

Herr Botschafter

Neutral Nations Supervisory Commission
for Korea
SWISS DELEGATION

Panmunjom, 12. Juni 1973

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Politische Direktion
EPD

FK

3000 Bern

*Die Botschafterin, und
mir werden, ich kann und
anfragen können. Ich kann
sicher, dass es der Korea-Debatte in
der ich etwas Kontextes heraus*

Das Problem der Entmilitarisierung der DMZ und die NNSC
klar sein wird.

10.7.

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Herr Botschafter,

Wie Sie wissen, versuche ich seit lange, die Mitglieder unserer Kommission dazu zu bringen, eine gemeinschaftliche Erklärung abzugeben, wonach unsere Kommission bereit wäre, die Entmilitarisierung der entmilitarisierten Zone zu überwachen ("Supervise") falls ein solcher Schritt durch beide Seiten beschlossen wird und unter der Bedingung, dass alle Unterscriber der Waffenstillstandskommission uns diese Aufgabe anvertrauen.

Ich bin dessen bewusst, dass das Mandat unserer Kommission diese Tätigkeit nicht umschliesst und dass es ziemlich unwahrscheinlich ist, dass die Nordseite eine solche Erweiterung unseres Mandates befürwortet. Mir ging es vorallem darum

- die Bereitwilligkeit unserer Kommission zu dokumentierung, einen weiteren Beitrag zur Entspannung der Lage zwischen Norden und Süden herbeizubringen und
- eine Diskussion des Problems der Entmilitarisierung der DMZ zu provozieren, in der Hoffnung, dass diese Anregung zu einem positiven Resultat führt. (Zum Beispiel Aufgreifen des Problems durch das Nord-Süd Koordinationskommittee.)

Die Vertreter Schwedens und der Tschechoslovakei unterstützen mein Projekt voll und sind mit meinen Zielen einig. General Smoldas (CZ) bat mich sogar, jetzt eine Erklärung darüber abzugeben, da eine wichtige Delegation aus seiner Heimat gegen den 29. Juni in Pyongyang ankommen soll, und er sie überzeugen möchte unser Unternehmen zu unterstützen. Einzig der Pole, General Djadura hat sich zurückhaltend gezeigt.

Sie finden hiermit den Text der Erklärung, die ich heute 12. Juni anlässlich unserer Kommissionsitzung abgab. Wie Sie feststellen werden ist sie vorsichtig gefasst.

Diese Frage wird erst gegen Ende des Monats wieder aufgegriffen.

Genehmigen Sie, Herr Botschafter, den Ausdruck meiner vorzüglichen Hochachtung.

Der Delegationschef

Claude van Muyden.
Claude van Muyden



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Statement by the Swiss Member to NNSC on the problem of
the Demilitarisation of the Demilitarized Zone

As the Honorable Members of this Commission are well aware and because of circumstances which are beyond our control the Neutral Nations Supervisory Commission is not in a position to fully carry out the task entrusted to it by the Armistice Agreement. This is a matter which we have frequently discussed among ourselves. We are unanimous in regretting that we are unable to do more to implement the Korean Armistice.

Recently a positive change has taken place in the Korean situation. For the first time since the conclusion of the Armistice North and South Korea are talking to each other again directly at the Red Cross talks and through the North South Coordinating Committee.

Incidentally we are proud that the first contacts between the Red Cross Societies of both sides have been facilitated by the use of our Conference Room in Panmunjom. But this is a very modest contribution to the improvement of the relations between North and South, and I believe from our private conversations that we would all like to be able to do more.

In this sense I am convinced - and we have discussed this before - that our Commission could be useful in remedying a situation which recent events - and in particular the firing incident in the DMZ on March 7 last - have shown to be the most immediate cause of tension between the North and South and, even a source of real danger. I refer, of course, to the fact that the Demilitarized Zone is far from being really demilitarized and that, as recent experience has shown, military confrontations can occur in it which, once begun may be very difficult to control. It so happens that both sides have recognized the dangers of this situation. During the last three years, the UNC side has repeatedly suggested that it should be remedied by both sides.

