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**FIRST PART OF THE REPORT  
OF THE UNITED NATIONS  
TEMPORARY COMMISSION  
ON KOREA**

**Volume I**

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**GENERAL ASSEMBLY**

**OFFICIAL RECORDS: THIRD SESSION**

**SUPPLEMENT No. 9 (A/575)**

**LAKE SUCCESS**

**New York**

**1948**

*This document constitutes Volume I of the First Part of the Report of the United Nations Temporary Commission on Korea. The other two volumes will be published as rapidly as possible and will consist of:*

*Volume II: Annexes I to VIII, containing the texts of basic documents referred to in the Report.*

*Volume III: Annexes IX to XII, containing the records of oral statements made before sub-committees of the Commission and records of the observation of the elections of 10 May 1948.*

*Some of the documents issued by the United Nations Temporary Commission on Korea (series A/AC. 19/1 et seq.), to which reference is made in the footnotes to the present report, have not been included in the annexes published in Volumes II and III. They are, however, available for consultation in the Archives Section of the Secretariat.*

*The Second Part of the Report, which deals with supplementary data arising from the Commission's terms of reference and contains fresh conclusions reached in the light of events in Korea since the elections, will be transmitted later, and will be ready for the Third Regular Session of the General Assembly to be held in Paris.*

**UNITED NATIONS**

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August 1948

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## INTRODUCTION

The United Nations Temporary Commission on Korea, established by resolution 112 (II) adopted by the General Assembly on 14 November 1947, has the honour to present herewith in two volumes the first part of its report to the General Assembly, covering the period 12 January-24 May 1948.

Volume I consists of the following six chapters :

Chapter I deals with the creation of the United Nations Temporary Commission on Korea, its terms of reference and composition.

Chapter II describes the organization of the Commission—i.e., Chairmen and Rapporteur of the Commission, Chairmen of the Sub-Committees, establishment of field observation groups.

Chapter III gives a brief review of the political situation in Korea.

Chapters IV and V deal with the main activities of the Commission and its subsidiary bodies during the period 12 January-24 May 1948 :

- Chapter V {
- C. Work of the Sub-Committees ;
  - D. Date of the elections ;
  - E. Observation of the elections ;
  - F. Preparation of the first part of the report to the General Assembly.

Chapters I-V present a chronological and historical survey of the activities of the Commission during the period 12 January-24 May 1948, together with a review of the basic factors of the situation in Korea.

Chapter VI, containing the Summary and Conclusions on the first part of the report, deals mainly with the technical aspects of the elections observed by the Commission in South Korea on 10 May 1948.

Volume II of the first part of the report comprises a number of annexes containing the texts of basic documents referred to in the report.

The second part of the report will deal with additional aspects relevant to the Commission's terms of reference and other conclusions in the light of post-election developments in Korea. This part of the report will be submitted in time for the third regular session of the General Assembly in Paris.

Seoul, Korea,  
21 July 1948.

- Chapter IV {
- A. Approaches to the Union of Soviet Socialist Republics, the Ukrainian Soviet Socialist Republic and the military authorities in North Korea ;
  - B. Consultation with the Interim Committee of the General Assembly.

## CREATION OF THE UNITED NATIONS TEMPORARY COMMISSION ON KOREA; ITS TERMS OF REFERENCE AND COMPOSITION

### (a) SUBMISSION OF THE KOREAN PROBLEM TO THE UNITED NATIONS

1. The Minister of Foreign Affairs of the Union of Soviet Socialist Republics, in a letter to the Secretary of State of the United States of America, dated 4 September 1947,<sup>1</sup> rejected a United States proposal to submit the problem of the independence of Korea to a four-Power conversation of the Powers adhering to the Moscow Agreement, namely: China, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America.

2. On 17 September 1947, the Acting Secretary of State of the United States, in a letter to the Soviet Minister of Foreign Affairs, replied that his Government, in view of the rejection, had decided "to refer the problem of Korean independence to the forthcoming session of the General Assembly of the United Nations."<sup>2</sup> On the same day the representative of the United States to the General Assembly, Secretary of State George C. Marshall, stated, during the eighty-second plenary meeting, that it was the intention of the United States Government to present the problem of Korean independence to the current session of the General Assembly.<sup>3</sup>

3. Again, that same day the following communication was received by the Secretary-General:

"The Senior Representative of the United States to the General Assembly of the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to submit the following items for inclusion on the agenda of the second regular session of the General Assembly of the United Nations:

"1. . . .

"2. The problem of the independence of Korea.

4. During the general debate in the General Assembly, this proposal was opposed by the representative of the Union of Soviet Socialist Republics,<sup>5</sup> but won the support of the representative of the United Kingdom<sup>6</sup> on 18 and 22 September respectively.

