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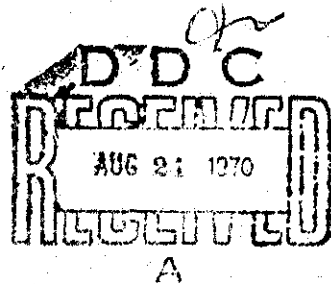
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TR-10

THE
NEUTRAL NATIONS SUPERVISORY COMMISSION
IN KOREA
(A Peacekeeping Operation)

ACDA/WEC/FO 69-65

August 1970



UNITED STATES ARMS CONTROL
AND DISARMAMENT AGENCY

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NEUTRAL NATIONS SUPERVISORY COMMISSION
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This Technical Report produced by ACDA/WEC/FO is one of a series of reports restricted in scope to the presentation of technical or analytical information bearing in general on one specific arms control inspection application subject, together with such conclusions as may be derived directly from this information. The recommendations/conclusions reflect the viewpoint of the author or a small group of individuals, and do not necessarily represent an official WEC/FO position.

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Prepared by

FIELD OPERATIONS DIVISION
WEAPONS EVALUATION AND CONTROL BUREAU
UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

SYNOPSIS

A. KOREA

1. This case study attempts to delineate some of the difficulties that Western powers may encounter when negotiating and effecting an arms control agreement with communist nations.

2. First unified in the 7th century A.D., Korea was a semi-independent state associated with China until the late 19th century. Japan annexed Korea in 1910, and after the capitulation of Japan in 1945, the Korean peninsula was divided at the 38th parallel into U.S. and Soviet military occupation areas in order to facilitate acceptance of the surrender of the Japanese forces stationed in Korea.

3. Free elections were held in South Korea on 10 May 1948; and the Republic of Korea was founded on August 1948. Communist rule above the parallel was formalized on 9 September 1948, by the inauguration of the People's Democratic Republic of Korea. From this time until June 1950, the Communist tried every means short of war to foster disunity and disorder in the south. Then, at 0400 on the 25th of June 1950, the North Korean People's Army invaded the Republic of South Korea.

4. After a year of war, peaceful settlement through negotiation was started. Two years later, on 27 July 1953, agreement was reached which ended hostilities and established a Military Armistice Commission (MAC) and a Neutral Nations Supervisory Commission (NNSC) to conduct peace observation functions.

B. ORGANIZATION

1. The NNSC consists of four senior officers: two nominated by the United Nations Command, one each from Switzerland and Sweden; two nominated by the Koreans and Chinese, one each from Czechoslovakia and Poland. Besides conducting special observations outside the demilitarized zone at the request of the MAC or the senior officer of the MAC on either side, it has the functions of conducting inspections and reporting the results to the MAC in connection with the agreements of both sides.

2. The first meeting of the NNSC took place on August 1, 1953. While the NNSC had no difficulty in solving procedural.

questions, no agreement was reached on several matters important to the successful operation of the NNSC. The NNSC was to establish twenty Neutral Nations Inspection Teams, five located at ports in South Korea and five located at ports in North Korea, and ten to be held in reserve near the headquarters of the NNSC. The organization of the ten mobile groups depended on the function they were called on to perform.

C. OPERATIONS

1. In South Korea, three of the fixed observations groups worked day and night (those at Pusan, Inchon, and Taegu). There were practically no shipments to the remaining two ports in South Korea. All nonmilitary shipments as well as military shipments to South Korea were declared, and the Poles and Czechs insisted on complete inspections. In contrast, in North Korea there was minimum traffic in two ports, and none at all in the other three. In short, it was impossible at any time to apply in the North the strict procedures used in the south.

2. The situation of much inspection in South Korea and none in North Korea led to hostility by the South Koreans toward the NNSC culminating in demonstrations on July 31 against the NNSC. Ostensibly to assure the safety of its members, steps were taken by the South Koreans that reduced the freedom of movement of the inspection teams. Possibly because of the demonstrations in South Korea, the Polish and Czech members became more conciliatory after July 1954, and a number of inspections took place in North Korea after that time. Nevertheless, inspections continued to be frustrated.

D. DIFFICULTIES

Within the first month, it became quite clear to the Swiss and Swedish representatives that: (1) the Poles and Czechs were not neutral; (2) entries and exits of materials and personnel in North Korea were taking place outside of the five ports and therefore knowledge of these entries had to depend on the reports from North Korea; (3) the mobile inspection units could not engage in inspections unless a majority so decided; and (4) most of the demands for inspections from the United Nations Command were refused as a result of a two to two vote in the inspection teams.

E. REDUCTION

1. As early as April 4, 1954, the Swiss and Swedish delegates had suggested to the North Koreans and the United Nations Command that the NNSC be terminated. The Czech and Polish delegates as well as the Chinese Communists had opposed this request on the ground that the NNSC was a necessary part of the treaty mechanism.

2. Again on May 4, the Swedish and Swiss delegates, described the inability of the NNSC to investigate in North Korea and requested a reconsideration of the Armistice provisions. It was suggested that three of the North Korean ports should be replaced with three railroad crossing points from Manchuria to North Korea.

3. After consideration of the situation in Korea, agreement was reached to reduce the stationary inspection teams by abolishing two in each area. Furthermore, there was a 50 percent reduction in the number of men on the remaining teams.

F. WITHDRAWAL

1. On May 31, 1956, the United Nations Command requested the NNSC to withdraw the fixed inspection teams from South Korean ports because the Communists were in default on their obligation not to rearm North Korea and would not permit inspections to verify this result. The United Nations Command justified this action on the basis that the armistice agreement was a contract including certain provisions with which the other side had failed to comply, that is, the provisions on reporting, reinforcement, and supervision.

2. On June 5 the NNSC unanimously agreed to recommend to the MAC the provisional withdrawal of the fixed inspection teams both in North and South Korea. The Communist side in the MAC declined to accept the NNSC recommendation, but they could do nothing since the NNSC teams in South Korea were required to withdraw by June 9. The teams in North Korea returned to Panmunjom on June 10 and 11.

3. From this point on, the activities of the NNSC were limited to recording information furnished by either side. The personnel was further reduced to reflect this more limited function.

G. EVALUATION

1. Since June 1956, all that remains of the NNSC is stationed at Panmunjom: the commission itself, the secretariat, and the representatives at command headquarters. The commission continues to meet daily and adjourn in less than five minutes. For a number of years, it has not had any business to transact.

2. In the final analysis, the effectiveness and usefulness of the NNSC must stand or fall upon the record of the Commission's accomplishments or failures. The record of the NNSC shows conclusively that the Commission has never made a determination that either the United Nations Command or the Korean People's Army and Chinese People's Volunteers have violated the Armistice Agreement. The truth as to the alleged violations can be determined beyond a reasonable doubt from available accurate information, but the Commission has been unable to make a positive decision concerning such alleged violations.

3. The record of the factors which have influenced the Commission operationally validates the conclusion that the Commission has been ineffective in accomplishing its assigned mission in Korea.

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I. INTRODUCTION

A. THE WORLD SITUATION

1. The pace of change in the world is accelerating, and there has been a marked increase in the interaction of political events in different parts of the world. Conflicts or rebellions in one area encourage dissidents in others, and major changes in a nation's political life can occur quite suddenly. In an atmosphere where confrontation between major powers becomes less direct, opportunities may develop to improve the formal and conventional relations between the superpowers, and even ideologies, for example, in the area of arms control and disarmament.

2. The term "arms control and disarmament" is used to cover several distinct conceptions: Among them are: (1) the penal destruction or reduction of the armament of a country defeated in war; (2) agreements applied as the result of a stalemate of hostilities; and (3) the reduction and limitation of national armament by mutual agreement resulting from the desire to reduce tensions created by an arms build-up. In the first sense, arms control and disarmament is by no means new. It was enforced in ancient times and as recently as WW I and II. In the second sense, the term is represented by the Korean example; and in the third, by the present Strategic Arms Limitation Talks.

B. THE KOREAN EXAMPLE

1. Even after acceptance, it is clear that the Communists completely disregarded certain provisions of the Armistice Agreement ending the Korean War. The provisions violated were those intended to prevent the introduction of additional military strength into North Korea, and those that, when violated, resulted in frustrating the inspection force in carrying out its functions. Nevertheless, despite Communist obstruction, the Swiss and Swedish members of this force obtained sufficient information concerning the North Korean violations to permit reports to the United Nations on such violations.

2. The United Nations Command had far more detailed information than the Swedish and Swiss members of the Neutral Nations

Supervisory Commission. However, the confirmation of such information from the observers of two neutral states unquestionably strengthened the United Nations Command case in the General Assembly as well as in the forums of world public opinion. On the other hand, the Communists found the existence of the Neutral Nations Supervisory Commission useful in veiling their apparently premeditated violations of the armistice. It gave them the opportunity to clandestinely regroup and reconstruct their forces, to violate the arms control and inspection provisions of the agreement, while continuing the conflict at the negotiations table.

C. INTERNATIONAL PEACEKEEPING

1. An observation or inspection requirement following hostilities is quite different from that required for an agreement which did not have an armed conflict as its origin, for the former leaves in its wake a variety of difficult problems which do not exist in the latter. Certainly, those agreements not involving conflicts, and which are built on mutual interest, are easier to negotiate and implement (i.e. Antarctica and the Nuclear Non-Proliferation Treaty).

