

NEUTRAL NATIONS SUPERVISORY COMMISSION

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COVERING LETTER DATED 27 OCTOBER 1953 ADDRESSED TO THE MILITARY ARMISTICE COMMISSION, CONCERNING THE EVALUATIONS OF THE MOBILE INSPECTION TEAMS NO 1 (KOJE-DO), NO 2 (YONG-DONG-PO), NO 3 (IMJIN RIVER BRIDGE).

On 22 August 1953, the Military Armistice Commission transmitted to the Neutral Nations Supervisory Commission a letter dealing with alleged violations of the Armistice Agreement by the United Nations Command side in connection with the work of the Joint Red Cross Teams in South Korea.

By this communication the Neutral Nations Supervisory Commission was requested to make the necessary investigations under authority of paragraph 28 of the Armistice Agreement and report the results thereof to the Military Armistice Commission.

Pursuant to this request the Neutral Nations Supervisory Commission dispatched on 25 August 1953 Mobile Teams to the POW:s camps and POWs collecting camps in South Korea, i.e. on Koje-do, Yong Dong Po and Imjin River Bridge.

An additional letter concerning an alleged violation of the Armistice Agreement by the United Nations Command side in connection with the activities of the Joint Red Cross Subteam on Koje-do was addressed to the Neutral Nations Supervisory Commission by the Senior Member of the Korean People's Army and Chinese People's Volunteers side, on 27 August 1953.

On 29 August 1953, the Senior Member of the United Nations Command side, Military Armistice Commission, transmitted a letter to the Neutral Nations Supervisory Commission concerning alleged violations of the Armistice Agreement by the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China of the Joint Red Cross Team at Yong Dong Po and Koje-do.

Having concluded the investigation concerning the complaint of the Korean People's Army and Chinese People's Volunteers side, the Mobile Teams at Koje-do and Yong Dong-po conducted investigations concerning the complaint of the United Nations Command side.

The Neutral Nations Supervisory Commission Mobile Teams conducted their investigations by way of collecting testimonies from all available witnesses to the reported incidents. Having fulfilled their respective tasks, the Teams returned to Headquarters on the following dates: The Mobile Team from Koje-do and the Mobile Team from Yong Dong-po on 5 September 1953 and the Mobile Team from Imjin River Bridge on 8 September 1953.

Ru 27 10



UNSC/30  
English  
Page 2

In conformity with Para 47 of the Armistice Agreement the records of the hearings held by the Mobile Teams were forwarded without delay to the Military Armistice Commission. The Military Armistice Commission has thus already been in a position to familiarize itself with the written evidence presented by the Mobile Teams.

The Neutral Nations Supervisory Commission has during its meetings from 5th October 1953 to 16th October 1953 discussed the reports of the Mobile Teams. As the Members of the Neutral Nations Supervisory Commission were unable to reach agreement on a joint evaluation, the Neutral Nations Supervisory Commission decided to forward to the Military Armistice Commission the separate evaluations submitted by the Czechoslovak and Polish Members on the one side and by the Swedish and Swiss Members on the other side. These documents have been annexed to the present letter.

- Annex 1: contains the evaluations made by the Czechoslovak and Polish Members concerning the complaints of the Korean People's Army and Chinese People's Volunteers side against the UN Command side;
- Annex 2: contains the evaluation made by the Swedish and Swiss Members concerning the complaints of the Korean People's Army and Chinese People's Volunteers side against the United Nations Command side;
- Annex 3: contains the evaluation made by the Czechoslovak and Polish Members concerning the complaints of the United Nations Command side against the Korean People's Army and Chinese People's Volunteers side;
- Annex 4: contains the evaluation made by the Swedish and Swiss Members concerning the complaints of the United Nations Command side against the Korean People's Army and Chinese People's Volunteers side.

NEUTRAL NATIONS SUPERVISORY COMMISSION

Signed: BURES F., Lt.Gen.

Signed: GRAFSTROEM S., Maj.Gen.

Signed: WAGROWSKI M., Maj.Gen.

Signed: RIHNER F., Maj.Gen.