5. On 21 September, the General Committee at its thirty-eighth meeting decided, by twelve votes to two, with no abstentions, to recommend the inclusion of the item proposed by the United States in the agenda. During the discussion, the representatives of the United States, China, Syria, India and the United Kingdom spoke in favour of inclusion, while the representatives of the Union of Soviet

Socialist Republics and Poland objected to the inclusion.<sup>7</sup>

6. The General Assembly discussed the inclusion of the item in the agenda on 23 September 1947 during its ninetieth and ninety-first meetings. The proposal was supported by the representatives of Australia, the United States of America, China and the United Kingdom and was opposed by the representative of the Union of Soviet Socialist Republics. The General Assembly, by forty-one votes to six, with seven abstentions, one delegation being absent, decided to include the item in the agenda, and referred it to the First Committee for consideration and report. The opposing countries were the Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Yugoslavia, while the abstaining members were mainly from the Near East and Africa.<sup>8</sup>

7. The First Committee discussed the question of Korea at its eighty-seventh through ninety-fourth meetings, held between 28 October and 5 November 1947.

### *Proposals of the United States of America*

8. Meanwhile, on 17 October 1947, the United States representative had addressed a letter to the Secretary-General outlining the suggestions which the United States representative proposed to submit for the consideration of the First Committee when the problem of Korean independence came before that body. Enclosed was a draft resolution<sup>9</sup> which recommended that the occupying Powers should hold elections in their respective zones not later than 31 March 1948 under the observation of the United Nations "as the initial step leading to the creation of a National Assembly and the establishment of a National Government of Korea in conformity with the procedure set out in the Annex<sup>10</sup> to this resolution."

<sup>7</sup> Document A/BUR/SR.38.

<sup>8</sup> Documents A/PV.90 and A/PV.91.

<sup>9</sup> Document A/C.1/218.

<sup>10</sup> Annex: Recommended procedure for the holding of elections and the establishment of a National Government of Korea.

(1) The elections to be held by the occupying Powers in their respective zones not later than 31 March 1948 shall be for the purpose of choosing representatives to a National Assembly. The number of representatives elected to the National Assembly from each zone shall bear the same proportion to the total membership of the National Assembly as the population of that zone bears to the total population of Korea. Subject to this principle, the number of representatives to be elected from each zone shall be determined by the United Nations Temporary Commission on Korea in consultation with the occupying Powers.

<sup>1</sup> Document A/AC.19/W.6, pages 64-66.

<sup>2</sup> *Ibid.*, pages 66-67.

<sup>3</sup> Document A/PV.82, pages 52-55.

<sup>4</sup> Document A/BUR.85.

<sup>5</sup> Document A/PV.84, page 96.

<sup>6</sup> Document A/PV.88, page 67.

9. The draft resolution further recommended "that immediately upon the establishment of the National Government of Korea referred to above, that Government will constitute its own national security forces and will arrange with the occupying Powers for the early and complete withdrawal from Korea of the armed forces of the Union of Soviet Socialist Republics and the United States."<sup>11</sup>

10. In addition, a United Nations Temporary Commission on Korea would be established which would " (1) be present in Korea during the elections in each zone with the right of freedom of travel and observation throughout all of Korea, (2) be available for such consultation as may be appropriate in connexion with the elections, the organization of the National Assembly, the formation of the National Government and the conclusion of agreements for the withdrawal of the occupying forces, (3) report to the General Assembly or, if in its judgment developments so require, to any competent agency of the Assembly with respect to its activities under the terms of this resolution, and make any recommendations that it may wish concerning further United Nations action in maintaining the independence of Korea."<sup>11</sup>

#### (b) DISCUSSIONS IN THE FIRST COMMITTEE

11. After a general discussion in the First Committee during the eighty-seventh and eighty-eighth meetings, on 28 October 1947, in which the representatives of the United States of America, the Union of Soviet Socialist Republics, Australia, Poland, China, the Ukrainian Soviet Socialist Republic, Yugoslavia and the United Kingdom participated, two main problems emerged : (1) the participation of elected representatives of the Korean people in the discussion ; and (2) the withdrawal of the United States and Soviet Union troops from Korea.

#### *Resolutions proposed by the Union of Soviet Socialist Republics*

12. On 28 October, the Union of Soviet Socialist Republics submitted the two following draft resolutions :

"1. Inasmuch as the Korean question, which is before the General Assembly, is primarily a matter for the Korean people itself and concerns its freedom and independence, and recognizing that this question cannot be correctly and fairly

(2) As soon as possible after the elections the National Assembly of Korea shall meet and form a Government and shall notify the United Nations Temporary Commission on Korea of the formation of this Government.

(3) Upon notification to the United Nations Temporary Commission on Korea of the formation of a National Government of Korea, that Government shall take over the functions of government from the military commands and civilian authorities of North and South Korea, respectively, in accordance with arrangements to be agreed upon under the auspices of the United Nations Temporary Commission on Korea between the Government of Korea and the respective occupying authorities.

(4) The United Nations Temporary Commission on Korea shall be available for such consultations and assistance as may be requested and appropriate in connexion with the decisions and actions contemplated in paragraphs (1), (2) and (3) above.