2. The continuing requirement and increased interest in the need for improving international peacekeeping procedures and peacekeeping machinery have been recently touched upon by both the Secretary and the Under Secretary of State of the United States.

a. In the reply to a request from the Secretary General of the United Nations on views and proposals on strengthening international security, Secretary of State William P. Rogers, on May 5, 1970, recommended "a determined effort to activate... (peacekeeping) provisions which offer expanded uses....for fact finding, investigation, conciliation and mediation"; and further study "to consider possibilities for improving advance arrangements for (peacekeeping) observers".

b. A few days earlier, Under Secretary of State Elliot L. Richardson discussed the important role the United Nations, as well as regional groups, can and should play in improving peacekeeping procedures and machinery in a speech delivered on April 29, to the Second National Convention on the Challenge of Building Peace. He suggested that "an effective and reliable new set of ground rules must be developed;....

that (peacekeeping) procedures should be politically responsive, efficient in administration, and adaptable to rapidly evolving events. Among the key points on which progress should be made", the Under Secretary continued, "are: The uses of voluntary peacekeeping, more precision and realism toward the balance of responsibilities, firmer arrangements for ensuring the availability of personnel and facilities, widening the area of recruitment of peacekeepers, and more reliable and equitable sharing of costs".

3. The Korean example, although negative in many aspects of effective peacekeeping, contains positive lessons to be learned which are linked to the essential elements required for improving international peacekeeping machinery as partially outlined by the above officials. The most effective observation mission takes place with the consent and cooperation of the countries directly concerned, and the essential pre-planning that must exist for any international operation. It should represent the will of communities that circumstances or miscalculations should not be permitted to endanger the peace of the world. These factors were not wholly present to contribute to effective peacekeeping in Korea.

D. THE STUDY

1. This study presents a general recapitulation of the events that created the inspection force in both South and North Korea, their difficulties and frustrations, and finally, the collapse of the inspection machinery. This case study attempts to show the difficulties that Western powers may encounter when negotiating and effecting an arms control agreement.

2. The contents of this study should have a direct relationship to the hostile situations existing in Southeast Asia and in the Middle East. However, it will probably not have a bearing on agreements such as the Strategic Arms Limitation Talks or future force reductions around the world which originate from different national needs and desires not involving the cessation of hostilities.

3. The enumeration, evaluation, and study of factors and causes of failure of past peacekeeping machinery may lead to the avoidance of similar pitfalls blocking success.

II. KOREA

A. HISTORY

1. Located at the strategic crossroads of east Asia, Korea has had a long and checkered history. For many centuries the peninsula experienced a series of petty wars between rival powers seeking to establish influence and authority. Finally, during the seventh century, the kingdom of Silla managed with Chinese aid to gain control of most of Korea. The influence of Chinese civilization at this time brought about Korean acceptance of the Confucian system of social relationships and left a lasting imprint upon Korean ethics, morals, arts and literature.

2. In 1876, Japan, whose interest in Korea had covered many centuries, succeeded in the economic penetration of Korea which resulted in a commercial treaty that opened some of Korea's ports. Later rivalry between China and Japan over their positions in Korea resulted in war. Japan emerged victorious, and with the treaty of 1895, Korea was completely cut off from the familiar ties with China. Formal annexation of Korea by the Japanese occurred in 1910.

3. For the next thirty-five years, Korea became a Japanese colony. There were several attempts at rebellion, but the Japanese swiftly suppressed opposition and tightened their control. When World War II began, Korea became an armed camp and an important part of the Japanese war base.

B. BACKGROUND OF THE KOREAN WAR

1. In the Cairo Declaration, December 1943, the United States, the United Kingdom, and China pledged that "mindful of the enslavement of the people of Korea ... in due course they shall become free and independent". The pledge was reaffirmed in the Potsdam Declaration of July 1945 and was subscribed to by the Soviet Union when she entered the war against Japan.

2. During the hectic days of early August 1945, the necessity for a quick decision of the division of responsibility

for accepting the surrender of Japanese forces in Korea became pressing. To facilitate the surrender, the 38th parallel was designated as a temporary line of demarcation. The Japanese forces north of the parallel surrendered to the Soviet troops, and those south capitulated to the United States forces. At no time did the United States contemplate that the 38th parallel would permanently divide the country.

3. On the other hand, the Russian occupation authorities soon established frontier outposts and patrols and halted passage across the parallel. Repeated efforts by U.S. representatives failed to eliminate this artificial obstacle to the political and economic unity of the nation.

4. The next development was the Moscow Agreement of December 1945, which aimed at establishing a provisional Korean democratic government; however, every attempt to implement this agreement was thwarted by the Soviet Union. Thereupon the United States laid the problem of Korean unity and independence before the United Nations. A temporary commission was established by this world body to supervise the election of Korean representatives who would draft a democratic constitution and establish a national government. But Russia, busily engaged in sovietizing the Korean people north of the 38th parallel, refused entry to the United Nations Commission. Nevertheless, free elections were held in South Korea on 10 May 1948; and the Republic of Korea was founded on 15 August 1948.

5. The Communists in North Korea had carried on a vigorous campaign opposing the elections in South Korea, but the failure of their attempt necessitated another approach. On 9 September they established the Democratic People's Republic of Korea which claimed jurisdiction over all Korea. The Soviet Union and its satellites swiftly recognized the new government and the USSR announced that all Soviet troops would be withdrawn from Korea by the end of the year.

6. In March 1949, the United States agreed to support the South Korean Army (ROKA), and when American forces were withdrawn on 30 June, the U.S. Military Advisory Group to the Republic of Korea (K MAG) was formed. About 500 officers and men were included in the group that was to complete the instruction of the South Korean military forces. The United States

wanted the new army to be able to repel Communist aggression, but it did not intend to make it powerful enough to launch any attack upon North Korea. On the whole, the ROKA had made a beginning by mid-1950, but was far from being a well-trained or well-equipped force. Across the 38th Parallel the Russians had fashioned a more potent force.

7. Border clashes broke out along the parallel during early 1950 and Communist political propaganda in South Korea mounted. After the elections of May 1950 in South Korea failed to strengthen their cause, the Communists decided upon sterner action. They demanded new elections, to establish a legislative body for all Korea with unification under the Communists as the objective. When the South Koreans refused to accept their proposals, the Communists launched a full-scale attack on 25 June 1950 across the Parallel.

III. THE ARMISTICE TALKS

A. INITIAL NEGOTIATIONS

1. After a year of bitter combat, the war in Korea lost momentum. By the first of July 1951, the war of movement had come to an end and a new, more static phase began. As the battle lines stabilized, the impetus for a political settlement of the conflict mounted. Despite the willingness of the United Nations to bring the Korean conflict to a close by negotiations, the prospects for a peaceful settlement based on a unified, democratic, and independent Korea appeared dim. The United Nations' efforts in the opening months of the year had been ignored by the Chinese Government at Peiping and the latter had given no indication that it was inclined to discuss a cessation of hostilities except on its own terms.

2. The first sign of a change in the Communist position came from a radio address by the Soviet representative to the United Nations. In a New York radio address on 23 June 1951, Jacob A. Malik presented a proposal for cease-fire discussions in Korea. An unofficial endorsement of this proposal was broadcast by the Chinese Communist Government on 25 June. Finally, after preliminary arrangements between the field commanders, the armistice conference met for the first time on 10 July. The senior representative for the United Nations was Vice Admiral C. Turner Joy, U.S. Navy; for the Communists, Lieutenant General Nam Il of the North Korean People's Army.

3. At the fourth meeting of the adversaries on 15 July 1951, the United Nations Command (UNC) delegation presented the following four points for consideration during forth coming meetings:

- a. Adoption of the agenda.
- b. Establishment of a demilitarized zone as a basic condition for the cessation of hostilities in Korea.
- c. Concrete arrangements for a cease-fire and armistice that would insure against a resumption of hostilities and acts of armed force in Korea periling a final peace settlement. (Item 3)

(1) Military armistice commission, including composition, authority and functions.

(2) Military observer teams, including composition, authority, and functions.

d. Arrangements relating to prisoners of war.

4. On the following day, after Admiral Joy had explained the functions of the military armistice commission and the observer teams, General Nam declared that UNC Item 3 was still too specific. He suggested a shorter, more general statement, which the U.N. Command accepted on the 18th at the sixth meeting.

B. OPENING SKIRMISHES ON ITEM 3

1. The early instructions to Ridgway¹ had been quite specific on the several points that were to be taken up under Item 3. They stated that the Military Armistice Commission and its observer teams must have free and unlimited access to all of Korea so that they could inspect whenever necessary to insure compliance with the terms of the armistice. They also informed Ridgway that there should be no reinforcing the number of personnel or increasing the amount of war equipment during the armistice period. This, of course, did not preclude the exchange of individuals or units on a man-for-man basis or the replacement of worn-out equipment. These two principles in modified form—the right to inspection and replacement but no augmentation—formed the cornerstones of the UNC approach of Item 3.

2. On 1 August Admiral Joy suggested that along with no augmentation of troops or equipment the U.N. Command should insist that there be no construction or rehabilitation of airfields. Two months later, Ridgway attempted to clarify the UNC position on inspection. In the opinion of the United

¹ General Matthew B. Ridgway, Commander-in-Chief, United Nations Command/Far East Command

Nations commander, inspection at selected ground, sea, and air ports of entry would provide sufficient security for his forces. Moreover, he believed that the Communists would exploit the right to unlimited inspection in the intelligence field to an unacceptable degree if it were granted them. Under the circumstance Ridgway felt that the UNC initial position on inspection should insist upon: observation by joint teams at ground, sea, and air ports of entry and communication centers, with freedom of movement for those teams over principal transportation lines; joint aerial observation and photoreconnaissance over all Korea; and complete joint observation of the demilitarized zone.

