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LETTER DATED 21 FEBRUARY 1979 FROM THE PERMANENT REPRESENTATIVE
OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

On behalf of the Unified Command established pursuant to Security Council resolution 84 (1950) of 7 July 1950, I have the honour to submit a report of the United Nations Command concerning the maintenance of the Armistice Agreement of 1953 during the period 17 December 1977 through 17 December 1978.

I request that this letter, together with the enclosed report of the United Nations Command, be circulated as a document of the Security Council.

(Signed) Andrew YOUNG

Annex

14 February 1979

Report of the activities of the United Nations Command (UNC)

1. Background

The United Nations Command was established pursuant to United Nations Security Council resolution 84 (1950) of 7 July 1950 (S/1588). The resolution called for establishment of a unified command for United Nations forces in Korea, under the United States, and also requested that the latter "provide the Security Council with reports, as appropriate, on the course of action taken under the unified command". The Commander-in-Chief, United Nations Command, signed the 27 July 1953 Korean Armistice Agreement, and the United Nations Command continues to fulfil its obligations under the Armistice Agreement, which include participating in the activities of the Military Armistice Commission. This report summarizes the United Nations Command activities involving the maintenance of the armistice in Korea during the period between 17 December 1977 and 17 December 1978. The last report of the United Nations Command to the United Nations Security Council (S/12544) was submitted on 25 January 1978.

2. Armistice mechanism and procedures

The Korean Armistice Agreement, which was concluded on 27 July 1953, is intended to ensure "a complete cessation of hostilities and of all acts of armed force in Korea until a final peaceful settlement is achieved". The Commander-in-Chief, United Nations Command, signed the Armistice Agreement on behalf of all the nations, including the Republic of Korea, which contributed forces to the Unified Command. The focus of United Nations Command activities in Korea is the implementation of the Korean Armistice Agreement.

A. Military Armistice Commission. The Military Armistice Commission in Korea was established pursuant to the Korean Armistice Agreement "to supervise the implementation of this Armistice Agreement and to settle through negotiations any violations of this Armistice Agreement". The Commission is a joint organization composed of 10 members, five senior officers from the United Nations Command and five senior officers from the North Korean-Chinese side. The Commander-in-Chief, United Nations Command has appointed one member from the United States, two from the Republic of Korea, one from the United Kingdom and one designated on a rotational basis from among the four other United Nations Member nations represented on the United Nations Command (Australia, Canada, Philippines and Thailand). The Military Armistice Commission meetings are held at the request of either side in the Joint Security Area, commonly known as Panmunjom, in the Demilitarized Zone. In order to assist the Military Armistice Commission in fulfilling its mission, the Armistice Agreement provides for a joint secretariat which maintains 24-hour contact through telephone communication between the Joint Duty Officers of each side. Meetings of the Military Armistice Commission and its

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secretaries are held at the request of either side. The Joint Duty Officers also meet daily and serve as the basic channel of communications between the two opposing sides. There have been 391 sessions of the Commission and 455 of the secretariat since the Armistice was signed. The Military Armistice Commission, or the Senior Member of either side, is authorized to dispatch Joint Observer Teams to investigate reported violations of the Armistice Agreement that occur within the Demilitarized Zone. North Korea, however, has frustrated the mission of this primary investigative arm of the Commission by refusing the last 77 investigations proposed by the United Nations Command.

B. Neutral Nations Supervisory Commission (NNSC). The Neutral Nations Supervisory Commission established by the Armistice Agreement is composed of four members, one each from Sweden, Switzerland, Czechoslovakia and Poland. The Commission conducts independent inspections and investigations of Armistice-related developments outside the Demilitarized Zone and reports its findings to the Military Armistice Commission. The Commission holds weekly meetings in the Joint Security Area, Panmunjom, to discuss and evaluate reports submitted by both sides of the Military Armistice Commission.

C. Role of the Republic of Korea. A unique feature of the Korean Armistice Agreement is that neither the United States nor the Republic of Korea is a signatory to the Agreement. The Commander-in-Chief, United Nations Command signed the Armistice Agreement on behalf of a Unified Command consisting of military forces from 16 United Nations Member nations and the Republic of Korea. During the Armistice negotiations, the Republic of Korea Government gave assurances that it would adhere to the Armistice Agreement. These assurances were reiterated by the United Nations Command negotiators. The Republic of Korea forces have complied with the provisions of the Armistice Agreement since it was concluded in 1953, and Republic senior military officers have been accredited to the Military Armistice Commission and have served regularly on the Commission.