<sup>11</sup> Document A/C.1/218.

resolved without the participation in the discussion of representatives of the indigenous population :

#### *"The First Committee resolves*

"To invite elected representatives of the Korean people from Northern and Southern Korea to take part in the discussion of the question."<sup>12</sup>

#### *"2. The General Assembly,*

*"Having considered* the resolution of the delegation of the Union of Soviet Socialist Republics on the simultaneous withdrawal of American and Soviet troops from Korea at the beginning of 1948 ;

*"Bearing in mind* that the aim of that resolution is to accelerate the transformation of Korea into an independent democratic State and to afford the Korean people the possibility of establishing its own National Government of Korea :

*"Recommends* to the Government of the United States of America and to the Government of the Union of Soviet Socialist Republics the simultaneous withdrawal of their troops from Southern and Northern Korea respectively at the beginning of 1948, thereby leaving to the Korean people itself the establishment of a National Government of Korea."<sup>13</sup>

13. The Committee decided to give priority to the discussion of the Soviet draft resolution concerning the invitation to elected Korean representatives to participate in the discussion, since this was a proposal of procedure. The United States representative thereupon submitted an amendment to the Soviet Union draft resolution in which he proposed to establish forthwith a United Nations Temporary Commission on Korea in order to facilitate and expedite such participation and to ensure that the Korean representatives would in fact be duly elected by the Korean people and not mere appointees from military authorities in Korea.<sup>14</sup> An amendment was proposed by China<sup>15</sup> to indicate that the presence of representatives from Korea as a whole, not from Northern and Southern Korea, would be desirable and to substitute the word "observe" for the word "ensure" in the United States text, since the latter implied some kind of guarantee of the election process. This amendment was accepted by the representative of the United States.

#### *Amendment by the Byelorussian Soviet Socialist Republic*

14. At the ninetieth meeting, the representative of the Byelorussian Soviet Socialist Republic submitted an amendment<sup>16</sup> to the amendment of the United States to the effect that the elected representatives of the Korean people be invited to

<sup>12</sup> Document A/C.1/229.

<sup>13</sup> Document A/C.1/232.

<sup>14</sup> Document A/C.1/230.

<sup>15</sup> Document A/C.1/231.

<sup>16</sup> Document A/C.1/234.

take part in the consideration of the question in the First Committee and at the plenary meetings of the General Assembly. At the same meeting, the representative of the Ukrainian Soviet Socialist Republic introduced a draft resolution proposing that the First Committee should discuss the proposal and amendment of the United States at the time when the substance of the Korean question was discussed.<sup>17</sup>

15. The general debate was concluded at the ninetieth meeting on 30 October. As some of the representatives were of the opinion that the United States amendment should be regarded as a draft resolution, the Chairman put this question to the vote. The Committee decided, by forty-three votes to six, with four abstentions, that the United States proposal should be regarded as an amendment.

16. The resolution of the representative of the Ukrainian Soviet Socialist Republic was rejected by forty votes to six, with five abstentions.

17. The amendment of the Byelorussian Soviet Socialist Republic to the United States amendment was rejected by thirty-six votes to six, with nine abstentions.

18. After the rejection of the amendment of the Byelorussian Soviet Socialist Republic, the representatives of the Soviet Union, Ukrainian Soviet Socialist Republic, Czechoslovakia, Byelorussian Soviet Socialist Republic, Yugoslavia and Poland stated that, as in their view the Korean question could not be discussed in the First Committee and the General Assembly without the participation of Korean representatives, they were unable to take part in the voting on the United States amendment or on amendments thereto.

#### *Adoption of the United States amendment*

19. The amendment of the United States, as amended by the representative of China (see paragraph 13), read as follows :

*"Inasmuch as the Korean question which is before the General Assembly is primarily a matter for the Korean people itself and concerns its freedom and independence, and*

*"Recognizing that this question cannot be correctly and fairly resolved without the participation of representatives of the indigenous population,*

#### *"The First Committee*

*"1. Recommends that elected representatives of the Korean people be invited to take part in the consideration of the question ;*

*"2. Further resolves that in order to facilitate and expedite such participation and to observe that the Korean representatives are in fact duly elected by the Korean people and not mere appointees by military authorities in Korea there be forthwith established a United Nations Temporary Commission on Korea, to be present in Korea, with right to travel, observe and consult throughout Korea."*

The amendment was voted upon in parts with the following results :

Paragraph 1 : Adopted by forty-one votes to none, with six abstentions ;

Paragraph 2 : Adopted by forty-one votes to none, with four abstentions ;

Paragraph 3 : Adopted by thirty-nine votes to none, with seven abstentions.

20. The whole amendment was adopted by forty-one votes to none, with seven abstentions.

21. The draft resolution of the Soviet Union<sup>18</sup> was also put to the vote and was rejected by thirty-five votes to six, with ten abstentions.

#### *Position of the Union of Soviet Socialist Republics*

22. After the rejection of the Soviet draft resolution, the representative of the Soviet Union stated that if a United Nations Temporary Commission on Korea were to be set up after the General Assembly had considered the question without the participation in that body's discussion of representatives of the Korean people, the Soviet Union would not be able to take part in the work of the Commission.