3. In Nam's opinion, Item 3 could be settled quite easily if the five principles he advanced were accepted by the UNC delegates. The first declared that all armed forces should cease hostilities on the day the armistice was signed. Within three days all armed forces should be withdrawn from the demilitarized zone and within five days should be cleared from the rear areas, coastal islands, and waters of each side. Each side would agree that there would be no armed forces or action in the demilitarized zone, and finally both sides would designate an equal number of members to form an armistice commission to be jointly responsible for the concrete arrangements and for the supervision of the implementation of the agreement.

4. The ensuing week witnessed a continuous maneuvering for position on both sides. The U.N. Command argued that either side could reduce its forces and capabilities during the armistice if it so desired, but since the length of time that the armistice would endure was unknown, it was vital for the security of the UNC forces that there be no upsetting of the balance of military power. The enemy delegates in rebuttal charged that the U.N. Command was attempting to prevent the reconstruction and rehabilitation of Korea, and to intervene in the internal affairs of the People's Republic. This was quickly denied by the U.N. Command, which asserted that only airfields would be affected by the restrictions. Roads, railroads, and other facilities could be restored.

C. COMPROMISES ON INSPECTION

1. On 3 December, the Communists made the first concession. They offered to expand their original five points to seven. Principles 6 and 7 read as follows:

6. In order to insure the stability of the military armistice so as to facilitate the holding by both sides of a political conference of a higher level, both sides shall undertake not to introduce into Korea any military forces, weapons, and ammunition under any pretext. 7. In order to supervise the strict implementation of the stipulation of paragraph 6, both sides agree to invite representatives of nations neutral in the Korean war to form a supervisory organ to be responsible for conducting necessary inspection, beyond the demilitarized zone, of such ports of entry in the rear as mutually agreed upon by both sides, and to report to the joint armistice commission the results of inspection.

2. The new Communist proposals threw the UNC delegation on the defensive as they were unprepared for either the drastic restrictions upon all military forces and equipment or for the introduction of neutral nations to perform the task of inspection.

3. By 7 December, as a final position, the U.N. Command agreed to the use of neutral teams of observers. However, the neutral nations selected to provide the observers must be mutually agreed to by both sides and the teams must be responsible to and subject to direction and supervision of the Military Armistice Commission.

4. Thus, by mid-December, the Communists had shown a disposition to compromise on inspection-the issue which the UNC leaders had feared might be the greatest stumbling block to an agreement on Item 3. True, there remained many details to be worked out on the composition of the neutral nations organization and its duties and relationship to the Military Armistice Commission, but the principle, at least, had been accepted.

D. THE NEUTRAL NATIONS

1. As the U.N. Command defined "neutral nation", the term meant a nation that had not participated in the fighting in Korea. Poland, Czechoslovakia, Switzerland, and Sweden would qualify under this description.

2. When Ridgway asked for guidance, his superiors responded quickly that as UNC choices, Sweden, Switzerland, and Norway would be acceptable if they would consent to serve. Diplomatic approaches to Sweden, Switzerland, and Norway during December drew affirmative responses and Ridgway was authorized to nominate them as the UNC selections at an appropriate moment. The opportunity did not arise until 1 February when the U.N. Command submitted its choices, but the Communists were in no hurry. Despite frequent reminders and proddings, it was not until the 16th that they named Poland, Czechoslovakia, and the USSR. The U.N. Command immediately accepted the first two and rejected the Soviet Union.

← really!!

3. The Washington leaders told Ridgway that the U.N. Command might offer to drop Norway if the Communists would reciprocate on the Soviet Union. On 25 February the UNC staff officers followed through on these instructions, but the Communist Command refused to bargain. Their continued insistence upon the USSR convinced Ridgway that the U.N. Command must make a final stand on the issue.

E. AGREEMENT

1. By mid-March 1952, only differences over airfields and the Soviet Union remained outstanding. As the negotiations ground to a stand-still, Admiral Joy and staff took stock of the over-all truce situation and concluded that there were two promising methods of obtaining a satisfactory armistice from the enemy. The more drastic solution entailed the presentation of a complete armistice document incorporating some concessions to the enemy along with an ultimatum. Either the Communists would have to accept within a stated time limit or the negotiations would be terminated and hostilities resumed.

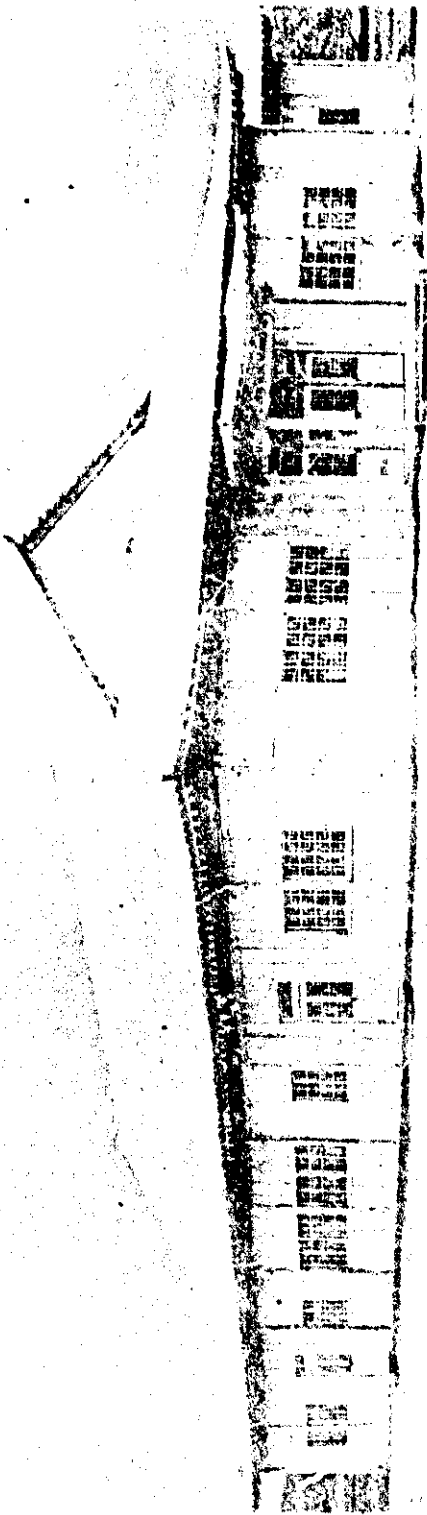
2. Through the liaison officers the plenary conference was set up for April 28. When the delegates met, Admiral Joy then went over the outstanding issues carefully and set forth the UNC solution which had been incorporated into a complete draft of the armistice. All mention of the rehabilitation of airfields, had been deleted and the Neutral Nations Supervisory Commission was to be formed of Switzerland, Sweden, Poland, and Czechoslovakia. The Communist agreed.

3. Recognizing that a political settlement in Korea might not be possible in the near future, the ~~United States~~ had sought a long-term truce and the Communists had not contested this point. The U.S. proposal for a Military Armistice Commission had been accepted, although the Communists had inserted the Neutral Nations Supervisory Commission and its inspection teams as the instruments to carry out the supervisory functions outside the demilitarized zone. Surprisingly enough, the Communists had permitted the concept of inspection, on a limited basis to be sure, to be written in the final agreement. How closely they would observe their promise not to increase their non-Korean troops or to build up material in Korea from outside sources was unknown, but they had made a paper pledge.

4. The Armistice Agreement was signed at 1000 hours on 27th of July 1953, in English, Korean and Chinese. Hostilities ended twelve hours later the same day.



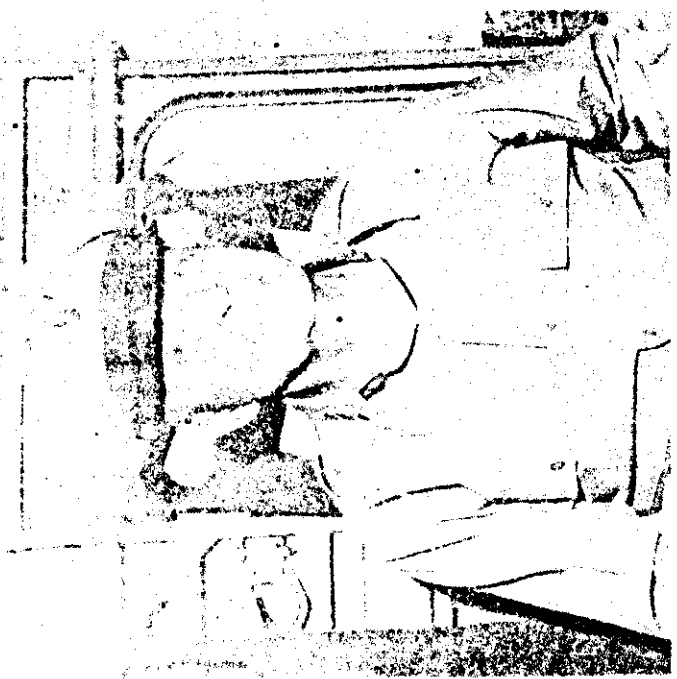
ARMISTICE CONSTRUCTION. Laborers work on the new conference building in Panmunjom, Korea, 23 July 1953. A larger building than the old conference site (background) was used for the signing of the armistice.



NEW CONFERENCE BUILDING. The new conference building in Pannunjer, built to allow more people to witness the signing of the armistice, as it stood completed on 26 July 1953.



GENERAL NAM IL
Senior Delegate of the Korean People's
Army and the Chinese People's Volunteers
signed the agreement for the Communist
Command.



LIEUTENANT GENERAL WILLIAM K. HARRISON, JR.
Senior Delegate of the United Nations
Delegation signed the agreement for the
United Nations Command.

