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LETTER DATED 15 JUNE 1988 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 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 1 January 1987 through 31 December 1987.

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) Vernon A. WALTERS

Annex

Report of the activities of the United Nations Command

I. BACKGROUND

The United Nations Command (UNC) was established in compliance with United Nations Security Council resolution 84 (1950) of 7 July 1950. In that resolution, adopted in the early phase of the North Korean armed attack upon the Republic of Korea, the Security Council requested that United Nations members providing military forces and other assistance make such forces and other assistance available to a unified command headed by the United States in order to assist the Republic of Korea to repel North Korean aggression and to restore international peace and security in the region. The resolution also requested that the United States "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 (CINCUNC) signed the 27 July 1953 Korean Armistice Agreement on behalf of the forces of the 16 United Nations member nations and the Republic of Korea which fought under the United Nations banner. Pursuant to paragraph 17 of the Armistice Agreement, all CINCUNC successors in command are responsible for compliance with and the enforcement of the terms and provisions of the Armistice Agreement. UNC continues to carry out its functions and to fulfil its obligations under the mandate of the Armistice Agreement, including enforcement of a complete cessation of all hostilities in Korea by all armed forces and participation in the activities of the Military Armistice Commission (MAC). In view of the threat to peace from North Korean violations of the Armistice Agreement, recent UNC initiatives, and other significant armistice-related issues, UNC considers it appropriate to forward this report to the United Nations Security Council as required by Security Council resolution 84 (1950).

II. ARMISTICE MECHANISM AND PROCEDURES

The Korean Armistice Agreement, a military agreement between the opposing military commanders, requires a complete cessation of all hostilities in Korea by all armed forces of the opposing sides until a more durable peace can be achieved by the parties directly concerned. The term "opposing forces" includes all ground, naval and air units of both sides. No individual nation or Government is a signatory to the Armistice Agreement. CINCUNC signed the Agreement on behalf of the unified command, consisting of the military forces from 16 United Nations members and the Republic of Korea. The Commanders of the Korean People's Army (KPA) and the Chinese People's Volunteers (CPV) signed the Agreement on behalf of the KPA/CPV forces.

A. Military Armistice Commission (MAC)

The general mission of MAC, established pursuant to the Armistice Agreement, is "to supervise the implementation of this Armistice Agreement and to settle through negotiations any violations of this Armistice Agreement". The Commission

is a joint international organization composed of 10 members: 5 senior officers from UNC and 5 senior officers from KPA/CPV. CINCUNC 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 other United Nations member nations represented in UNC by representatives of the rank of colonel (currently Canada, Philippines and Thailand). Meetings of MAC are held at the request of either side in the Joint Security Area (JSA) - commonly known as Panmunjom - in the Demilitarized Zone (DMZ). To assist MAC in carrying out its functions, the Armistice Agreement provides for a joint secretariat which maintains 24-hour telephone communication between the Joint Duty Officers of each side located in JSA, Panmunjom. The Joint Duty Officers also meet daily except Sundays and holidays, and serve as the basic channel of communications between the two opposing sides. There have been 440 plenary sessions of MAC and 489 meetings of the MAC Secretaries since the Armistice Agreement was signed. MAC, or the Senior Member of either side, is authorized by paragraph 27 of the Armistice Agreement to dispatch joint observer teams to investigate reported violations of the Agreement that occur within the DMZ. The KPA/CPV side, however, has refused to participate in any joint investigations since April 1967.

#### B. Neutral Nations Supervisory Commission (NNSC)

NNSC, established by the Korean Armistice Agreement, is composed of delegations representing Sweden, Switzerland, Czechoslovakia and Poland. The term "neutral nations" in the Armistice Agreement is defined as nations whose combatant forces did not participate in the Korean conflict. The primary function of NNSC is to conduct independent inspections and investigations of Armistice-related developments and violations outside the DMZ and to report its findings to MAC. Although its inspection and investigation functions have been drastically curtailed due to KPA/CPV obstruction, NNSC does provide a worth-while and stabilizing influence as well as a means for indirect communication between the two opposing sides. NNSC holds weekly meetings in JSA, Panmunjom.

#### C. Role of the Republic of Korea

A unique feature of the Korean Armistice Agreement is that no nation or Government is a signatory to the Agreement. CINCUNC signed the Armistice Agreement on behalf of the unified command, consisting of the military forces from 16 United Nations member nations and the Republic of Korea. During the Armistice negotiations and afterwards, at the request of the KPA/CPV side, the Government of the Republic of Korea, through UNC, furnished assurances that it would abide by the Armistice Agreement. Today, the Republic of Korea provides most of the "civil police" which maintain security and order in the UNC portion of the DMZ. The Republic of Korea armed forces have continued to comply with the provisions of the Armistice Agreement.