27.10.1953/Sb

NNSC/30

English

Page 3

ANNEX No. 1

## EVALUATION

by the Czechoslovak and Polish members of the NNSC of the reports submitted by the Mobile Inspection Teams No. 1 (Koje-do), No. 2 (Yong Dong-po) and No. 3 (Imjin River Bridge) concerning the complaints of the Korean People's Army and Chinese People's Volunteers side against the United Nations Command side.

I. Investigations conducted by the Mobile Inspection Teams No. 1, 2 and 3 revealed, inter alia, the following facts:

1) In the Yong Dong-po camp, beginning from 6 August, the camp authorities demanded that comfort speeches be submitted to them for censorship, deleted some passages from the speeches (as for instance words: Long live peace of Comrade, or "The war is over, we begin the reconstruction"), and when the Red Cross representatives of the Democratic People's Republic of Korea and the People's Republic of China did not agree with such a procedure, the delivery of comfort speeches was prohibited.

A similar procedure was applied in all the camps inspected, controlled by the United Nations Command side. In the Imjin River Bridge camp, where loud-speakers were used for delivering comfort speeches, the time limit for speeches was reduced to one hour per day and the time of their delivery was shifted to evening hours.

2) The Red Cross representatives could not freely contact the prisoners of war. The contact was possible only through a POW:s representative.

The Red Cross representatives were not allowed to contact the POW:s in groups numbering less than 50 persons.

As was found out in the Imjin River Bridge camp, POW representatives were appointed by the Camp Commander. In the same camp, the Red Cross representatives for a period of 6 days could meet only one POW representative daily. In the Yong Dong-po camp the time limit for visiting prisoners was being constantly limited and finally was reduced to one hour per day.

3) In the Koje-do camp, the camp Authorities did not allow to visit and examine the camp installations while the POW:s were in them. In the Yong Dong-po camp the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the People's Republic of China were not allowed to accompany the POW:s in the same coaches in which the POW:s were travelling.

4) On 31 August, the camp Authorities at Koje-do made the distribution of gift articles subject to a declaration to be signed by the representatives of the Red Cross Society of the Democratic People's Republic of Korea and People's Republic of China to the effect that they would cause no trouble by the distribution. As the Red Cross Representatives refused to sign such a declaration the distribution of gifts was prohibited.

In the same camp the camp authorities made an allegation that national flags of the Democratic People's Republic of Korean and People's Republic of China were smuggled in gift parcels by the Red Cross Representatives of the Red Cross Society of the Democratic People's Republic of Korea and the People's Republic of China. The camp authorities ordered search of the parcels requiring that the search be conducted by the Chinese and Korean representatives themselves under the supervision of camp personnel. When this had been refused, the distribution of parcels was prohibited. The camp commander, however, admitted during investigation conducted by the MIT that he had seen no flags in the parcels.

NNSC/30  
English  
Page 4

5) On 21 August, the Camp Authorities at Koje-do stopped the distribution of gift articles by the representatives of the Red Cross Society of the Democratic People's Republic of Korea and People's Republic of China; The reason given was that the POWs were singing songs and clapping their hands. At the same time, the camp authorities demanded that the representatives of the Red Cross Society of the Democratic People's Republic of Korea and People's Republic of China leave the camp. When the latter protested against such orders, they were encircled by guards who using their rifles tried to push the Red Cross Representatives out of the camp and finally did so. Witnesses of both sides testified that "the soldiers' rifles touched the bodies" of the Red Cross representatives. A number of witnesses testified that the Red Cross representatives had been beaten up.

A similar case happened with a representative of the Red Cross Society of People's Republic of China at the Imjin River Bridge camp on 13 August.

On 25 August force was applied to remove the representatives of the Democratic People's Republic of Korea and of the People's Republic of China, from the vessel "WINSTON"; the reason given was that the POWs were shouting.

On 9 August, gas used against the POWs in the Koje-do camp penetrated into the quarters of the Red Cross Representatives causing their suffering.

6) The camp authorities at Koje-do gave the representatives of the Red Cross Society of the Democratic People's Republic of Korea and the People's Republic of China no possibility to wire their cables in the Korean and Chinese languages.