23. He then submitted a draft resolution proposing to defer the discussion of the substance of the Korean question.<sup>19</sup> This draft resolution was rejected by the Committee by thirty-three votes to six, with twelve abstentions.<sup>20</sup>

#### *Resumption of the general debate*

24. The Committee resumed, at its ninety-first meeting, the general debate on the substantive draft resolutions of the United States and the Soviet Union as contained in documents A/C.1/218 and A/C.1/232. The general debate continued until the ninety-third meeting inclusive, with the following countries participating in the discussion : Australia, Byelorussian Soviet Socialist Republic, Canada, China, Czechoslovakia, Egypt, El Salvador, France, India, Mexico, Netherlands, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom, United States of America, and Yugoslavia.

#### *United States proposals and amendments*

25. At the ninety-second meeting the representative of the United States presented a revised text of its original draft resolution of 17 October 1947.<sup>21</sup> Some of the provisions in this revised draft resolution included parts of the resolution adopted by the First Committee at its ninetieth meeting on 30 October 1947 (see paragraph 19), while others incorporated suggestions made by several delegations during the previous debate. Three amendments to the revised United States draft resolution were introduced :

(1) An amendment proposed by the Philippines stressed the necessity of avoiding unilateral action and intervention in Korea.<sup>22</sup>

<sup>18</sup> Document A/C.1/229.

<sup>19</sup> Document A/C.1/235.

<sup>20</sup> Document A/C.1/SR.91, pages 4 and 5.

<sup>21</sup> Document A/C.1/218/Rev. 1.

<sup>22</sup> Document A/C.1/236.

<sup>17</sup> Document A/C.1/233.

(2) An amendment proposed by India to delete the provision that the elections should be held by the occupying Powers.<sup>23</sup>

(3) An amendment proposed by China stressed China's special interest in Korea and its desire to discharge its obligations under the Moscow Agreement.<sup>24</sup> This amendment was later withdrawn.

26. At the ninety-fourth meeting, held on 5 November 1947, the Committee proceeded to vote on the Soviet draft resolution and the revised United States draft resolution, together with the amendments.

27. The draft resolution of the Soviet Union was rejected by twenty votes to six, with seven abstentions.

28. As a consequence of the rejection of the Soviet draft resolution, the representatives of the Soviet Union, the Ukrainian Soviet Socialist Republic, Poland, Yugoslavia, Byelorussian Soviet Socialist Republic and Czechoslovakia declared that, since the Korean question could not be discussed without the participation of Korean representatives, they would be unable to take part in the voting on the United States draft resolution or amendments thereto.

29. The amendment submitted by the representative of the Philippines was adopted by thirty-four votes to none, with three abstentions.

30. The amendment submitted by the representative of India was adopted by thirty-four votes to none, with four abstentions.

#### *Adoption of the United States draft resolution*

31. The United States draft resolution, as amended,<sup>25</sup> was adopted by forty-six votes to none, with four abstentions.

#### *Position of the Ukrainian Soviet Socialist Republic*

32. When the United States draft resolution was put to the vote, the representative of the Ukrainian Soviet Socialist Republic declared that his country could not take part in the United Nations Temporary Commission on Korea as proposed in the resolution, because no representatives of Korea had been invited to attend the debate. He also said<sup>26</sup> that it would have been better if the Temporary Commission had consisted of neutral persons and not of representatives "obeying Government instructions in most cases favourable to United States policy."<sup>27</sup>

#### (c) DISCUSSION IN THE GENERAL ASSEMBLY

33. The General Assembly discussed the problem of the independence of Korea on 13 and 14 November 1947 during its hundred-and-eleventh

and hundred-and-twelfth plenary meetings. The representatives of the Union of Soviet Socialist Republics, the United States of America, the Philippines, China, Czechoslovakia, Yugoslavia, Byelorussian Soviet Socialist Republic, Panama, Poland, Norway and the Ukrainian Soviet Socialist Republic participated in the debate, which consisted mainly of a restatement of arguments and counter-arguments made during the meetings of the First Committee.

#### *Adoption of the report*

34. The resolutions recommended by the First Committee were adopted without amendment by forty-three votes to none, with six abstentions. The following countries did not take part in the voting: Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia. The resolutions read as follows:

"*Inasmuch as* the Korean question which is before the General Assembly is primarily a matter for the Korean people itself and concerns its freedom and independence, and

"*Recognizing* that this question cannot be correctly and fairly resolved without the participation of representatives of the indigenous population,

#### *"The General Assembly*

"1. *Resolves* that elected representatives of the Korean people be invited to take part in the consideration of the question;

"2. *Further resolves* that in order to facilitate and expedite such participation and to observe that the Korean representatives are in fact duly elected by the Korean people and not mere appointees by military authorities in Korea, there be forthwith established a United Nations Temporary Commission on Korea, to be present in Korea, with right to travel, observe and consult throughout Korea."

## II

#### *"The General Assembly,*

"*Recognizing* the urgent and rightful claims to independence of the people of Korea;

"*Believing* that the national independence of Korea should be re-established and all occupying forces then withdrawn at the earliest practicable date;

"*Recalling* its previous conclusion that the freedom and independence of the Korean people cannot be correctly or fairly resolved without the participation of representatives of the Korean people, and its decision to establish a United Nations Temporary Commission on Korea (hereinafter called the 'Commission') for the purpose of facilitating and expediting such participation by elected representatives of the Korean people:

"1. *Decides* that the Commission shall consist of representatives of Australia, Canada, China,

<sup>23</sup> Document A/C.1/237.