3. United Nations Command Military Armistice Commission activities

Meetings of the Military Armistice Commission are used to discuss serious violations of the Armistice Agreement and significant Armistice-related topics. These meetings serve not only to prevent possible miscalculations and escalation of incidents but provide a forum in which the United Nations Command attempts to make the Military Armistice Commission machinery more productive. The Commission is a valued means of communication, as demonstrated by its continued use by both sides.

Six Military Armistice Commission meetings and six secretaries' meetings were held during the reporting period. The United Nations Command called three Commission meetings to protest North Korean naval intrusions and attacks, and the construction of an illegal tunnel under the Demilitarized Zone. Two Commission meetings and three secretaries' meetings dealt with return of 12 crewmen of two North Korean vessels sunk in clashes resulting from their intrusion into the waters contiguous to the Republic of Korea. The most militarily significant incident centred on the discovery of a North Korean tunnel extending

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deep into the United Nations Command portion of the Demilitarized Zone. (The annex to this report contains the details of these Armistice-connected incidents.) During the reporting period, the United Nations Command charged the North Korean side with more than 2,200 violations. These charges were passed expeditiously either telephonically or through the daily Joint Duty Officers meeting in the Joint Security Area to provide the North Koreans an opportunity to stop ongoing violations or to conduct timely investigations and to take corrective measures.

4. Conclusions

For 25 years, the Military Armistice Commission has been the primary mechanism for the reduction of tensions, prevention of misunderstandings and avoidance of renewed hostilities in Korea. The Commission has also been effectively used by both sides to facilitate the repatriation of military and civilian personnel who have fallen into the hands of the other side. The United Nations Command will continue to fulfil to the utmost its obligations under the mandate of that Agreement until the parties directly concerned are able to arrive at more permanent arrangements.

Appendix

Major incidents discussed by the Military Armistice Commission
and its secretaries (December 1977 to December 1978)

1. North Korean naval intrusions

a. On 28 April 1978, a Republic of Korea naval S-2 aircraft discovered an unidentified vessel making suspicious manoeuvres in the waters contiguous to the Republic of Korea, off the island of Ku-do. The naval aircraft notified two Republic of Korea naval patrol boats of the suspicious boat and requested that they investigate. When the patrol boats approached the unidentified ship, the latter opened rocket and automatic weapons fire without warning or provocation. The Republic of Korea patrol craft returned fire in self-defence. In the ensuing exchange of fire, the hostile vessel burned and sank two nautical miles north of the Republic of Korea island of Mun-So. The bodies of three crewmen from the hostile vessel and the equipment recovered showed conclusively that the hostile vessel was in fact an armed North Korean boat. The equipment recovered included two 7.62 mm North-Korean manufactured pistols, five pistol magazines, 82 rounds of 7.62 mm pistol ammunition, 307 rounds of AK-47 ammunition, two F-1 hand grenades and a commando dagger, all with North Korean markings. The United Nations Command called the 386th meeting of the Military Armistice Commission, held on 11 May 1978, and charged the North Koreans with violating paragraphs 12 and 15 of the Armistice Agreement by infiltrating an armed vessel into the waters contiguous to the Republic of Korea and launching an unprovoked attack on two Republic of Korea naval vessels. The United Nations Command on 14 May 1978 raised in salvage operations the North Korean vessel and its military equipment. At the 387th meeting of the Military Armistice Commission held on 27 May 1978, the United Nations Command Senior Member presented the North Korean armed boat and additional equipment recovered to support his charge levied against the North Koreans.

b. On 19 May 1978, another unidentified vessel intruded into the waters contiguous to the Republic of Korea, 2.5 nautical miles off the east coast and some 39 nautical miles south of the Military Demarcation Line-Extended. Republic of Korea naval vessels were dispatched to the scene to intercept and identify the vessels which turned and fled to the north-east. The Republic of Korea Navy vessels intercepted the unidentified vessel well south of the Military Demarcation Line-Extended. When the unidentified vessel ignored various signals, the Republic of Korea naval vessels fired warning shots well forward of the bow. Instead of heaving to, the unidentified vessel fired back at the Republic of Korea naval vessels with both small arms and automatic weapons. In the ensuing exchange of fire, the unidentified vessel was sunk and eight surviving crewmen were rescued. The hostile vessel was a North Korean vessel belonging to the Ministry of the North Korean Armed Forces. At the 387th meeting of the Military Armistice Commission held on 27 May 1978, the United Nations Command charged the North Koreans with an intrusion in violation of paragraph 15 of the Armistice Agreement and firing upon the Republic of Korea vessels when challenged. The