In the Imjin River Bridge camp, the Deputy Camp Commander refused to cable a message of a Chinese Red Cross delegate unless its contents were changed according to his wishes.

II. The Polish and Czechoslovak delegations have studied in detail the incidents in the POWs camps in South Korea from the point of view of whether both the regulations issued by the authorities of the United Nations Command and the camp practice were or were not in violation of the Armistice Agreement and the Agreement for the Operations of the Joint Red Cross Teams, which were agreed upon and signed by the Korean People's Army - Chinese People's Volunteers side and the United Nations Command side.

After detailed study of the reports by the Mobile Teams, the Polish and Czechoslovak delegations have come to the conclusion that the accusation made by the Korean People's Army and Chinese People's Volunteers side is fully evidenced by the reported facts mentioned above, that is, the regulations issued by the POWs camp authorities of the United Nations Command and the practice carried out by the camp authorities are in violation of the Armistice Agreement and the Agreement for the Operation of the Joint Red Cross Teams, as well as in violation of the Geneva Convention of 1949 on the treatment of prisoners of war,

And in particular:

1) Censorship of comfort speeches by the camp authorities is contrary to Paragraph 57a of the Armistice Agreement and to paragraph 2a of the Agreement for the Operation of the Joint Red Cross Teams.

2) Prohibition of restriction of contact with prisoners of war is in contradiction with paragraph 57a of the Armistice Agreement, Paragraph 2a of the Agreement for the Operation of the Joint Red Cross Teams and Article 125 and 126 of the Geneva Convention; moreover, appointment of POW representatives by

27.10.53 St.

NNSC/30  
English  
Page 5

the camp authorities constitutes a violation of Article 79 of the Geneva Convention.

3) Prohibition of inspecting camp installations and transport facilities runs counter to Paragraph 57a of the Armistice Agreement, Paragraph 2a of the Agreement of 3 August, and Article 125 and 126 of the Geneva Convention.

4) Restrictions imposed on distribution of gift articles, too, are in collision with paragraph 57a of the Armistice Agreement and article 125 and 126 of the Geneva Convention.

5) Beating up of Red Cross Representatives and removing them by force from the camps is in contradiction with Paragraph 57a of the Armistice Agreement, Paragraph 13 of the Agreement of 3 August, and Article 125 and 126 of the Geneva Convention.

6) Restrictions concerning availability of liaison are in contradiction with Paragraph 57a of the Armistice Agreement, Paragraph 13 of the Agreement of 3 August, and Article 125 of the Geneva Convention.

III. As follows from the above, the behaviour of the United Nations Command Authorities ran counter to their international commitments.

It should be added that the said authorities referred to the regulations issued by themselves in the POW camps, and not to their international commitments. First of all this concerns the "Standard Operating Procedure" issued by the United Nations Command authorities on 6 August. The provisions of points 2a, 2b, 2c and 2d of the Procedure, which establish the number of 50 persons as the smallest group of POWs to be contacted with, which prohibit contact with POWs and talks with them unless explicitly permitted by the Camp Commander, which require that speeches be submitted for censorship - were issued in contradiction with provisions, cited hereabove under point II, of the Armistice Agreement, the Agreement of 3 August, and the Geneva Convention on the treatment of Prisoners of war.

The above mentioned regulations and incidents stemming from them seriously hindered the activities of the Joint Red Cross Teams in South Korea.

IV. Investigations conducted by the Mobile Inspection Teams in the POWs camps in South Korea also revealed certain facts which, in the opinion of the Polish and Czechoslovak delegations had definite connection with the above-quoted restrictions of the Red Cross delegates' activities. It concerns facts revealing inhumane attitude towards the prisoners of war.

The Mobile Inspection Teams while conducting investigation observed facts of using gas against the POWs, which led to injuries. Thus gas was applied against the prisoners in the Choguri-Bay compound on Koje-do.

In the same camp, sub-camp No. 11, during the assault on 25 August, one of the POWs completely lost his sight and three POWs lost one eye each. The United Nations Command authorities do not deny their having used gas.

Gas was applied also in the Imjin River Bridge camp, inter alia on 14, 15 and 18 August. After the gas attack prisoners were carried out of the camp. Many of them were ill as a result of the gas.