IV. THE NEUTRAL NATIONS SUPERVISORY COMMISSION

A. GENERAL

1. The Korean armistice negotiations formally opened on July 10, 1951. Any hopes entertained by either side that an armistice could be speedily concluded proved to be completely illusory. The two delegations were poles apart from the beginning and time after time the negotiations were stalled in a series of deadlocks that were not finally resolved until two years, two weeks, three days, and millions of seemingly futile words later. The measures for supervision of the armistice¹, which ultimately included provision for the Neutral Nations Supervisory Commission (NNSC), was only one of many serious obstacles to agreement.

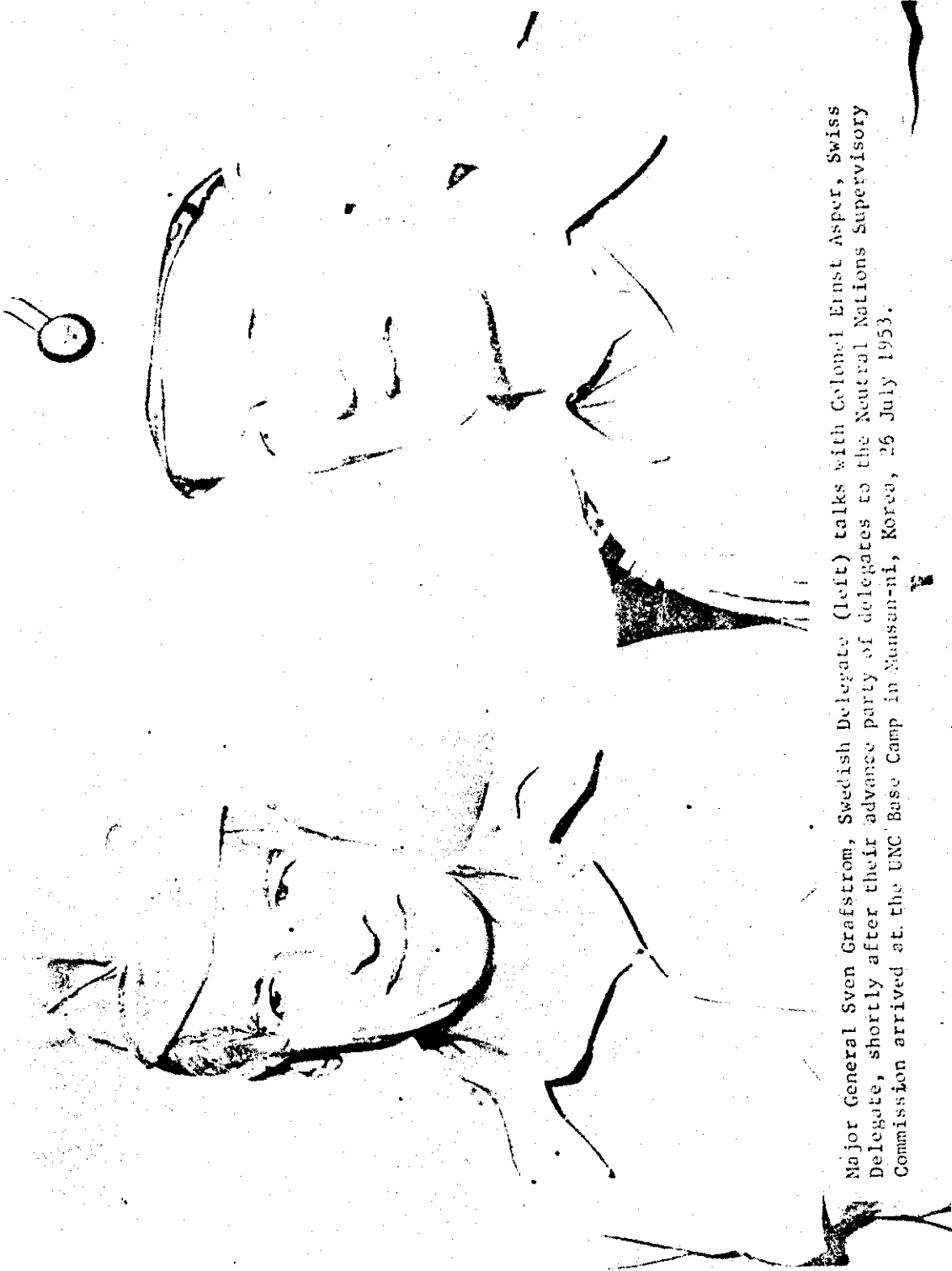
2. As a result of the protracted and painstaking point-by-point bargaining, the Communists accepted the principle of freezing troop strength in Korea² and, for the first time anywhere, agreed to admit inspection teams behind the Iron Curtain. However, in lieu of the United Nations Command proposal of joint military observation, they proposed that a group of "neutral" nations be asked to contribute members of neutral inspection teams to observe compliance with armistice terms behind the lines.³

3. The NNSC consists of four senior officers: two nominated by the United Nations Command, one each from Switzerland and Sweden; two nominated by the Koreans and Chinese, one each from Czechoslovakia and Poland. Besides conducting special observations outside the demilitarized zone at the request of the Military Armistice Commission (MAC) or the senior officer of the MAC on either side, it has the functions of conducting inspections and reporting the results to the MAC in connection with the agreements of both sides. Thus, the MAC was to have responsibility for observation in the demilitarized zone and for directing observation by the NNSC in areas outside the zone. The treaty provides only for ground inspection.

¹See Annex A.

²See Annex A, par 13(c) and (d).

³See Annex A, par 36 and 37.



Major General Sven Grafstrom, Swedish Delegate (left) talks with Colonel Ernst Asper, Swiss Delegate, shortly after their advance party of delegates to the Neutral Nations Supervisory Commission arrived at the UNC Base Camp in Munsan-ni, Korea, 26 July 1953.

B. NNSC ORGANIZATION

1. The general organization of the NNSC as prescribed by the Military Armistice Agreement, consisted of a central headquarters to include a Commission, an alternate Commission, and a Secretariat, with necessary staff assistants, administrative and interpreter personnel, plus twenty Neutral Nations Inspection Teams.¹ The Agreement also provided that additional personnel such as drivers, clerks, interpreters, and communication specialists, together with such equipment as might be required by the inspection teams, were to be furnished by the appropriate former belligerent Commander but that such of this personnel and equipment as desired, could be furnished by the NNSC itself, the only restriction being that such personnel must be personnel of the same neutral nations of which the Commission was composed.² This latter provision became the prime source not only for organizational difficulties among the members of the NNSC but also for serious additional problems for the United Nations Command.

2. The Swiss/Swedish/United Nations Command organization plans were based on the concept and policy that these additional personnel and equipment would be furnished by the Commander, thus permitting the neutral nations themselves to bring a minimum of personnel and equipment to Korea. They envisioned small inspection teams, utilizing the available transportation, communication, other facilities, and service that could be furnished by the Communists in North Korea and the United Nations Command in South Korea and the Demilitarized Zone. They included no vehicles, communication equipment, nor personnel to operate such equipment. The total of the Swiss and Swedish elements of the Neutral Nations Supervisory Commission was eighty persons each.

3. In direct contrast to the Swiss and Swedes, the Czech and Poles organized their groups under the concept and policy that all personnel and equipment for the inspection teams to operate in South Korea would be an integral part of the Neutral Nations Supervisory Commission, furnished by themselves and completely self-sufficient. Hence, they.

¹See Annex A, para 40(a).

²See Annex A, para 40(b).

arrived in Korea with 299 persons each, intending to furnish their own passenger vehicles and drivers, communications equipment and operators to include heavy radio trucks equipped with receivers and transmitters, cooks and mess equipment to include food, supplies, and resupply arrangements, interpreters, even orderlies for their officer personnel.

C. INSPECTION TEAM PROBLEMS AND DISAGREEMENT

1. Initial preparations at the five ports¹ of entry in South Korea for the Neutral Nations Inspection Teams was a much more difficult problem, for a number of reasons. Security of the inspection teams was a major consideration, particularly in view of the South Korean publicly expressed hostility toward the Czechs and Poles. The tremendous numbers of South Koreans in the port cities and the crowded conditions under which they were living not only added to the security problem but also to the problem of securing adequate housing and living conditions for the teams.
2. The planned inspection teams were to consist of a maximum of about eighteen personnel, depending upon the number of interpreters found to be necessary after consultation with the Czechs and Poles. All teams were to be composed of a Senior Team Member from each nation, an alternate, a maximum of two interpreters from each nation, plus a field grade liaison officer from the Neutral Nations Liaison Group of the United Nations Command Military Armistice Commission, with one assistant. The Neutral Nation interpreters were to double as assistants to the team members and alternate members.
3. Representatives of the United Nations Command and the Korean People's Army (KPA) and Chinese People's Volunteers (CPV) met with the members of the Neutral Nations Supervisory Commission on August 4, 1953, and stated the position of their respective commanders concerning the assistance, support, and facilities that the Commission could expect in their areas of responsibility. The questions asked by the

¹ See Annex A, par 43.

elements of the Commission dealt with security arrangements, transportation, communication, supply, restrictions, and operational procedures. The meeting was characterized by vigorous protests and objections by the Czechs and Poles to the announced plans of the United Nations Command, as they dogmatically and stubbornly insisted that the terms of the Armistice Agreement gave them the right to carry weapons, drive their own vehicles back and forth between the ports of entry in South Korea and the Commission headquarters in Panmunjom, take any photographs that they considered necessary, and move about freely without security guards within the limits of the port cities. For obvious security reasons, the United Nations Command refused to grant such rights carte blanche, as demanded. The Communist Command representative, ascertaining that there were no similar desires by the Swiss and Swedes to be stationed in North Korea and knowing that they had no plans to bring vehicles, communication equipment, or operators for either into North Korea, upheld the Czech and Polish position by his answers.