<sup>24</sup> Document A/C.1/238.

<sup>25</sup> Including Chinese and French drafting amendments and sub-amendments adopted during the ninety-fourth meeting.

<sup>26</sup> Document A/AC.1/SR.94, page 3.

<sup>27</sup> Report of the First Committee, containing the text of the adopted resolutions (document A/447) has been used as the principal source of the preceding.

El Salvador, France, India, Philippines, Syria, Ukrainian Soviet Socialist Republic ;

"2. *Recommends* that the elections be held not later than 31 March 1948 on the basis of adult suffrage and by secret ballot to choose representatives with whom the Commission may consult regarding the prompt attainment of the freedom and independence of the Korean people and which representatives, constituting a National Assembly, may establish a National Government of Korea. The number of representatives from each voting area or zone should be proportionate to the population, and the elections should be under the observation of the Commission ;

"3. *Further recommends* that, as soon as possible after the elections, the National Assembly should convene and form a National Government and notify the Commission of its formation ;

"4. *Further recommends* that immediately upon the establishment of a National Government, that Government should, in consultation with the Commission : (a) constitute its own national security forces and dissolve all military or semi-military formations not included therein ; (b) take over the functions of government from the military commands and civilian authorities of north and south Korea, and (c) arrange with the occupying Powers for the complete withdrawal from Korea of their armed forces as early as practicable and if possible within ninety days ;

"5. *Resolves* that the Commission shall facilitate and expedite the fulfilment of the foregoing programme for the attainment of the national independence of Korea and withdrawal of occupying forces, taking into account its observations and consultations in Korea. The Commission shall report, with its conclusions, to the General Assembly and may consult with the Interim Committee (if one be established) with respect to the application of this resolution in the light of developments ;

"6. *Calls upon* the Member States concerned to afford every assistance and facility to the Commission in the fulfilment of its responsibilities ;

"7. *Calls upon* all Members of the United Nations to refrain from interfering in the affairs of the Korean people during the interim period preparatory to the establishment of Korean independence, except in pursuance of the decisions of the General Assembly ; and thereafter, to refrain completely from any and all acts derogatory to the independence and sovereignty of Korea."<sup>28</sup>

*Rejection of the Soviet proposal concerning the withdrawal of troops*

35. The proposal of the Union of Soviet Socialist Republics recommending that the United States of

America and the Soviet Union simultaneously withdraw their troops from Southern and Northern Korea respectively at the beginning of 1948 "thereby leaving to the Korean people itself the establishment of a National Government of Korea,"<sup>29</sup> was rejected by thirty-four votes to seven, with sixteen abstentions.

#### (d) LETTERS FROM THE SECRETARY-GENERAL

36. After the resolutions were adopted by the General Assembly, the Secretary-General, by a letter dated 24 November 1947, transmitted to the Governments of all Members of the United Nations the text of the two resolutions and drew attention to paragraph 7 of resolution II.

37. A letter dated 24 November 1947 was sent to the Governments of the nine Members composing the United Nations Temporary Commission on Korea, requesting that the names of their representatives on the Commission be communicated to the Secretary-General as soon as possible.

38. A letter dated 24 November 1947, signed by the Secretary-General, was sent to the Governments of the United States of America and the Soviet Union enclosing the texts of the two resolutions and drawing attention to paragraph 6 of resolution II. To this letter, the acting United States representative to the United Nations replied in a letter dated 11 December 1947, as follows :

"I have to acknowledge the receipt of your note of 24 November 1947 enclosing the text of the two resolutions concerning the problem of the independence of Korea which were adopted by the General Assembly at its hundred-and-twelfth plenary meeting on 14 November 1947. My Government has noted your emphasis on paragraph 6 of the substantive part of the second resolution and has instructed me to state that, as you are no doubt aware, the United States Government has been very happy to afford the fullest assistance and facilities to members of the Secretariat who are now preparing for the work of the Korean Commission. It is a pleasure to add that the United States authorities, both here and in South Korea, will continue to give the fullest assistance to the Korean Commission in an endeavour to assist in the fulfilment of the terms of the Assembly's resolution."

39. At the time of the first meeting of the Commission in Seoul, Korea, no reply had yet been received from the Government of the Union of Soviet Socialist Republics or from the Government of the Ukrainian Soviet Socialist Republic.<sup>30</sup>

#### (e) COMPOSITION OF THE COMMISSION

40. According to the resolutions of the General Assembly, the Commission was to consist of representatives of Australia, Canada, China, El

<sup>28</sup> Discussion of the financial implications of the adoption of the resolution establishing the United Nations Temporary Commission on Korea is contained in the following documents : A/C.5/208 ; A/C.5/W.52 ; A/C.5/216 ; A/C.5/SR.95 and SR.96 ; A/461.

<sup>29</sup> Document A/477.

<sup>30</sup> Further reference to this correspondence is made in chapter IV of this report.

Salvador, France, India, Philippines, Syria, Ukrainian Soviet Socialist Republic. On 5 December 1947, the first appointments of representatives were announced, followed on 10 and 15 December by others.