27.10.53 St.

NNSC/30  
English  
Page 6

Facts of beating up the prisoners and wounding them have also been established, first of all in the Koje-do camp. It has also been proved that wounds were inflicted upon the POWs at the Imjin River Bridge camp.

It is significant that while giving evidence to the Mobile Inspection Team No. 1, the POWs were afraid to speak; they said that up till then they had been beaten up after answering questions.

The above facts are in violation of the provisions of Article 13 and 14 of the Geneva Convention.

The Polish and Czechoslovakian delegations express their opinion that restrictions imposed on the activities of the Joint Red Cross Teams in the POW camps in South Korea are in close connection with the quoted facts of objectionable attitude towards the POWs, since the Red Cross delegates were thus hampered in investigating violations of POWs rights.

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## ANNEX 2

## EVALUATION

by the Swedish and Swiss members of the NNSC of the reports submitted by the Mobile Inspection Teams No. 1 (Koja-do), No. 2 (Yong-dong-po) and No. 3 (Imjin-River-Bridge) concerning the complaints of the Korean People's Army and Chinese People's Volunteers side against the United Nations Command side.

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The Swedish and Swiss members are dealing with the alleged violations one by one and group them under the headings of the locations where they are said to have occurred.

YONG-DONG-PO

## 1. "Restrictions imposed on inspections of train facilities." \*)

There is no conclusive evidence that the United Nations authorities have prevented or tried to prevent the Joint Red Cross Teams from providing services to POWs while en route from the camps to the place(s) of delivery and reception. The Red Cross personnel were allowed to travel with the POWs from Yong-dong-po to Munsan-ni but on the condition that they remained in the Command Coach while the train was in motion. The inspection of train facilities was limited to periods, when the trains were not in motion.

This arrangements which is said to have been made in order to ensure the security of Red Cross personnel, for which the military authorities carried the responsibility, left the JRCT, however, ample opportunity to inspect the train facilities.

## 2. "Restrictions imposed on the delivery of comfort speeches."

The representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China in the Joint Red Cross Teams resorted to speeches as a mean to comfort the prisoners. From the 6th, 7th and 8th of August the delivery of such speeches was allowed under the condition only, that the text thereof be previously submitted for examination, a condition which was either not fulfilled, or the speeches had to be considered entirely unsuitable.

The Swedish and Swiss members of the NNSC find that the camp authorities were entitled to see the drafts as well as to delete therefrom expressions of inappropriate nature or to order rewriting the entire speech, (according to the Agreement of the Operation of the Joint Red Cross Teams, Art. 2a).

IMJIN-RIVER-BRIDGE.

1. "Only allowed to talk to the POWs across wire entanglements."

The Swedish and Swiss members of the MNSC find the allegation not to be substantiated. The representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China were allowed to talk to the POWs from the compound street and with representatives of the POWs either in the compound street or in their own tents. However, the Red Cross representatives were not allowed for reasons of security to contact POWs directly in the compartments. The Joint Red Cross Team having to act jointly, it would have meant to expose the United Nations representatives to direct danger if the teams were allowed to go inside the compartments. Further, on days, when prisoners were particularly agitated, the Joint Red Cross Team was not allowed to contact POWs inside the compound, especially as the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the Democratic People's Republic of China are said to have refused the request to calm down the POWs and as they admitted were not able to do so.

2. "Restricted the time of visit to the period after 1800 hours without any justification whatsoever."

The Swedish and Swiss members of the MNSC find the allegation to be a misrepresentation of facts. During the hearings the representative of the Red Cross Society of the People's Republic of China admitted that by "visit" he understood the use of loudspeakers. Even their use was freely allowed until the camp authorities learned that they were utilized for purpose which has nothing to do with Red Cross activities. The camp authorities thereupon required to examine the drafts speeches and fixed the use of loudspeakers to the period after 1800 hours. It appears that the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China objected to this restriction and preferred not to avail themselves of the possibility of using loudspeakers for the comfort speeches.

3. "Obstructed the visit of the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China on the pretext that singing songs and saluting representatives by the POWs were acts of political nature."