4. Following this meeting, which clarified the positions of both the neutral elements of the Commission and that of the principals to the Armistice Agreement, the initial organization of the inspection teams was worked out.

5. The Czech and Polish contingents of the inspection teams, as finally formulated, consisted of approximately twice the number of Swiss and Swedes on each team, although the voting and decision-making members were identical in number. The five teams for the South Korean ports of entry varied slightly in number of personnel, between twenty-nine at Kangnung and thirty-five at Pusan. The decision-making members of each team were two from each neutral nation, the senior members and alternate members. The maximum number of Swiss and Swedes for any team was eleven, with a minimum of eight; the maximum of Czechs and Poles was twenty-three, with a minimum of twenty. These differences were supposedly made up entirely of radio operators and drivers. The five fixed inspection teams in North Korea were composed of similar numbers, the big difference being that the transportation, communication equipment and personnel of the Czechs and Poles were actually needed in North Korea, whereas they were superfluous and unnecessary in South Korea.

6. The organization and strength of the mobile teams were generally the same as the fixed teams; however, the mobile teams were much more flexible, being increased or decreased in strength, according to the best estimate of the Commission when an investigation was assigned to a team. Since the mobile teams were stationed in the vicinity of the Commission headquarters at all times when not actually assigned a particular task, the personnel of these teams served also as a replacement pool for the fixed teams, personnel frequently being rotated from the mobile team reserve to station with one of the fixed teams at the ports of entry, the relieved members from the fixed teams being reassigned to the mobile teams. Actual physical organization of the mobile team was requested when the tentative team organization was activated. It was then increased or decreased in strength according to the task, and dispatched on the particular mission.



UNSC DELEGATION INTERVIEW. Members of the press interview the Swiss and Swedish delegates to the Neutral Nations Supervisory Commission shortly after the delegation's arrival in Korea. (19 July 1953)

V. THE FIXED INSPECTION TEAMS

A. GENERAL

1. One of the main missions¹ of the Neutral Nations Supervisory Commission established by the Armistice Agreement is to supervise, observe, and inspect whether reinforcing combat aircraft, armored vehicles, weapons, ammunition, and personnel are being introduced into Korea by the United Nations Command or by the Korean People's Army and the Chinese People's Volunteers. The Armistice Agreement explicitly prohibits such introduction. According to its provision, both sides are authorized to replace combat aircraft, armored vehicles, weapons, and ammunition destroyed, damaged, worn out, or used up during the armistice. Personnel not to exceed 35,000 per month are also authorized to be rotated by either side.

2. The rotation of personnel and the replacement of combat aircraft, armored vehicles, weapons, and ammunition must be carried out only through the ten ports of entry, five in South Korea and five in North Korea, enumerated in the Armistice Agreement. In these ports of entry were stationed the Fixed Neutral Nations Inspection Teams, one team in each port of entry, which by observing, supervising, and inspecting, insured that these particular provisions of the Armistice Agreement were not being violated.

3. Both sides are bound by the provisions of paragraphs 13g,¹ 13j,² and 17 of the Armistice Agreement to afford full protection and all possible assistance and cooperation to the Neutral Nations Supervisory Commission and its Neutral Nations Inspection Teams for the carrying out of their functions and responsibilities, including the freedom and facilities necessary for the proper exercise of their functions.

B. OPERATIONS IN SOUTH KOREA

1. Immediately following the signing of the Armistice Agreement, the United Nations Command established its planned

¹See Annex A, par 41, 42, 44-47, 49 and 50.

²See Annex A, cited paragraphs.

system and procedures to insure that all incoming and outgoing shipments of personnel and combat materiel were made through the five designated ports of entry in South Korea only, and placed into effect the necessary measures to facilitate free and open inspections of these shipments by the Neutral Nations Inspection Teams whenever they should become operational. Thus, the United Nations Command submitted its first combat materiel and personnel report as prescribed in paragraphs 13c and d of the Armistice Agreement on July 28, 1953, the day following the signing of the Armistice Agreement, enabling the Military Armistice Commission and the NNSC to have complete records of these shipments continuously from the day that restrictions were placed in effect.

2. The Inspection Teams began their functions of supervision, observation, and inspection at the five ports of entry in South Korea on August 19, 1953. The teams of each port of entry were furnished a complete daily report of incoming and outgoing personnel and combat materiel for the particular port of entry, the scheduled time and method of shipment, and access to all documents pertaining to the shipment, including manifests and clearances, at least twenty-four hours in advance of the schedule. The United Nations Command went even further, beyond the requirements of the Armistice Agreement, by placing at the disposal of the inspection teams documents relating to shipments of non-combat materiel. The Inspection Teams were therefore in a position to inspect and report on any materiel that they were interested in; they were free to check, for example, on training aircraft, spare parts, explosives, and many other items which the United Nations Command itself did not consider within the scope of the Armistice Agreement. The inspection teams in South Korea took full advantage of this opportunity to consult whatever documents they chose to examine, but only because the Czech and Polish members urged such procedure and the Swiss and Swedish members acceded to their wishes in the interest of obtaining cooperation within the teams.

3. Although each team was furnished with a very general set of instructions by the NNSC, these instructions necessarily did not include sufficient directives on the details of operation to enable the teams to unanimously agree on many particular procedures and interpretations. Within the first few days of

team operations, serious differences arose between the Czech/Polish members of the teams and the Swiss/Swedish members. Although all of the teams continued to perform the functions assigned by the Armistice Agreement, there was constant disagreement between the two groups on practically every matter pertaining to the work and living conditions of the teams. Failure of the team members to agree on the substance of messages and reports to the Commission headquarters quickly resulted in the practice of frequent separate information dispatches to the NNSC, widely different in content, one sent by the Czech/Polish members and another sent by the Swiss/Swedish members, the two very often presenting contradictory views on the same subject.

4. By far the most serious problem affecting the Neutral Nations Inspection Teams at the ports of entry in South Korea was that of security, a continuous headache for the United Nations Command from the time that the teams moved to the ports of entry to their recall. The South Korean attitudes generated a series of attempts on the part of the South Korean government and populace to expel the Neutral Nations Inspection Teams from South Korea. From open hostility displayed publicly in the early months of the armistice, the attitude of the South Koreans steadily stiffened as time went by with no progress toward a political settlement and unification of the country, until in July 1954, it began to present a serious security problem for the United Nations Command when the personal safety of the members of the teams were threatened not only by words but also by concrete acts. Hostile demonstrations and threats at all of the southern ports of entry were directed at the Czech and Polish members of the teams. Despite the incidents and extraordinary security measures, the Neutral Nations Inspection Teams at the ports of entry in South Korea carried out the functions assigned to them by the Armistice Agreement continuously from the beginning of initial operations August 19, 1953, until their recall in 1956.

5. The reports of the fixed inspection teams to the Neutral Nations Supervisory Commission became the basis for an evaluation of the rotation of military personnel and replacement of combat materiel each month by the Commission. This evaluation, was obtained by analyzing the reports of the

former belligerents concerning the rotation of military personnel and the replacement of combat materiel and checking these figures against the figures for certain shipments as reported by the inspection teams. It was then submitted in the form of an official report to the Military Armistice Commission, stating whether or not each command had exceeded the limitations set by the Armistice Agreements. The first such evaluation report for the months of October and November, 1953, was a subject of discussion, disagreement, and argument in the NNSC over a period of some five months, various draft evaluations being submitted by all of the elements of the Commission and all of them being rejected. Differences in reporting procedure lack of agreement within the teams and the submission of separate information reports by the Czech/Poles and Swiss/Swedes with contrary conclusions and figures, and the confusion brought about by variations in the reporting of types, subtypes, and subsubtypes, particularly in the nomenclature of aircraft, plus the almost certain inevitability of human errors in the compilation of voluminous figures, contributed to the causal factors of disagreement. As a result, the Czech/Polish members of the Commission and the Swiss/Swedish members sent separate informational evaluations to the Military Armistice Commission, with contradictory conclusions and supporting data. This practice continued for succeeding months and it was not until the 149th Meeting of the Neutral Nations Supervisory Commission September 22, 1954, that the Commission was able to agree on a common evaluation, the evaluation for the month of April of the same year. Since that time, a common evaluation has been made each month, merely stating that according to the reports received from both sides, neither had exceeded the limits allowed by the Armistice Agreement.

C. OPERATIONS IN NORTH KOREA

1. The execution of the appropriate provisions of the Armistice Agreement by the Korean People's Army and Chinese People's Volunteers in North Korea presents a startling contrast to the planned system and procedures effected in South Korea.

2. Although the inspection teams in North Korea were instructed by the Neutral Nations Supervisory Commission to

their operations and functions simultaneously with the teams in the South, for seven weeks after the Armistice Agreement had been signed, there was apparently nothing for the teams at any of the five ports of entry in North Korea to do, since neither military personnel reports nor combat materiel reports were submitted by the KPA and CPV during this period. The first personnel report was dated September 12, the first combat materiel report was submitted on October 6, and the next combat materiel report was dated February 9, 1954. During this time, the inspection teams at the five ports of entry in North Korea wandered around their areas aimlessly, closely guarded by Communist soldiers.

3. There was no comparable hostile population in North Korea objecting to the presence of the team members, an effect of the comparatively sparse civilian population being under rigid disciplinary control. There was no sovereign government other than that of the Military Commander; hence, no organized or publicly expressed opposition to the provisions of the Armistice Agreement.

