such country, promoting its position) must register as a foreign agent. In other words, if Sue Mi Terry had officially

registered as a lobbyist, her actions would not have met with reprisal. However, in that case, she would not have been allowed to hold the positions in the US government and think tanks that she did.

As a “foreign agent”, Terry allegedly publicly on behalf of South Korea, disclosed “non-public” (but, importantly, not officially classified) US government information to South Korean intelligence officials, and engaged in lobbying activities that allowed representatives of Seoul access to US government officials.

The 31-page indictment alleges that Terry began working as a foreign agent in 2013 when she was approached by handlers who claimed to be South Korean diplomats. In exchange for her work over the next decade, she was taken out to expensive lunches and given luxury goods including a Dolce & Gabbana coat worth \$2,845, a Bottega Veneta handbag worth \$2,950, and a Louis Vuitton bag worth \$3,450. She is also accused of receiving more than \$37,000 in funding for policy programs she managed at the think tanks where she was employed, which the prosecutors are treating as a hidden bribe.

This is allegedly corroborated by photos of an NIS handler (claimed to be the NIS chief of station in Washington, D.C.) buying a Louis Vuitton handbag for Sue Mi Terry on April 16, 2021. He and another presumed handler were caught on camera treating Terry to meals in upscale restaurants in Manhattan and buying luxury handbags and coats.

There are also two photographs of notes made by Terry during or before a private and undisclosed meeting between the US Secretary of State, senior State Department officials, and five Korean experts, including Terry, held on June 22, 2022, at the State Department building.

The indictment also mentions that in April 2021 Terry discussed with a South Korean intelligence official her “close relationship with a senior State Department official with responsibilities covering Korean affairs who had previously served in senior roles at the CIA and at the National Intelligence Council.” There are speculations that the official in question was Jung Pak, a former US senior official for North Korea who resigned in early July 2024.

As journalist and analyst Oleg Kiryanov notes citing the results of the FBI investigation, Terry was apparently asked to leave the CIA service “voluntarily” instead of being fired, as her contacts with ROK intelligence had been confirmed.

Terry’s defense team, on the other hand, insist that she is innocent. According to her attorney, Lee Wolosky, she has not had access to classified information for more than a decade, the memos were talking points for a report, not an outline of the contents of a

closed-door meeting and her views on matters relating to the Korean Peninsula have been consistent over many years.

Wolosky is referring to Moon Jae-in's administration. Here it is worth noting the character of Lee Wolosky, for this attorney, with his unique career history, who undermined the criminal case against Free Joseon – the strongly anti-North Korean terrorist group whom the present author suspects of killing Kim Jong nam, and perhaps other crimes. The fact that the half-million dollar bail money was found on the very same day is also significant. The impression is that the US authorities want to turn the Terry case into a show trial. Christie M. Curtis, Acting Assistant Director in Charge at the FBI New York office, noted that Terry allegedly acted as an unregistered agent for South Korea despite “repeated warnings”, adding that “her alleged actions posed a serious threat to national security.”

Matthew Miller, a State Department spokesman, declined to comment on the indictment, calling it “an ongoing matter for law enforcement agencies,” but he did address the general nature of the FARA.

Reaction from Seoul and the international community

In the South Korean government, Terry's case has sparked discussion on several fronts.

The first concerns the extent to which the situation may affect relations between Seoul and Washington or the work of South Korean diplomats in the US.

On July 29, during a briefing to members of the National Assembly's Standing Committee on Intelligence, South Korea's National Intelligence Service insisted that the Sue Mi Terry indictment would cause absolutely no damage to the US-ROK alliance and would not impede the intelligence cooperation between the two nations.

Most experts also agreed that the scandal would not affect relations between South Korea and the United States, although some suggested that Terry's indictment could serve as a tacit warning to South Korea's intelligence community.

Henry Song, a human rights activist from Washington, D.C has described the indictment and arrest of Sue Mi Terry as both deeply shocking and surprising. If the allegations are true, Terri behaved inappropriately. “Lying before Congress and accepting high-end gifts is the stupidest thing anyone can do,” he added.

The **second** area discussions have focused on is the question of how Terry was exposed and who was to blame for the failure in the first place.

On July 17, NIS reported that South Korea is working closely with US intelligence agencies in relation to Terry. Now the intelligence service is under fire. In a media

interview, former NIS director Lee Jong-chan criticized the intelligence service for its mistreatment of a key informant.

On July 18, the presidential administration of South Korea [announced its intention to conduct the necessary investigations](#) and take disciplinary measures against those involved in the case, and blamed the previous Moon Jae-in administration for the “intelligence collapse”.

Professor [Choo Jae-woo goes further](#), noting that both cases of “handlers” being caught on camera occurred during the Moon administration, as a result of the previous government’s personnel changes, as a result of which “unprepared individuals replaced well-trained agents and were sent to foreign stations for covert operations”.

On July 19, the Democratic Party, which was in power under Moon and is now in opposition, [criticized the current](#) presidential administration, which he said was “idly blaming the former administration, but can the Yoon Suk Yeol government really claim not to know Sue Mi Terry at all?” Moreover, Terry had more intelligence contacts under the Yoon administration than under previous administrations.

A separate topic of debate is how the FBI got hold of such damning evidence, especially the photos of the handwritten notes. Opinions vary, and there are [two main theories](#). Democratic Party spokesman Park Sun-won (who served 4 years in the NIS, rising to the position of first vice director in charge of overseas operations) said the photos had been on the cellphone of an NIS agent, which had probably been hacked by the FBI.

Choe Su-yong, a former NIS agent who worked on covert operations relating to North Korea, claims that the photos of Terry’s handwritten notes could have been passed to the FBI by an NIS mole. Moreover, such moles may be operated by North Korea. The attack on Sue Mi Terry could have been the result of a covert intelligence operation by undercover North Korean agents following the release of the 2023 documentary “Beyond Utopia.”

The third direction. Thirdly, commentators have claimed that South Korea not only needs to amend its definition of espionage, but also to [enact its own version of the FARA](#), under which those who covertly receive funds from and work for foreign governments could face punishment regardless of their nationality.

Most likely, [South Korea’s version of the FARA](#) would be aimed at combating the Chinese political lobby, an issue which the Conservatives are making a big thing about. It is no coincidence that Conservative lobbyists have pointed out that “Canada and Australia

have taken various measures, including the closure of state-run Confucius Institutes, in response to China's actions to spread influence in their territories.”

But back to the scandal. Of course, it will continue to generate controversy and mutual recriminations in South Korea, but Sue Mi Terry is no Mata Hari, and it is most likely that the US ally just wants to use her example to show everyone that the rules on foreign agents apply to allied countries as well. And for Russian readers, it is also an opportunity to think about whether political lobbying in the interests of foreign powers should be somehow defined and regulated.

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