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As regards the KPA/KPV side, Marshall Kim Il Sung, the ^(then) Premier of ~~North Korea~~ ^{the DPRK} has openly discussed the problem in an interview granted to the American newspaperman Selig Harrison of the Washington Post on the 21 of June 1972 and published by that newspaper on the 27 of that month. In it, the Marshall has stated, in particular:

"If the South Korean authorities are ready to have negotiations with us, face to face, we intend to advance various new proposals. To begin with, we consider it possible to evacuate military personnel and installations of the two sides from the Demilitarized Zone under an agreement between the two sides with a view to easing tension." He added that North and South Korea are now in a confrontation "fraught with the danger of a war breaking out if the trigger is pulled".

Obviously the DMZ is, at present, one of the areas where the trigger could be pulled. My purpose today is to suggest that our Commission, if it wishes to make a constructive contribution to relieving the tension which still prevails between North and South, might offer to supervise the demilitarization of the DMZ if and when both sides agree to carry it out, and provided that all three signatories of the Armistice Agreement ask us to do so.

How can such an offer be justified from the juridical point of view?

Taking as a starting point that the general intent underlying the creation of the NNSC is to help in maintaining and consolidating the peace in Korea, I would like to refer specifically to Article 49 of the AA. It stipulates that our Commission "may make recommendations to the Military Armistice Commission with respect to amendments or additions to this Armistice Agreement. Such recommended changes should generally be those designed to insure a more effective armistice." The move I have in mind would come under paragraph 49 of the AA. and I shall discuss it again shortly.

However there is a point which must be dealt with first. You might think, Gentlemen, that my proposal has been preempted by the refusal, opposed by General Kim Poong Sup at the 339. MAC Meeting to General Haynes suggestion that the Neutral Nations Commission be present when RDL markers are changed and RDL maintenance operations are carried out. Incidentally, General Haynes'

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~~This~~ suggestion shows that the ~~UNC~~ side is willing to entrust to our Commission tasks beyond the mandate given us by the Armistice Agreement, and this seems good. But there is no real ground for a comparison. The Senior Member UNC/MAC made his proposal unilaterally without preliminary consultation or information of the four Members of our Commission.

What I have in mind is different: a suggestion not imposed from outside but coming from our Commission itself, acting in its own right as an international body.

This suggestion would, I repeat emanate not from one or the other side, not from an outside force, but from an international body the composition of which has been approved by both sides and none of whose members have taken part in the Korean War. In addition, the NNSC

- has been specifically created to maintain and further peace in Korea and
- is specifically authorized by the AA to make such suggestions "to insure a more effective armistice".

This is why I believe that the suggestion we might make could not be treated in the same way as General Haynes'.

What then is this suggestion? It is that our Commission should inform the MAC that

if both sides agree to take steps to effectively demilitarize the Demilitarized Zone, the NNSC would be willing to supervise such demilitarization provided that all three signatories of the AA agree to entrust it with this new function.

I have not dealt with the practical problems which will arise if this work is given to our Commission, for example as regards the matters of personnel and transportation. There is also a formal aspect to be considered: would it be necessary to propose an amendment to the Armistice Agreement - say to paragraph 41 ?

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But this would be premature. It seems to me that we should begin by deciding whether we are willing to offer to take on this new task.

To start the ball rolling, I now declare that my Delegation is willing to take part in the supervision of the demilitarization of the DMZ if the latter is decided and if all three signatories of the AA are in favor of giving the MNSC this role.

I am very interested in hearing the preliminary views of the other Honorable Members on this subject. Beyond that I assume that they will need time to study this proposal, and so I would suggest that we postpone the real discussion of this matter until, say, the 26th of June.