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United Nations Command Senior Member suggested that to preclude similar sea incidents in the future, North Korean vessels be instructed (1) not to intrude into the Republic of Korea waters, (2) to stop and identify themselves when properly challenged, and (3) not to fire upon United Nations Command ships. He informed the North Korean counterpart that the investigation was continuing and that the survivors would not be returned at that time. The North Koreans called the 388th meeting of the Military Armistice Commission, held 7 June 1978, to request the return of the eight surviving crewmen from the North Korean vessel sunk on 19 May 1978. The United Nations Command reviewed the naval intrusion, then stated that for humanitarian reasons, and in contrast to the continued North Korean detention of many innocent Republic of Korea citizens who have fallen into their hands, it would return the surviving crewmen to North Korea. The eight North Korean crewmen were delivered by the United Nations Command to the North Korean side during the United Nations Command to the North Korean side during the 452nd meeting of the secretariat held on 13 June 1978 as previously agreed. Following the transfer, one of the North Korean officers assigned to the Military Armistice Commission secretariat orchestrated an unruly demonstration by the returnees which endangered both the press and United Nations Command Military Armistice Commission personnel. The United Nations Command protested this disorderly conduct by the North Koreans through a Joint Duty Office telephone message dispatched on the same day.

c. On 27 June 1978, another unidentified vessel intruded into the waters contiguous to the Republic of Korea to a point 1,000 yards off the coast of the Republic of Korea island of Paengyong-do (37°58'N, 124°40'E). Republic of Korea navy vessels were dispatched to identify the vessel, while two North Korean naval patrol craft intruded into the waters contiguous to the Republic of Korea in an apparent attempt to intercept the unidentified vessel. When the Republic of Korea naval vessels fired warning shots toward the North Korean patrol craft in the Republic of Korea waters, the latter returned to the north leaving the unidentified vessel behind. The unidentified vessel did not respond to challenges, and due to adverse weather conditions, a collision occurred between the unidentified vessel and a Republic of Korea naval vessel. The unidentified vessel capsized and sank and the Republic of Korea navy vessels rescued five North Korean crewmen. At the 390th meeting of the Military Armistice Commission held on 3 July 1978, the United Nations Command charged the North Koreans with naval intrusions for the third time in 60 days. The United Nations Command advised the North Koreans that the surviving North Korean crewmen, with the exception of one who chose to stay in the Republic of Korea, would be returned to them and this was accomplished on the same day. Despite assurances provided by the North Korean secretary, the returnees again staged a disorderly demonstration at the instigation of a North Korean officer assigned to the secretariat.

2. North Korean tunnel in DMZ

On 17 October 1978, an illegal North Korean tunnel, constructed across the Military Demarcation Line under the Demilitarized Zone was intercepted by a United Nations Command countershaft at 37°54'55" North latitude and 126°41'58" East longitude.

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This North Korean tunnel is located only 4,600 metres south-west of the Joint Security Area - the conference area at Panmunjom. Apparently the entrance to the tunnel is located on the crest of Hill 58 behind a North Korean guard post well within the North Korean portion of the Demilitarized Zone, about 800 metres from the Military Demarcation Line. The tunnel is about two metres high and two metres wide in solid granite, 75 metres below the surface. It extends 420 metres into the United Nations Command portion of the Demilitarized Zone. This is the third time in less than four years that North Korea has been exposed constructing an illegal tunnel under the Demilitarized Zone in violation of paragraphs 1, 6, 13a, 14 and 17 of the Armistice Agreement. (Note: For two other North Korean tunnels discovered earlier, refer to the 1975 United Nations Command report of the United Nations Security Council, (S/11861).)

The United Nations Command Senior Member on 27 October 1978 at the 391st Military Armistice Commission meeting charged the North Koreans with this serious violation of the Armistice Agreement and requested that the North Korean Senior Member accompany him to the tunnel site in the Demilitarized Zone. The North Korean Senior Member not only refused this request but also rejected a subsequent proposal by the United Nations Command to dispatch a joint observer team to investigate this serious violation as required by the Armistice Agreement.