The Swedish and Swiss members of the MNSC find the allegation to be a misrepresentation of facts. The United Nations authorities prohibited on August 12th, 1953, the Joint Red Cross Team to contact POWs whilst these were on the trucks, outside the compound. This for the reason that the POWs arriving in a state of excitement and throwing objects from the trucks would have endangered the members of the Joint Red Cross Team and that it would have been most difficult to restore order after a disturbance or even a riot as long as the POWs were in the open street.



NNSC/30  
 English  
 Page 9

4. "Denied our delegates any visits since refused unjustifiable censorship on comfort speeches to POWs."

The Swedish and Swiss members of the NNSC find the allegation not to be substantiated. The term "visit" seems again to signify the right of making speeches through loudspeakers. On this point the Swedish and Swiss members of the NNSC therefore refer to its statement under point 2 above.

5. "Unreasonable denials and lies regarding the horrifying violence and insult against the bar-handed captured Mr. Pan Fang."

This concerns an incident which is said to have occurred on August 13th, 1953. Shortly after 1900 hours the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China left their tent in order to meet a group of POWs moving into the camp. As this happened against the above mentioned prohibition, one of the guards in front of the tent told the two representatives to return to their quarters. As they failed to comply a warrant officer reiterated the request.

This demand being also ignored, the warrant officer ordered the guard to take the position called "high port", the rifle being kept at a slight angle horizontally in front of the body. The rifle had its bayonet fixed on. The distance between the guard and the representative of the Red Cross Society of the People's Republic of China is said to have been 3 to 4 feet. At this venture the representative of the Red Cross Society of the People's Republic of China is supposed to have taken steps towards the sentry while defying him in Chinese. According to the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China, the guard thereupon struck the representative of the Red Cross Society of the People's Republic of China, the first version being that the blow was administered with the bayonet, a later version that the rifle muzzle was used. One blow is supposed to have been aimed at the chest and another at the left leg of the representative of the Red Cross Society of the People's Republic of China. Four eye-witnesses to the incident state unanimously that the sentry did not move at all.

The representatives of the Red Cross Society of the Democratic People's Republic of Korea and the Red Cross Society of the People's Republic of China turned down an offer by the camp commander to have the incident clarified through an interrogation. They also refused to have the representative of the Red Cross Society of the People's Republic of China examined by the camp physician. However, such an examination was made two days later by a commission dispatched from Panmunjom without any marks of violence being evident on the body of the representative of the Red Cross Society of the People's Republic of China.

6. "The military authorities of your side did not give the Red Cross necessary cooperation and convenience and made it impossible for them to visit and comfort the POWs and distribute gift articles."

The Swedish and Swiss members of the NNSC find that this allegation has not been substantiated and refer to the general remarks given below.

KOJE-DO ISLAND.

1. "Limitations and prohibition to deliver gift articles, cigarettes, comfort letters and preventing meetings with POWs."

The Swedish and Swiss members of the NNSC find that this allegation has not been substantiated. The investigation shows that at no time there was general prohibition to deliver gift articles etc., although a time table was established by the United Nations authorities for this purpose. The representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China objecting to such restrictions, no distribution took place until August 21st. The restrictions then in force were as follows.

- a. Time limit for distribution of gift articles (1000 - 1200 hours and 1400 - 1600 hours).
- b. Limitation in cigarette and match distribution to POWs ready to be shipped (motive fire risks).
- c. Examination beforehand of comfort letters.
- d. Meetings with POWs limited to between 50 and 500 at a time.
- e. Prohibition to visit "installations and vessels" except in the absence of POWs
- f. Regulations concerning the evacuation of the Joint Red Cross Team representatives in case of demonstrations and riots among the POWs.

It seems that the activities of the Joint Red Cross Teams could have been carried out if the representatives of the Democratic People's Republic of Korea and People's Republic of China had been more willing to cooperate with the Camp Authorities. It can be assumed that some rules and regulations are required in order to keep control over tens of thousands of POWs to be processed within a short period of time. The Camp Authorities have also to take into consideration the security of the Joint Red Cross Teams.

2. "The United Nations Command side did not furnish sufficient liaison with the subteam."