41. At the first meeting of the Commission, in Seoul, Korea, on 12 January 1948, the following representatives were present: Mr. S. H. Jackson (Australia), Mr. G. S. Patterson (Canada), Mr. Liu Yu-Wan (China), Mr. Jean Paul-Boncour (France), Mr. K. P. S. Menon (India), Mr. Arranz (Philippines), Mr. Z. Djabi (Syria). No representative of the Ukrainian Soviet Socialist Republic was present. The delegation of El Salvador arrived on 29 January 1948.<sup>31</sup>

#### (f) SECRETARIAT

42. The secretariat of the Commission, totalling twenty-seven persons, was headed by Mr. Victor Chi-Tsai Hoo, Assistant Secretary-General, and by Mr. Petrus J. Schmidt, Principal Secretary. In addition, the secretariat consisted of a Deputy

<sup>31</sup> Complete lists of delegations and secretariat staff during the period covered by this report are given in Volume II, Annex II.

Principal Secretary, a Legal Counsellor and four Assistant Secretaries, an Information Officer in charge of Press relations, and an Administrative Officer in charge of all administrative affairs. The secretariat included also a finance officer, a documents officer, a translator, interpreters, verbatim reporters, précis-writers and secretary-typists. Korean interpreters and translators were recruited locally.<sup>31</sup>

#### *Opinion on the work of the secretariat*

43. On the proposal of the representative of France, the Commission unanimously decided at its thirty-eighth meeting, on 6 May 1948, to add at the end of chapter I of its report the following paragraph expressing appreciation of the work of the secretariat:

"The Commission wishes to pay tribute to the untiring work and devotion to duty shown by the members of this relatively small secretariat under the able guidance and leadership of Mr. Petrus J. Schmidt, under difficult material conditions and without benefiting by such financial advantages as would have provided adequate compensation for the often strenuous effort that was physically and mentally required of them."

## CHAPTER II

### ORGANIZATION OF THE COMMISSION

*(Chairmen and Rapporteur of the Commission; Chairmen of the Sub-Committees; establishment of field observation groups)*<sup>32</sup>

1. During the period 12 January–4 June 1948, the Commission held two public meetings and fifty-six private meetings; forty-one meetings of the Commission were held in Seoul, Korea, and seventeen in Shanghai, China.

#### (a) OFFICE OF CHAIRMAN<sup>33</sup>

2. The first meeting of the Commission was held in Seoul, on 12 January 1948. Since all the representatives of the Commission were not present at that time, it was decided to elect a temporary Chairman until such time as the Commission decided to elect a permanent Chairman.

3. Mr. K. P. S. Menon (India) was unanimously elected temporary Chairman at the first plenary meeting.

4. At the eighth plenary meeting, held on 4 February 1948, the Commission unanimously elected Mr. K. P. S. Menon (India) permanent Chairman. It was also decided at the eighth meeting that, in the absence of the Chairman, the acting chairmanship should be assumed by members of the Commission for a period of fifteen days, and

that the order of rotation should be left to the decision of the representatives themselves.

5. During the absence of the permanent Chairman from Seoul between 15 February and 5 March inclusive, Mr. Jean Paul-Boncour (France) and Mr. Liu Yu-Wan (China) served successively as Acting Chairmen.

6. In view of the imminent departure from Seoul of Mr. Menon, the permanent Chairman, the Commission decided, at its twenty-sixth meeting, to have a rotating chairmanship for periods of fifteen days in the English alphabetical order of the States members of the Commission, beginning with the name of the country drawn by lot. The name of France was drawn and Mr. Paul-Boncour assumed the Chair on 17 March 1948.<sup>34</sup>

7. Provision was made for the following representatives to assume the chairmanship for periods of fifteen days each:

	1948
Mr. I. J. Bahadur Singh (India)	1–15 April
Mr. R. Luna (Philippines)	16–30 April
Mr. Y. Mughir (Syria)	1–15 May
Mr. S. H. Jackson (Australia)	16–30 May
Mr. G. S. Patterson (Canada)	31 May–14 June
Mr. Liu Yu-Wan (China)	15–29 June
Mr. M. A. P. Valle (El Salvador)	30 June–14 July
Mr. Jean Paul-Boncour (France)	15–29 July

<sup>32</sup> A summary of the main activities of the Commission, the Sub-Committees, and the field observation groups is contained in chapter IV.

<sup>33</sup> See rules of procedure, rules 9 and 11 (document A/AC.19/38).

<sup>34</sup> Document A/AC.19/51.

(b) OFFICE OF RAPPOREUR<sup>35</sup>

8. At the eighth plenary meeting of the Commission, the office of Rapporteur was created and Mr. Liu Yu-Wan (China) was unanimously elected thereto.

(e) Sub-Committees and observation groups

9. The following sub-committees and observation groups were established by the Commission in the course of its work at Seoul :

*Sub-Committee 1*

10. Sub-Committee 1, comprising representatives of Canada, France, Syria and later China,<sup>36</sup> was established by a resolution<sup>37</sup> adopted at the fifth plenary meeting, on 17 January 1948, to consider ways and means of ensuring a free atmosphere for elections in Korea.

