



The Department of State acknowledges the receipt of the memorandum of the Swiss Government dated April 14, 1953 concerning the status and procedures of the Neutral Nations Supervisory Commission under the terms of the Draft Armistice Agreement in Korea. The United States Government has taken careful note of the statements contained in the memorandum and has the following comments to make with regard to the specific points raised in it:

1. The memorandum from the Swiss Government points out the insufficiency of the 10 days' advance notice suggested informally by this Government in earlier discussions with representatives of the Swiss and Swedish Governments as the probable time available for the organization of the Neutral Nations Supervisory Commission before the armistice agreement becomes effective. Despite the specification of a 10-day period for planning purposes, it is, however, possible that in practice additional time will be available. The Swiss and Swedish Governments will be immediately informed of any developments in the negotiations which might provide an indication of the imminence of final agreement upon

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the armistice. Furthermore, additional time for the organization of the Commission may be gained after agreement has been reached in principle and while details of the final armistice agreement are being worked out. These details may include the renegotiation and remapping of the demilitarized zone, if that is necessary. Prior to the first meeting of the Military Armistice Commission there will presumably have to be preliminary staff conferences concerning the functions of the various agencies designated in the Draft Armistice Agreement. Agreement will also have to be reached with regard to the details of the actual signing of the armistice agreement.

2. The interpretation of the Swiss Government with regard to the control which the Neutral Nations Supervisory Commission will exercise over the rotation of military personnel under Paragraph 13 (C) of the Draft Armistice Agreement is literally correct. As the Draft Agreement now reads, there is no provision that the ports of entry for military personnel on rotation will also serve as ports of exit for similar purposes. A reasonable interpretation of this paragraph is, however, that personnel and equipment must leave Korea through one of the specified ports if credit is to be claimed which would entitle a corresponding importation of personnel

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and equipment. Nevertheless, it is true that the Commission technically would be in the position of having to rely on the declarations of each side regarding departures of military personnel from Korea. Accordingly, the United Nations Command will, if possible, seek an amendment of Paragraph 13 (C) to stipulate that the rotation of military personnel shall be introduced into "and evacuated from" Korea only through the ports of entry enumerated in Paragraph 43 of the Draft Agreement.

3. Similarly, with reference to the comments of the Swiss Government with regard to Paragraph 13 (D) of the Draft Armistice Agreement relating to the introduction into Korea of combat aircraft, armored vehicles, weapons and ammunition, the United Nations Command will, if possible, also seek to have Paragraph 13 (D) so amended as to provide that the items of military equipment to be replaced by either side "shall be removed from" Korea only through the agreed ports of entry.

4. With regard to the question of the control of unauthorized entries and exits at points other than the ports of entry specified in Paragraph 43 of the Draft Agreement, it is believed that

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provision for such control is made in Paragraphs 13 (C), (D), (E) and (F) where they deal with the establishment and functions of the mobile Inspection Teams.

5. It is recognized that there is a possibility of deadlocks arising within the Neutral Nations Supervisory Commission with regard to its duties and functions in reporting alleged violations of the Armistice Agreement. While it is not believed advisable to attempt to resolve this question in the plenary sessions of the armistice negotiations, provision is made, however, under Paragraph 49 for the Commission to make recommendations to the Military Armistice Commission concerning amendments or additions which may be considered desirable.

6. The Draft Armistice Agreement as presently written permits the Neutral Nations Supervisory Commission to furnish its own communications and transportation if it so desires. While it is not considered advisable to attempt to resolve the question of autonomous logistic support or air transportation in the plenary sessions of the armistice negotiations, the United Nations Command for its part is prepared to furnish the Commission with air service as required in the area under its responsibility. The provision of

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similar services by the opposing side would appear to be a proper subject for discussion at the appropriate time by members of the Commission with the authorities representing that side.

7. The United Nations Command will seek to obtain provision in the armistice agreement for extraterritorial status for the site of the headquarters of the Neutral Nations Supervisory Commission within the demilitarized zone. The Government of the United States will also seek to obtain appropriate diplomatic status and prerogatives for the members of the Commission within the territory of the Republic of Korea.

Department of State,

Washington, May 20 1953

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There have been many questions, and some misunderstanding, about the present status of the armistice negotiations at Panmunjom. It is appropriate, therefore, to restate our basic position and to make clear where we stand.

The Government of the United States, like the Governments of the other United Nations members participating in Korea, has always wanted peace in Korea. We did not start the war in Korea, but we have always been ready to end it on an honorable basis. For almost two years we have patiently and persistently sought to bring an end to the war. Our efforts to bring peace to Korea were ignored by the Communists for the first year of the fighting. When armistice negotiations finally began in July 1951, the United Nations Command made every effort to reach an honorable armistice. We have negotiated in good faith and with great patience. We are continuing to negotiate in that way.

The negotiations have been deadlocked for more than a year on the question of prisoners of war. Members of the free world have affirmed that there can be no force used to compel the unwilling prisoners to return to the Communists. That is the fundamental issue between us and the Communists and the one on which we stand.

Some weeks ago the Communists for the first time gave some basis for hoping that they may be prepared to meet the moral judgment of the nations of the world on the prisoner question. After several false starts they finally came forward with a proposal which, with necessary modifications and clarifications, could form a basis for an honorable agreement. On May 13, the United Nations Command accepted many points of this latest Communist proposal as a basis for negotiation and proposed some modifications to make the plan workable. These suggestions are designed to make the plan for taking custody of the prisoners of war who resist repatriation practicable and fair, to protect the prisoners in question, while at the same time satisfying the Communists and the peoples of the world that the decision of these persons to go home or not to go home is entirely their own. The United Nations Command has sought to reduce the scope of the problem to give maximum protection to all the prisoners, as well as to make the task of the custodial commission manageable.

On one point there can be no question. The principle that force shall not be used to compel resisting prisoners to go home excludes every form of coercion. We cannot, consistently with that principle, create a situation where such persons are offered no alternative to repatriation other than indefinite captivity or custody. The principles for which we have been striving for many months and which have been approved by the United Nations require that the prisoner question should be finally settled, that persons who wish to go home should be allowed to do so and that those who do not shall be released within a reasonable time after the end of hostilities.

The prisoner of war question is no technicality but a fundamental point of Free World philosophy on the integrity and rights of the individual. Free men cannot and will not agree to regard human beings as mere chattels to be held and used as such. The United Nations Command will continue to explore every possibility for an honorable and reasonable solution in Korea but it will not surrender a fundamental humanitarian principle vital to the whole Free World.

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