This complaint seems to refer to the fact that the United Nations Command side was unable to establish connection with a subteam in the Chinese and Korean languages. The connection was established in English. The Swedish and Swiss members of the NNSC find the complaint to be of minor importance.

3. "Tear gas used against the POWs on August 9th, 1953 pervaded the shed of the Red Cross representatives, causing such sufferings to the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China that they had to cease all activity that day. Their work was rendered difficult through the distribution of gas masks among them."

The investigation shows that tear gas was used against POWs refusing to obey orders. The document accusing the United Nations side of violating the Armistice Agreement even refers to "poisonous gas". No evidence to that effect was found during the investigation.

As to the alleged ill effects of the non-toxic gas on the Red Cross representatives, they seem to have been exaggerated with regard to the fact that the gas was administered more than a mile away from the barracks of the representatives. The representatives from the United Nations side testify that they did feel the presence of gas in the air when they awoke in the morning, but that there were no ill effects other than a slight running of the eyes. The representatives of the Red Cross Society of the Democratic People's Republic of Korea and the Red Cross Society of the People's Republic of China of the JRCT did not use the gas masks distributed to them at their arrival.

The complaint that the Red Cross representatives were hampering in their work by the carrying of gas masks can hardly be taken seriously.

4. "Quartering of the Red Cross representatives within double wire entanglements."

It is correct that the two barracks allotted to the Red Cross representatives from both sides were surrounded by double wire entanglements. The camp authorities claim to have made these arrangements for security reasons only. It seems that the manner in which the representatives were quartered could hardly have any influence of the fulfillment of their mission.

5. "Violence exercised in connection with the distribution of gift articles on August 21st, 1953."

Here again, there seems to be a case of refusal - resulting in some trouble - by the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China to comply with orders issued by the Camp Authorities. Following disturbances among the POWs during the distribution of gift articles on August 21st, 1953, the Red Cross representatives were ordered to discontinue the distribution when approximately half of the POWs then assembled had received their gifts. The representatives of the Democratic People's Republic of Korea and People's Republic of China, considering the order to be unfair, refused to leave the compound. Soldiers were thereupon ordered to make them leave. A half circle was formed around the representatives who were pushed towards the exit. Some of the soldiers engaged in this operation were unarmed, others carried their rifles in a "high port" position.

The statement of the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China that they came to bodily harm during this operation is emphatically denied by witnesses of the United Nations Command side. None of the delegates involved claimed to have needed medical assistance. It is not unlikely, however, that the evacuation of the representatives caused some less gentle pushing, but this minor incident, as regrettable as it may be, could have been avoided by better cooperation between the parties.

General. To conclude, the Swedish and Swiss members of the NNSC deem it appropriate to make the following general remarks.

The investigation seems to indicate that the complaints from the Korean People's Army and Chinese People's Volunteers side are either exaggerated, or lacking in precision. Few of the incidents, if any, would have occurred, had the representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China complied with the simple regulations by the different Camp Authorities.

NNSC/30  
English  
Page 12

Because of this non-cooperative attitude at various occasions the representatives of the Red Cross Society of the Democratic People's Republic of Korea and the Red Cross Society of the People's Republic of China seem to have rendered the task of the United Nations Camp Authorities unnecessarily difficult. In some instances it may even be questioned, whether they have correctly understood their humanitarian task or not been more interested in matters which had no relations to a Red Cross mission.

\*) The notation marks in this document refer to the summaries of the complaints

## EVALUATION

by the Czechoslovak and Polish Members of the NNSC concerning the investigations of Mobile Inspection Teams No 1 and 2 on KojeDo and YongDungPo based on the complaints of the United Nations Command side against the Korean People's Army and Chinese People's Volunteers side.

On the 29th of August, 1953, the Senior Member of the UN Command, MAC, asked the NNSC to investigate three instances of reported violation of the Armistice Agreement on YongDungPo and KojeDo. According to his letter the representatives of the JRCT of the Democratic People's Republic of Korea and the People's Republic of China violated the Armistice Agreement first, by receiving letters from the POWs, second, by not obeying the order of the Camp Command to leave the POWs Camp, and, third, that the representative Mr. Chang Bee Hong, threw a stone on Major Monty from the Camp Command.