### III. UNITED NATIONS COMMAND MILITARY ARMISTICE COMMISSION (UNCMAC) ACTIVITIES

Meetings of MAC are normally called to discuss serious violations of the Armistice Agreement and other significant Armistice-related issues. These meetings, as well as 24-hour telephone communication between the two sides, serve to prevent escalation of tensions arising from accidental incidents and possible misunderstanding. Of the four MAC meetings held during 1987, UNC called one meeting and KPA/CPV called three. The most serious KPA/CPV violations of the Armistice Agreement included sinking an unarmed ROK fishing boat in international waters, firing across the Military Demarcation Line (MDL) into the UNC portion of the DMZ, introducing illegal weapons into the DMZ and constructing fortifications in the DMZ.

The MAC Secretaries met on six occasions in 1987. In addition to Armistice-related business, the return of five North Korean and three South Korean drowning victims to the appropriate side was accomplished.

The North Korean side has repeatedly misused the MAC meetings as a forum for disseminating distorted political propaganda and for introducing matters outside the cognizance of MAC as outlined by the Korean Armistice Agreement. More serious charges of Armistice violations are passed expeditiously, either telephonically or through the daily Joint Duty Officers' meeting in JSA, at Panmunjom. This provides the other side an opportunity to stop ongoing violations.

During 1987, the KPA/CPV side reiterated earlier proposals to cease major military exercises, beginning with the UNC annual training exercise "Team Spirit", and highlighted North Korean political overtures such as convening high-level south-north (Korea) political and military talks, issuing a joint south-north (Korea) declaration of non-aggression and holding a tripartite or multinational conference on arms reduction on the Korean peninsula. Most of these political overtures were outside the purview of the Armistice Agreement and MAC. However, UNC continued to search for means to reduce military tensions in Korea within the framework of the Armistice Agreement and presented several proposals, notably concerning mutual prior notification of major military exercises and exchange of observers. (The appendix to this report discusses in detail serious KPA/CPV violations of the Armistice Agreement as well as specific UNC initiatives to reduce tensions.)

### IV. CONCLUSIONS

For more than 34 years, MAC has served as the only official channel of communication between the opposing military commanders in Korea. It has provided a mechanism for defusing serious and accidental incidents and preventing further escalation, thereby reducing military tensions and preserving the Armistice. Both UNC and the Republic of Korea have exercised restraint in the face of continued North Korean hostile actions and provocations. UNC will continue to fulfil its responsibilities under the Armistice Agreement and hereby reaffirms its readiness and determination, consistent with the above-mentioned United Nations Security Council resolution, to preserve peace and security until such time as the parties directly concerned are able to achieve a more durable peace in Korea.

## Appendix

### Major incidents/issues discussed by the Military Armistice Commission (1 January 1987 to 31 December 1987)

#### 1. North Korean Naval Vessel Sinking of a ROK Fishing Boat in International Waters

At about 0500 hours, on 7 October 1987, during the hours of darkness on an overcast and rainy night, a North Korean warship, or warships, attacked a Republic of Korea fishing boat, the Chinyong-Ho 31, and sank it in international waters at a location approximately 40 nautical miles west of the Republic of Korea island of Paengnyong-Do. This unwarranted attack killed 11 innocent fishermen. At the 440th meeting of the Military Armistice Commission (MAC), on 14 October 1987, the United Nations Command (UNC) pointed out that the location of the ROK fishing boat as given by the North Koreans - 38 degrees 18 minutes north, 124 degrees 12 minutes east - was 23 nautical miles west of the North Korean coastline. UNC stated that this location was neither within North Korean territorial sea within the meaning of the United Nations Convention on the Law of the Sea, nor in waters contiguous to the land area of North Korea within the meaning of the Armistice Agreement. Therefore, the North Korean gunboat had sunk the boat in international waters. UNC also pointed out that the North Korean warship's ramming and sinking of an unarmed fishing boat violated the norms of international law regarding minimum force.

In response to North Korea's claim that the fishing boat had rammed its warship while attempting to flee, UNC expressed doubt that an unarmed 100-ton fishing boat would attempt to ram an armed naval vessel almost four times its size. UNC presented the results of the UNC multinational Joint Observer Team's investigation of the incident, including a video-taped interview with the sole survivor of the fishing boat telling how the sinking had occurred. UNC insisted North Korea apologize for this criminal sinking of an unarmed fishing boat in international waters and punish those responsible.

#### 2. Offensively Postured North Korean Military Forces

North Korea's capability to initiate a major attack against UNC and the Republic of Korea in violation of the Armistice Agreement remained a major threat to international peace. At the 437th meeting of MAC, on 3 April 1987, UNC pointed out that North Korea devoted more than 25 per cent of its gross national product to defence and possessed more than 3,500 tanks, more than 2,000 self-propelled artillery pieces, MIG-23 aircraft and SA-3 missiles. These modern and reinforced forces - the sixth largest standing army, air force and submarine force in the world - were offensively oriented and deployed close to the DMZ, reducing warning time for UNC and the Republic of Korea defence forces and posing a serious threat to the south. The UNC must, therefore, maintain defensive preparedness and continue defensive training exercises such as Team Spirit.