11. Mr. Z. Djabi (Syria) was elected Chairman at the first meeting. After the departure of Mr. Djabi, a rotation acting-chairmanship rule was adopted which placed Mr. Manet (France) in the chair at the fourth, sixth and fifteenth meetings ; Mr. Patterson (Canada) at the fifth meeting, and Mr. Mughir (Syria) at the seventh to fourteenth meetings.

*Sub-Committee 2*

12. Sub-Committee 2, comprising representatives of Australia, China, France, the Philippines and later El Salvador,<sup>38</sup> was established by a resolution<sup>39</sup> adopted at the fifth plenary meeting on 17 January 1948 to (a) examine any documents already received or which may be received from Korean sources by the Secretariat and (b) secure statements from Korean personalities whose views may be helpful to the Commission in the discharge of its duties.

13. Mr. S. H. Jackson (Australia) was elected Chairman at the first meeting. In the absence of Mr. Jackson in Tokyo, Mr. R. Luna (Philippines) was elected acting Chairman for the twentieth meeting on 17 February 1948, and Mr. Jean Paul-Boncour (France) of the twenty-eighth meeting on 27 March 1948.

*Sub-Committee 3*

14. Sub-Committee 3 was established by a resolution<sup>40</sup> adopted at the sixth meeting of the Commission on 19 January 1948 to examine the electoral laws and regulations of North and South Korea, and in the performance of this function, to acquaint itself with the views of Korean, Soviet and United States officials and experts.

15. At the outset the Sub-Committee consisted of the representatives of Canada, France, the Philippines and Syria. The Commission decided, at its seventh meeting, that the representative of El Salvador would take the place of the representative of France. At the fourteenth meeting of the Commission, the representative of China was appointed to the Sub-Committee.

16. At its first meeting, Mr. M. Arranz (Philippines) was elected Chairman and Mr. G. S. Patterson (Canada) was elected Rapporteur. At the third meeting, Mr. R. Luna (Philippines) was elected acting Chairman for the period of the absence of Mr. Arranz.

*Ad hoc Sub-Committee*

17. At the twenty-fifth plenary meeting of the Commission, on 16 March 1948, an *ad hoc* Sub-Committee, consisting of the representatives of China, France, the Philippines and Syria, was established to consider methods of observation during the election period.<sup>41</sup>

18. The Sub-Committee held two meetings under the chairmanship of Mr. Paul-Boncour (France), and submitted its report to the Commission,<sup>42</sup> which adopted it with amendments at the twenty-seventh plenary meeting on 20 March 1948.<sup>43</sup>

*Main Committee*

19. At the twenty-seventh plenary meeting, on 20 March 1948, the Commission established a Main Committee to take over the existing functions of the three Sub-Committees as from 29 March 1948 and to assume additional functions growing out of the plan for observing elections, as adopted by the Commission.<sup>43</sup>

20. A representative of each member would be entitled to sit on the Main Committee, but the membership of the Committee would rotate in accordance with the willingness of members to undertake periodic duties with the field observation groups. It was decided at the outset to follow the procedure of the Commission as regards chairmanship and that the Chairman of the Commission would also be the Chairman of the Main Committee.<sup>44</sup>

21. The procedure referred to in paragraphs 19 and 20 was adopted because of the limited personnel of the delegations.

*Observation groups*

22. At the twenty-seventh plenary meeting, on 20 March 1948, the Commission decided to establish field observation groups to observe the election programme in each of the provinces and during the most significant stages of the election period.<sup>43</sup>

23. During the pre-election period, observation groups, not exceeding four in number, and composed of representatives on the Commission

<sup>35</sup> See rules of procedure, rules 9 and 11 (document A/AC.19/38).

<sup>36</sup> The representative of China was appointed to the Sub-Committee at the fourteenth meeting of the Commission on 13 February 1948.

<sup>37</sup> Document A/AC.19/9/Corr.1.

<sup>38</sup> The representative of El Salvador was appointed to the Sub-Committee at the seventh meeting of the Commission on 31 January 1948.

<sup>39</sup> Document A/AC.19/11 (Annex VI).

<sup>40</sup> Document A/AC.19/13.

<sup>41</sup> Document A/AC.19/W.36.

<sup>42</sup> Document A/AC.19/54.

<sup>43</sup> Document A/AC.19/56 (see document A/529, Annex 7).

<sup>44</sup> Document A/AC.19/51.

and members of the secretariat, carried out observations in all the provinces of South Korea, as well as in the city of Seoul. Three groups observed the election programme during the week ending 10 April 1948,<sup>45</sup> and four groups during the week ending 24 April 1948.<sup>46</sup> The organization and

travel itinerary of these groups are reproduced in documents A/AC.19/W.42/Add.1, Add.3 and Add.5.

24. On 7 May 1948, nine groups were organized to observe the elections during the period preceding and including election day.<sup>47</sup>

<sup>45</sup> Document A/AC.19/SC.4/SR.4 (Volume III).

<sup>46</sup> Documents A/AC.19/SC.5/SR.7 ; SC.6/SR.6 ; SC.7/SR.6 and SC.8/SR.1 (Volume III).