These accusations were investigated by the Mobile Inspection Teams of the NNSC, No.1 and 2. Polish and Czechoslovak delegations evaluated all the material submitted and came to the following conclusions:

1/ The accusations that the Korean and Chinese member of the JRCT violated the Armistice Agreement by accepting letters from the POWs is without foundation. There did not exist any possibility for such a violation of the Agreement, whereas none of the agreements concerning the activity of the JRCT does prohibit anything of this kind. However, in order to avoid difficulties the JRCT itself decided to hand over these letters to the Camp Command. The Armistice Agreement and The Agreement for the Activities of the JRCT's provide that the JRCT representatives may talk to the POWs and does not contain any provision prohibiting the acceptance of letters from the POWs by the JRCT representatives. In view of these provisions the Camp Authorities had no right to request the JRCT representative Mr. Yong Sen En to hand over to them a letter received from the POW.

2/ The accusation that the Korean and Chinese members of the JRCT violated the Armistice Agreement by not obeying the order of the Camp Command to leave the Camp is also unsubstantiated. The agreements concerning the activities of the JRCT provide for full cooperation of the Camp Authorities with the JRCT as well as for assistance.

Orders which can be issued to the subordinates only, are obviously running counter the spirit of these provisions. Orders, obstructing the activities of the JRCT, constitute a violation of the Armistice Agreement. The effort to carry out the mission, assigned to the JRCT by this Agreement, can never be in conformity with such orders. The behaviour of the Korean and Chinese members of the JRCT, who could not agree with such a procedure, is, therefore, under these circumstances entirely comprehensible and cannot be described as a violation of the Armistice Agreement.

3/ The accusation of Mr. Chang Bee Hong that he threw a stone on a member of the Camp Command can be considered only as unfounded. The picture submitted by the Camp Command does not prove this accusation. It illustrates only the situation of using of force by the UN Command Authorities against the JRCT Representative. Using of force against JRCT Representatives is in contradiction with the para 57c of the Armistice Agreement.

ANNEX 4

EVALUATION

By the Swedish and Swiss members of the NNSC of the reports submitted by the Mobile Inspection Teams No. 1 (Koje-do) and No.2 (Yong-dong-po) concerning the complaints of the United Nations Command side against the Korean People's Army and Chinese People's Volunteers side.

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The Swedish and Swiss members are dealing with the alleged violations one by one and group them under the headings of the locations where they are said to have occurred.

YONG-DONG-PO.

"Delivery of note from a POW to the Chinese member of the Joint Red Cross Team"

The attitude of the Chinese delegate may be due to misunderstanding in connection with the interpreting at the time the incident was originally brought up for examination by the United Nations authorities. His declared intention to act in accordance with the regulations issued by the camp authorities is also noted. Against him speaks that he denied possession of the note. However, the Swedish and Swiss members of the NNSC find the incident of minor importance.

KOJE-DO.

"The representatives of the Red Cross Society of the Democratic People's Republic of Korea and of the Red Cross Society of the People's Republic of China refused to obey an order to discontinue the distribution of gifts articles on August 25th, 1953, and one representative of the Red Cross Society of the Democratic People's Republic of Korea threw a rock against an United Nations officer."

The Swedish and Swiss members of the NNSC concern themselves with the rock-throwing incident. Here, the testimonies from those present differ. However, a photograph was produced showing the incriminated delegate in a typical throwing attitude with his arm lifted above his head and an object in his hand. This object is certainly not, as it was maintained, a cigarette. The incident is to be considered of minor importance.

"The representative of the Red Cross Society of the Democratic People's Republic of Korea on August 26th, 1953, accepted against regulations a written message from a POW and thereafter on request refused to deliver it to the United Nations Authorities."

Here again, the testimonies are contradictory. The presumed receiver of the message denies the charge and maintains to have seen the letter being confiscated by an United Nations Command soldier. Representatives of the United Nations Command claimed to have seen the letter being handed over to the representative. This was corroborated by a Danish Hospital Doctor. The incident is to be considered as one of minor importance.