4. Travel arrangements were so poor in North Korea that it was difficult for the Swiss and Swedes in Panmunjom to make tours of inspection of their teams in North Korea. Following the first such inspection trip, some six weeks after the teams had moved to their stations, the Swiss and Swedish members in the Commission objected to the unnecessary restrictions placed on their personnel in the northern ports of entry, furnishing the Commission a critical and objective written report of their inspection. The Czechs and Poles strongly defended all of the restrictions enforced by the Communist Command and minimized the importance of such matters, despite the fact that they had been even more critical of lesser measures effected by the United Nations Command in the South. However, when additional security measures became necessary in South Korea, the Communist Command hastily improved the conditions in the North, relaxing the most objectionable restrictive measures.

5. The Swiss and Swedish members repeatedly pointed out the lack of uniform reporting procedure, insisting that, while the teams in the South were furnished adequate information and access to personnel records and materiel documents

the teams in the North exercised no real control over either personnel or combat materiel. They were determined that the information furnished would be equalized so that the teams would exercise approximately equal control. Since the Communist Command would not improve the control exercised by the teams in the North, upon the initiative of the Swiss and Swedish members, a "new procedure" was finally inaugurated by the United Nations Command in the South on April 15, 1954, changing the reports and inspection procedures to correspond generally with those in the North. These changes were violently opposed by the Czechs and Poles in the NNSC, but the Swiss and Swedes were adamant in their insistence upon complete equalization of supervision.



VICE PRESIDENT RICHARD M. NIXON met by Major General Lacey shortly after Vice President Nixon's arrival at the base camp at Munsan-ni in November 1953.

VI. THE MOBILE INSPECTION TEAMS

A. FUNCTIONS

1. The mission of the mobile inspection teams is to conduct without delay observations and investigations of reported violations of the Armistice Agreement, reporting the results of such observations or investigations to the NNSC, which is assigned the responsibility and duty of evaluating these reports and forwarding the evaluation to the Military Armistice Commission.

2. The mobile inspection teams may be dispatched to any area in either North or South Korea for the purpose of performing their functions, the only restrictions being that they have no investigative functions in the Demilitarized Zone, responsibility for which is assigned to joint observer teams under the supervision of the Military Armistice Commission, and in the designated ports of entry, where the responsibility is that of the fixed teams. Hence, it is obvious that the mobile Neutral Nations Inspection Teams were provided for in the Armistice Agreement for the purpose of plugging the loopholes in neutral supervision of the terms of the Armistice, in view of the distinct limitations of the fixed teams both in numbers and in areas of operation. The mobile inspection teams were therefore dispatched to investigate reported violations by either one of the senior members of the Military Armistice Commission only after an agreement to direct such an investigation had been reached by the four elements in the NNSC. This resulted not only in excessive delay in getting an investigation of a reported violation underway, in case the Commission approved investigation by a mobile team, but also in numerous cases of requests for mobile teams to investigate reported violations by the senior members of the Military Armistice Commission that were never acted upon favorably because of a deadlock in the NNSC.

B. LIMITATIONS

In effect, the NNSC passed judgment as to whether or not a request by either senior member of the Military Armistice Commission warranted investigation by a mobile inspection team,

and failure of the Commission to reach an agreement or decision was also, in effect, a denial of the request. From these considerations, it is apparent that the mobile Neutral Nations Inspection Teams, unlike the fixed teams, had no automatic or continuous operations, performing only those observations and investigations which were both requested by a senior member of the Military Armistice Commission and approved and directed by the NNSC.

C. OPERATIONS

1. The organization of the ten mobile groups depended on the function they were called on to perform. The first group was set up to investigate complaints both from the North Koreans and from United Nations Command concerning conditions in prison camps in South Korea. The composition of the second group was different since it was called on to investigate the illegal entry of military planes into North Korea. During the period ending November 30, 1953, only four of the ten mobile teams had been used for six days. Therefore, Switzerland proposed the reduction of the number of teams to six and this was accepted.

2. Every single investigation by a mobile Neutral Nations Inspection Team was marked by extreme differences of opinions between the Czech/Polish and Swiss/Swedish team members as to the conduct of the investigation, the facts that the investigation revealed, the competency and the completeness of the investigation, the interpretation of the evidence considered, and the findings, conclusions, and report that should be rendered to the NNSC. Since these same differences recur in all of the investigations, it can be factually stated that the mobile Neutral Nations Inspection Teams, despite a tremendous amount of strenuous, meticulous, and time-consuming effort, never proved or disproved a single violation charged by either side, the teams having never reached an agreed conclusion.

VII. VIOLATIONS

A. REPORTS BY THE PRINCIPALS

1. Although a statistical comparison of the work of the inspection teams in the South and in the North must be discounted to a certain extent because of the differences in normal combat materiel support of the two forces concerned, such a comparison does render an indication of the attitude and efforts of the former belligerents toward the complete discharge of their obligations accepted under the Armistice Agreement. Such statistics are not only factual but are matters of record that cannot be refuted.

2. From official records covering the first year of the armistice, from July 27, 1953 to July 31, 1954, the United Nations Command submitted 378 personnel reports covering 487,343 permanent arrivals of military personnel and 362,122 departures. During this same period, the KPA and CPV submitted only forty-two such reports covering only 12,748 permanent arrivals and 31,201 departures.

3. Similar reports on combat materiel for the first twenty-two months of the armistice, from July 28, 1953 to May 31, 1955, show that the United Nations Command submitted 1,969 combat materiel reports covering movement of 16,141 combat aircraft, 2,492 armored vehicles, 447,803 weapons, and 608,385,231 rounds of ammunition; for the same period the Communist side submitted 162 combat materiel reports covering the movement of zero combat aircraft, 245 armored vehicles, 144,808 weapons, and 50,674,619 rounds of ammunition. Unless done in very recent months, the Communist Command has not yet submitted one single report covering the movement of combat aircraft in or out of Korea from the effective date of the armistice.

B. ACCUSATIONS

1. General Parks, the senior member of the United Nations Command in the MAC, made a statement to the MAC summarizing the North Korean armistice violations. He quotes the senior Swiss member: "I think we have the right to ask ourselves how it is possible that an army (the North Korean) counting several

hundred thousand soldiers can be logistically supported by the amount of material as shown by the figures which are being submitted to us". General Parks pointed out that all airfields in North Korea were inoperative on July 27, 1953. United Nations Command radar surveillance detected continually increasing jet aircraft activity after that date, despite the North Korean reports that no aircraft had been shipped into North Korea. On September 21, 1953, this evidence was confirmed when a North Korean pilot defected and surrendered a MIG-15 to the United Nations Command. The pilot said he personally observed at least eighty combat aircraft brought into North Korea.

2. On February 12, 1954, the Chinese Communists and North Koreans announced that they would not admit the mobile teams in- to North Korea at the request of the United Nations Command because the inquiries were based on lying complaints.

3. On April 30, 1954, the Polish and Czech members of the NNSC filed a complaint against the United Nations Command based on a thorough study of United Nations Command reports. They accused the UN Command of over-reporting the outgoing combat material, under-reporting the incoming combat material and introducing changed types of aircraft.

4. General Parks in 1955, reported the construction of railways to bypass the ports. When the Swiss and Swedish delegates wished to inspect trains, they were required to announce their intention two hours in advance. When the teams arrived at the station, it was practically deserted. When a train was there, the Poles and Czechs refused to allow inspection if the station master said that it contained no military equipment. The North Koreans produced no bills of lading or other documents.

5. On February 21, 1955, the United Nations Command requested a mobile inspection team investigation of six airfields where it was claimed that MIG aircraft had been illegally introduced, and the Czech and Polish delegates stalled the dispatch of the inspection team for one week. Despite the concealment of aircraft during that week, eighty-eight MIG's were observed on these fields, but the Czech and Polish members vetoed requests by the Swiss and Swedish members for available documents to establish when the aircraft were brought into North Korea. Subsequently, two defectors from North Korea described the ruse

employed by the North Koreans to prevent the discovery of the violations, and these were presented by General Parks at the July 5, 1955, meeting of the MAC.

"a. Your side (the Communists) flew many combat aircraft away from the inspected airfields.

b. Your side hid combat aircraft in ravines in the hills in the vicinity of the airfields and camouflaged them.

c. Your side dismantled some of the aircraft and concealed them.

d. Your side stationed heavy guard about the hiding places and prevented inspection of these areas by the mobile inspection teams.

e. Your side arbitrarily reduced the boundaries of the airfields, thereby restricting the scope of the mobile inspection teams.

f. Your side prepared false testimony by long, detailed coaching of probable witnesses and by substituting politically indoctrinated higher ranking officers for lower ranking officers by switching insignias.

g. Your side delayed the assembly of newly arrived combat aircraft at Taechon by leaving them in their crates until the mobile inspection team investigations were completed. Senior Lieutenant Lee, who reads Russian, noticed the wording 'Kiev Aircraft Factory' on tags attached to one of his unit's combat aircraft. This aircraft's log book showed that the plane left the Russian factory in March 1955."

VIII. REGRESSION

A. REDUCTION OF THE FIXED TEAMS

1. After the Neutral Nations Supervisory Commission had been functioning for more than six months, with no indication that any permanent settlement of the Korean problem was to be reached by a political conference, the Swedish government felt compelled to approach the governments of the former belligerents with regard to the concern of the government of Sweden for the continued participation of its membership in the Commission. The proposal of the Swedish member for a drastic reduction of the NNSC, including the withdrawal of all of the fixed teams at the ports of entry in both North and South Korea, was strongly supported by the Swiss member. However, the Czechoslovak and Polish members stated that the elimination of the work of the fixed teams was contrary to the provisions of the Armistice Agreement and completely unacceptable to their governments. They put forth a counter-proposal that all of the fixed teams be reduced to the representatives of two nations instead of four, one nation appointed by each side to accomplish the work of the fixed teams at each of the ports of entry.