### 3. United Nations Command initiatives

Despite North Korean hostility and use of MAC for propaganda purposes, UNC continued to approach meetings of MAC and its subordinate agencies in the positive manner intended by the Armistice Agreement. UNC presented numerous proposals that would help reduce military tensions if taken seriously by the North Koreans. So far, the North Koreans repeatedly have rejected these UNC initiatives.

#### A. Mutual notification of major training exercises

Military exercises are not addressed by the Armistice Agreement and therefore cannot constitute a violation of its provisions. However, secret exercises, such as those routinely conducted by North Korea, cause genuine concern. UNC has repeatedly proposed mutual prior notification of major military exercises and the exchange of observers to prevent misunderstandings. To demonstrate its good faith, UNC notified North Korea on 22 January 1987 - prior to public announcement - that exercise Team Spirit-87 would be conducted during February and March 1987. At the 437th MAC meeting, on 3 April 1987, UNC emphasized that exercise Team Spirit, which had been publicly announced and openly conducted at about the same time every year for the past 12 years, posed no threat to North Korea.

#### B. An invitation to observe exercise Team Spirit-87

On 22 January 1987, UNC gave North Korea prior notification of Team Spirit-87 and conveyed the Republic of Korea Government's invitation to appropriate military authorities of both North Korea and the People's Republic of China, accompanied by Neutral Nations Supervisory Commission Members, to observe the exercise. At the 437th meeting of MAC, on 3 April 1987, UNC reminded North Korea of the prior notification and of the Republic of Korea's invitation to send observers. The North Koreans responded with their usual propaganda against the exercise.

### 4. Remains issue

At the 438th meeting of MAC, on 30 July 1987, UNC requested that the Korean People's Army/Chinese People's Volunteers (KPA/CPV) return the remains of UNC military personnel killed during the Korean war. UNC asserted that this was both an Armistice and a humanitarian issue, affecting many countries with missing personnel. UNC noted that, in the past, remains had been returned through the Military Armistice Commission as required by the Armistice Agreement. UNC requested that the KPA/CPV side use information provided by UNC to search for and return UNC military remains. KPA/CPV reiterated its position that "searching for and disinterring" remains did not fall within the purview of MAC, but pledged that the KPA was "always" prepared to return UNC military remains whenever they were discovered.

UNC cited remarks by KPA officers and North Korean officials that had led UNC to believe that North Korea might already have discovered many UNC remains. Noting that each side had conducted searches based on information provided by the other,

UNC emphasized its humanitarian actions over the years in returning military and civilian personnel, both alive and deceased, even though no Armistice provision existed for the repatriation of personnel that fall into the custody of the other side. Since KPA had stated that it lacked the capability to search for remains, UNC proposed a multinational team composed of representatives of several UNC nations, accompanied by members of the Neutral Nations Supervisory Commission, to assist North Korea's search for UNC military remains. UNC further proposed negotiating an agreement similar to the 1954 Subsequent Agreement to the Armistice Agreement if KPA had a technical problem with paragraph 20 of the "Understanding" for the return of UNC military remains.

At the 482nd meeting of the MAC Secretaries, on 26 May 1987, UNC passed to KPA maps of three temporary prisoner of war camps and associated burial sites located along the Yalu River in North Korea. UNC observed that those maps should prove helpful in locating the burial sites and recovering the remains of 374 UNC military and civilian personnel, and expressed readiness to work out any procedural details involving the search for, disinterment and return of the remains. KPA undertook to refer the maps showing the burial sites to the "organs concerned". At the same time, it maintained that UNC military remains would be returned through MAC if and when discovered, and denied any obligation to search for and disinter remains based on information passed by UNC.

#### 5. North Korean report to the United Nations Security Council

On 28 July 1987, North Korea forwarded to the United Nations Security Council a report containing voluminous, fabricated Armistice Agreement violations allegedly committed by UNC (S/18998). On 18 September 1987, the Senior Member of the UNC Component of the Military Armistice Commission wrote a letter to his North Korean counterpart refuting these false charges. (This letter was circulated as document S/19800 dated 19 April 1988.) At the 439th meeting of MAC, on 22 September 1987, UNC expressed concern that North Korea was setting the stage for a serious incident designed to discourage nations from participating in the 1988 Seoul Olympics. Stating that the only tension along the DMZ had been created by North Korea for propaganda purposes, UNC warned that if acts of hostility arose from North Korean attempts to create false impressions of high tension in Korea, the guilt would be North Korea's alone. UNC concluded that the world was looking forward to the Seoul Olympic Games in 1988, and could clearly see that UNC had no reason to increase tensions and was, in fact, making every effort to reduce tensions.