2. Since the ports of entry of Chongjin and Hungnam in North Korea and Kangnung and Kunsan (later changed to Taegu) in South Korea were inactive for the rotation of personnel and replacement of combat material, the teams at these ports having had no functions to perform for a long period of time, a compromise solution between the Czech/Polish counter-proposal and the Swede/Swiss proposal was agreed in the 193rd Plenary Session of the Neutral Nations Supervisory Commission. The Commission thereby recommended to the Military Armistice Commission that the teams at these ports of entry be withdrawn for the time being and that the teams at the remaining six ports of entry be reduced to subteams, whose members were to be from only two of the neutral nations, one nominated by each side.

3. After a prolonged delay, the Military Armistice Commission informed the NNSC that it interposed no objection to the recommended reduction, having so decided at its 66th Meeting on August 29, 1955. One week later the reductions were effected.

B. WITHDRAWAL OF THE NNSC

1. With the complete frustration of and the growing sentiment against the NNSC, the United Nations Command on May 31, 1956, informed the Communist Command in Korea and the NNSC of its intention to suspend the activities of the NNSC's teams in the three South Korean ports because of Communist violations of the armistice agreement. The United Nations Command justified this action on the basis that the armistice agreement was a contract including certain provisions with which the other side had failed to comply, that is, the provisions on reporting, reinforcement, and supervision.

2. At a meeting of the MAC on June 4, the Communist representatives attacked the United Nations Command for violations of the Armistice Agreement and demanded the withdrawal of the May 31 announcement. When the United Nations Command refused to withdraw the announcement, on June 5, the NNSC unanimously agreed to recommend to the MAC the provisional withdrawal of the fixed inspection teams both in North and South Korea. The Communist side in the MAC declined to accept the NNSC recommendation, but they could do nothing since the NNSC teams in South Korea were required to withdraw by June 9. The teams in North Korea returned to Pannunjom on June 10 and 11.

3. From this point on the activities of the NNSC were limited to recording information furnished by either side. The personnel was further reduced to reflect the more limited functions. However, there has been no further pressure either from the Communists or the United Nations Command to abolish the NNSC. The comment of a historian of the NNSC on this situation is as follows:

The Americans and South Koreans, no longer hampered by the presence of the Czechoslovaks and Poles and free to accelerate the modernization of their armament, now showed less haste to do away with a body which had ceased to inconvenience them and might even serve to restrain the propaganda against them by the North Koreans and Chinese. The Neutral Nations Supervisory Commission thus remains a facade, maintained only because of apprehension about the void which would occur if it were abolished.

C. ABROGATION OF PARAGRAPH 13d.

1. The final collapse of peace observation took place in 1957 with the decision of the United States, in its capacity as the Unified Command, to proceed with the rearmament of South Korea "in order to maintain a relative military balance in Korea and thus to preserve the stability of the armistice".

2. In the report, the United States cited the failure of the North Koreans to live up to paragraph 13(d) of the Armistice Agreement which required both sides to cease the introduction into Korea of reinforcing combat aircraft, armored vehicles, weapons, and ammunition with provisions for replacement of worn-out equipment. The report cited the inability of the NNSC to obtain information because of Communist obstruction. It stated specifically that the Communists had built up their air force in North Korea to more than seven hundred planes (without disclosing the source of this information). Therefore, the United Nations Command "considers that it is entitled to to be relieved of corresponding obligations under ... (paragraph 13(d)) until such time as the relative military balance has been restored and your side, by its actions, has demonstrated its willingness to comply".

3. The report stated that "the United Nations Command does not intend to start an arms race and ... that the replacement weapons are being deployed for defensive purposes only". Furthermore, the United Nations Command would fully observe "the cease-fire and all the provisions of the Armistice Agreement save to the extent to which it is entitled to be relieved from compliance because of Communist violations of sub-paragraph 13(d) and of those covered in its statement to the Military Armistice Commission of 31 May 1956". This statement covered violations of 13(c), restriction of introduction of military personnel, as well as 13(d). Since the NNSC was established only to observe the enforcement of 13(c) and 13(d), it ceased, therefore, to have any function.

D. EPILOGUE

1. 1963, the tenth anniversary of the Armistice in Korea, saw no progress toward political unification. The periodic meetings at Panmunjom of representatives of the U.N. Command and of the Communist Command were characterized by the usual charges and countercharges.

2. Since June 1956, all that remains of the NNSC is stationed at Panmunjom: the commission itself, the secretariat, and the representatives at command headquarters. The commission continues to meet daily and usually adjourn in less than five minutes. For a number of years, its functions have been confined almost entirely to receiving and, upon occasion, briefly discussing, reports and letters received from one or another of the parties to the armistice.



N.S.C. VISIT KOREAN ARMY DIVISION. Members of the Swiss and Swedish Delegations to the Neutral Nations Supervisory Commission during a visit to the 28th ROKA Division, Summer 1962.



PRESENTATIONS TO MEMBERS OF THE NNSC. Member of the Swiss and Swedish Delegations receiving tokens of their visit to the 28th ROKA Division from the Division Commander, Lieutenant PAK Ung Kyu. (Summer 1962)

IX. EVALUATION OF EFFECTIVENESS

A. COMPOSITION OF THE COMMISSION

1. The problems experienced by the Neutral Nations Inspection Teams inevitably became the primary problems of the Neutral Nations Supervisory Commission. Also, the actions or positions taken by the various national elements at the team level were always approved and strongly defended by the corresponding national elements in the Commission. With respect to efficient functioning and effectiveness, the greatest problem of the Commission was in its composition, in view of the mission assigned to it. The appointment of two nations to the Commission by each belligerent alliance, engaged in a war as the representative of one of the two great opposing political ideologies of the world, was an open invitation to ineffectiveness.

2. Poland and Czechoslovakia, appointed by the Communists, are nations governed by communist governments; Switzerland and Sweden, appointed by the United Nations Command, are nations governed by democratic governments. Even assuming that all four nations could and would attempt to be neutral in discharging its obligations in the Commission, there would almost certainly still be important differences in the Commission, inevitably leading to tie votes or deadlocks, with resultant indecision and ineffectiveness.

3. The similar composition of all of the important agencies of the Commission, including both the fixed and mobile Neutral Nations Inspection Teams, increased the chances for the same difficulties and ineffectiveness. To the differences of opinion and interpretation that can be expected as a normal result of an entirely different way of life under a communist government and a democratic government, must be added the differences that have to be expected from the conscious or unconscious desire to further or protect the interests of the belligerents that nominated a nation for membership on the Commission. Thus, the composition of the Commission left little possibility of an efficient and effective organization.

B. THE ARMISTICE AGREEMENT

1. The basic concept of the Armistice Agreement was that the established balance between opposing military forces in Korea which existed on July 27, 1953, would be maintained by the opposing commanders, neither of whom would alter this balance thereafter through the introduction of reinforcing military personnel or combat materiel, pending the political settlement of the Korean controversial questions by the governments of the countries involved. The provisions for the implementation of this basic concept were unrealistically based on the illusion of reciprocal and honest good faith on the part of both parties to the Armistice Agreement.

2. Although the Agreement specified certain general and concrete provisions designed to achieve assurance of the basic concept, including the Neutral Nations Supervisory Commission and its mission, the procedures, methods, and other important details necessary to carry out the provisions were left as decisions of the former belligerents. These decisions depended entirely on the good faith of the signatories and were subject to exploitation by either deliberate advantageous interpretation or avoidance of the spirit and letter of the Agreement.

3. The results of this one factor alone in contributing to the problems with which the NNSC necessarily had to contend are apparent from the factual record. While the United Nations Command initially took a broad view of its obligations and threw itself open to full control by the Neutral Nations Inspection Teams at the ports of entry under its military control, the KPA and CPV adopted a very rigid procedure, limiting or negating any real control by the Inspection Teams in North Korea. While the former allowed the teams access to documents supporting its military personnel and combat materiel reports, the latter denied the teams any perusal of such documents. While the United Nations Command reported rotation of personnel and replacement of combat materiel taking place daily and in amounts logically to be expected, the Communists reported none at three of five ports of entry in the North and only insignificant amounts at the other two ports of entry for an extended period of time. While spot checks by the teams in the South were completely unrestricted, except for rare occasions

when security precautions alone were responsible for cancellation, spot check inspections were never made by the teams at the ports of entry of Chongjun, Hungnam, and Sinanju in the North, although all of these ports of entry have railway connections beyond the northern border of Korea.

4. The Neutral Nations Supervisory Commission was powerless to secure any real improvement in the control at the northern ports of entry, lacking the authority and the ability to effect the changes in procedure that were needed. The Commission also had no real authority in the conduct of investigations of alleged violations of the Armistice Agreement, its mobile Inspection Teams being dependent upon the former belligerents for cooperation and assistance in the accumulation of evidence. The refusal of access to documents, witnesses, areas, and potential materiel evidence could only be noted in the report, since neither the Inspection Teams nor the Commission had any alternative but to accept the decision of the appropriate party to the Armistice Agreement, even though such action eliminated an effective investigation. An impartial consideration of the investigations conducted by the mobile teams in North Korea reveals that all of them were hampered and interfered with by certain decisions of the Korean People's Army and Chinese People's Volunteers.

C. THE RESENTMENT OF SOUTH KOREA

Although the South Korean Army was bound by the terms of the Armistice Agreement by virtue of the fact that it was under the operational command of the Supreme Commander, United Nations Forces in Korea, the Armistice Agreement per se in no way affected the sovereign power of the duly constituted government of South Korea or the inherent rights of her people to freedom of expression. The long delay in holding the political conference recommended in the Armistice Agreement and the failure of this conference to reach any agreements when finally convened, additional factors over which the NNSC had no control, resulted in sharply increased resentment on the part of both the government and a majority of the populace of South Korea against the Communist members of the Neutral Nations Supervisory Commission.

D. THE NNSC ORGANIZATION

1. The organization of the Neutral Nations Supervisory Commission and all of its subordinate agencies was made up of the representatives of four sovereign nations, which had accepted coequal status, duties, and responsibilities in the obligatory discharge of the neutral mission of the Commission. Since all four members of the Commission and its teams were coequals, at least three of the four members had to be in agreement in order to reach a positive decision on any matter, important or unimportant. Thus, on any question or action upon which there was disagreement in the opinions of the principals to the Armistice Agreement and which required consideration of the Commission or any of its agencies, it was necessary for at least one of the two elements of the Commission appointed by a principal to take a different position from that taken by this principal, in order to reach a decision.

2. Since there was inevitably a difference of opinion between the two principals on every important problem, question, or action that the Commission faced, it follows that the effectiveness of the Commission in the performance of its functions was almost entirely dependent upon a neutral attitude by a majority of its four elements toward both principals.

3. Further, the Commission and its teams were obviously dependent upon cooperation and mutual agreements among its four elements to be effective, the degree of effectiveness reflecting the degree of cooperation and agreement. In summary, the organization of the Neutral Nations Supervisory Commission and its principal agencies was such that it was powerless to resolve or adjust any difficulty that stemmed from lack of a majority opinion of its four elements. The majority opinion of its four elements on important considerations depended to a large extent upon cooperation of its elements in the display of a neutral and impartial attitude.

E. EXHIBITED NEUTRALITY BY THE REPRESENTATIVES

1. The Swiss and Swedish representatives in the Neutral Nations Supervisory Commission have been truly neutral and impartial in their attempts to carry out the functions of the

Commission. Not a single instance of deviation from this policy either in word or action can be cited in the record of the Commission or its agencies. Not even the Communists have outrightly accused either member of being unneutral or partial, probably because of the widely recognized Swiss reputation for neutrality, preferring instead to label them as dupes of the United States.

2. The record is equally clear as to the numerous failures of the Czechs and Poles to cooperate with the Swiss and Swedes in carrying out the functions of the Commission, and in their continuous partiality and unneutrality in favor of the Korean People's Army and Chinese People's Volunteers. They refused to cooperate with the Swiss and Swedes by blocking rather than supporting the numerous measures designed to improve or establish effective supervision by the fixed teams in North Korea; they rejected every suggestion and recommendation of the Swiss and Swedes that might have resulted in securing conclusive evidence in the investigations by the mobile teams; they deliberately supported false accusation against the United Nations Command, including alleged violations of the Armistice Agreement, unsupported by fact; they protected the NPA and CPV by blocking investigations in the NNSC and by delaying the start of investigations in the North that were approved; they never failed to support the Communist position on every question, action, or interpretation that came to be considered by the Commission; and they continuously spouted the Communist propaganda line in discussions in the NNSC.

3. In the entire verbatim record of meetings of the Commission, there is not one single disagreement between the Czechs and Poles either in the discussion or in vote; the same cannot be said of the Swiss and Swedes. There is also not one single criticism of the Korean People's Army and Chinese People's Volunteers by the Czechs or Poles; the same cannot be said of the Swiss and Swedes with regard to the United Nations Command.

F. COOPERATION (NNSC AND THE PRINCIPALS)

1. A factor of almost equal importance to the effectiveness of the Commission was cooperation between the elements of the Commission and both principals to the Armistice Agreement.

The two principals were the parties responsible for the enforcement of the terms of the Armistice Agreement within their respective areas of responsibility. The ability of the Commission to supervise, inspect, and observe that the principals were adhering to the terms of the Armistice Agreement, therefore, necessarily depended to a major degree upon the assistance, cooperation, and confidence that the principals placed in the Commission and its elements.

2. Obviously, the Commission was powerless to dictate to either principal. The best chance for effective performance of the functions of the Commission lay in cooperation of the elements of the Commission with both principals, with a minimum of friction and opposition, and the development of confidence by impartial but respectful consideration and treatment of the view of each principal. Conversely, antagonistic and unnecessary actions intended to provoke, embarrass, or irritate either principal by any element of the Commission was certain to be detrimental to cooperation and effectiveness.

3. The Czech and Polish representatives of the Commission took deliberate advantage of every loophole that they could possibly find in the Armistice Agreement to endeavor to annoy, irritate, embarrass, and discredit the United Nations Command at every possible opportunity. From the very beginning of their arrival in Korea they carried out an obviously planned campaign to achieve these purposes. The method most frequently employed can be analyzed as an insistence upon rights that can be interpreted from the Armistice Agreement but simultaneous denial and refusal of all obligations connected with such rights.

4. On the other hand, the Swiss and Swedish representatives extended every effort to cooperate with the KPA and CPV, consistent with their positions as neutrals, even to the extent of ignoring inconveniences without complaint.

G. THE MILITARY ARMISTICE COMMISSION

1. The only authority to whom the Neutral Nations Supervisory Commission could appeal for an interpretation, definition, alteration, or other consideration in an effort to resolve its problems encountered in attempting to carry out its functions, was the Military Armistice Commission. Yet, the Military Armistice

Commission was continuously composed of representatives bitterly opposed in basic viewpoints, rendering real and honest negotiations impractical, if not impossible. 14

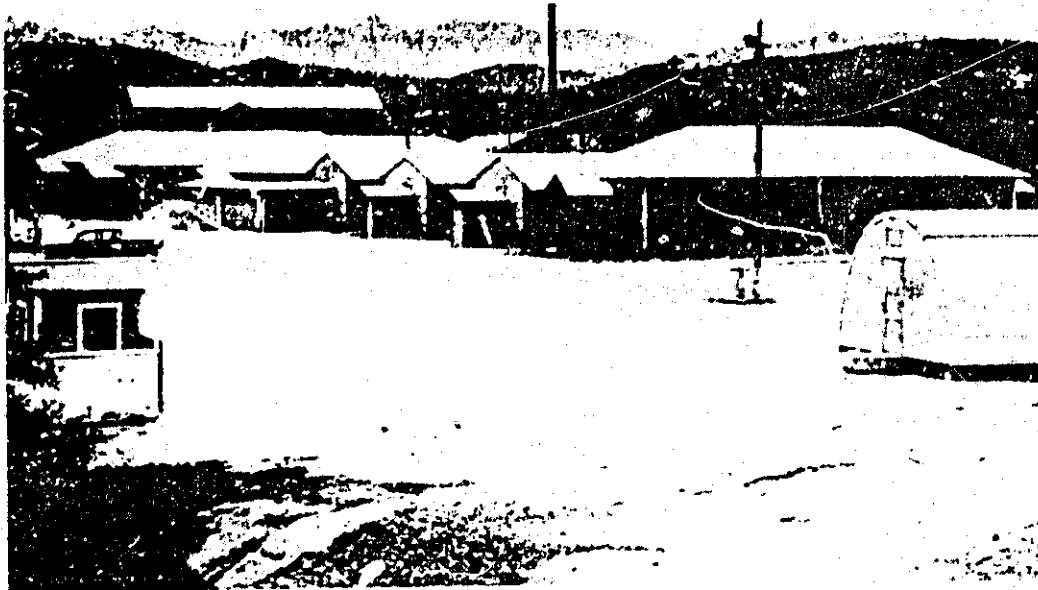
2. The few questions, procedures, or actions upon which agreement was reached in the Military Armistice Commission were those that could be viewed as advantageous by the delegates of both parties to the Armistice Agreement, only. Thus, no real improvement in the effectiveness of the Neutral Nations Supervisory Commission could be expected from an appeal to the Military Armistice Commission for a decision. The Military Armistice Commission remains in a continual deadlock on all important issues. 1

H. EVIDENCE OF VIOLATIONS

1. In the final analysis, the effectiveness and usefulness of the Neutral Nations Supervisory Commission must stand or fall upon the record of the Commission's accomplishments and failures. Has the Commission effectively and impartially performed its functions of supervision, investigation, inspection, and report to the Military Armistice Commission, in accordance with the facts?

2. Since both belligerents have repeatedly charged the other with deliberate and planned violations of the Armistice Agreement, the answer to this question involves a determination of the truth as to violations of the Armistice Agreement, supported by facts and logical evidence. The record of the NNSC shows conclusively that the Commission has never made a determination that either the United Nations Command or the Korean People's Army and Chinese People's Volunteers have violated the Armistice Agreement.

3. The Czech and Polish elements of the Commission have accused the United Nations Command of violations but the Swiss and Swedish elements have refuted these allegations. The Swiss and Swedish elements have voiced suspicions of violations by the KPA and CPA but have not been able to secure irrefutable proof that such violations have, in fact, occurred. The truth as to the alleged violations can be determined beyond a reasonable doubt from available accurate information, but the Commission has been unable to make a positive decision concerning such alleged violations.



NNSC CONFERENCE SITE. The members of the Neutral Nations Supervisory Commission meet as required within the boundaries of the Joint Security Area at Panmunjom.