<sup>47</sup> Document A/AC.19/W.42/Add.6/Rev.1.

## CHAPTER III

### THE POLITICAL SITUATION IN KOREA — A BRIEF REVIEW

1. From 1910 until 1945 Korea formed part of the Japanese Empire. Her political, economic and social life was rigidly controlled by Japan. Following the declaration of war against Japan by the Allied Powers, the future status of Korea became a matter of inter-Allied concern.

#### (a) INTER-ALLIED AGREEMENTS REGARDING KOREA

2. *Independence* : At the Cairo Conference between the Governments of the United States of America, the United Kingdom and China, the following declaration was issued on 1 December 1943 :

“The aforesaid three Great Powers, mindful of the enslavement of the people of Korea, are determined that in due course Korea shall become free and independent.”

In the Potsdam declaration of 26 July 1945, setting out the terms for Japan's surrender, the representatives of the Governments of the United States, the United Kingdom and China reaffirmed the Cairo declaration regarding Korean independence.<sup>48</sup> In its declaration of war against Japan on 8 August 1945, the Soviet Government expressed its adherence to the Potsdam declaration.<sup>49</sup> Finally, at the meeting of the Council of Foreign Ministers at Moscow in December 1945, a more detailed agreement was entered into between the representatives of the Governments of the United States, the Soviet Union and the United Kingdom, to which the Chinese Government subsequently adhered. The text of the *communiqué* regarding the decision on Korea is as follows :

“1. With a view to the re-establishment of Korea as an independent State, the creation of conditions for developing the country on democratic principles and the earliest possible liquidation of the disastrous results of the protracted Japanese domination in Korea, there shall be set up a provisional Korean democratic govern-

ment which shall take all the necessary steps for developing the industry, transport and agriculture of Korea and the national culture of the Korean people.

“2. In order to assist the formation of a provisional Korean government and with a view to the preliminary elaboration of the appropriate measures, there shall be established a joint commission consisting of representatives of the United States command in Southern Korea and the Soviet command in Northern Korea. In preparing their proposals, the commission shall consult with the Korean democratic parties and social organizations. The recommendations worked out by the commission shall be presented for the consideration of the Governments of the Union of Soviet Socialist Republics, China, the United Kingdom and the United States prior to final decision by the two Governments represented on the joint commission.

“3. It shall be the task of the joint commission, with the participation of the provisional Korean democratic government and of the Korean democratic organizations, to work out measures also for helping and assisting (trusteeship) the political, economic and social progress of the Korean people, the development of democratic self-government and the establishment of the national independence of Korea.

“The proposals of the joint commission shall be submitted, following consultation with the provisional Korean government, for the joint consideration of the Governments of the United States, the Union of Soviet Socialist Republics, the United Kingdom and China for the working out of an agreement concerning a four-Power trusteeship of Korea for a period of up to five years.

“4. For the consideration of urgent problems affecting both Southern and Northern Korea and for the elaboration of measures establishing permanent co-ordination in administrative-economic matters between the United States command in Southern Korea and the Soviet command in Northern Korea, a conference of the representatives of the United States and Soviet commands in Korea shall be convened within a period of two weeks.”

<sup>48</sup> “8. The terms of the Cairo declaration shall be carried out and Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we determine.”

<sup>49</sup> “True to its duty to the Allies, the Soviet Government has accepted the proposals and has associated itself with the Allied declaration of 26 July” (document A/AC.19/W.6, page 2).

*Military operations* : During the Potsdam Conference, in connexion with the Soviet Government's undertaking to enter the war against Japan within three months following the defeat of Germany, it was understood that the respective Chiefs of Staff agreed that the dividing line for military operations by United States and Soviet forces in Korea should be the 38th degree parallel.<sup>50</sup>

#### (b) MILITARY OCCUPATION AND GOVERNMENT

3. Following the defeat of Japan in the war, the surrender of the Japanese forces in Korea was accepted by Soviet and United States commanders north and south of the 38th degree parallel, respectively, and this remained the line of demarcation of the United States and Soviet zones of military occupation.

4. In the north, the Soviet authorities promptly ousted the Japanese administration and, in its stead, established an administration based on a network of "People's Committees". A central government organ, the "Provisional People's Committee for North Korea", was established in February 1946. Mr. Kim Il Sung, a veteran Korean Communist and anti-Japanese partisan leader in Manchuria, became president of the Provisional People's Committee. Various political parties, of which the chief were the Labour (formerly the Communist), the Democratic, and Independence parties, were united into a single "New People's Party".

5. During the summer of 1946, the groundwork was laid for an elective form of government based upon local, provincial and national People's Committees. The New People's Front was now transformed into the United National Democratic Front, which contained the Labour Party (formerly the Communist Party), the Democratic Party, the Chondo-Kyo Party, and some smaller parties.

6. Elections for membership in the municipal, county and provincial People's Committees were held on 3 November 1946 ; 4,501,813 persons, being 99.6 per cent of the electorate, participated, and the United National Democratic Front polled approximately 97 per cent of the votes cast. As a result of pre-electoral discussion, there was only one list of candidates.<sup>51</sup>

7. A convention of 237 representatives from the People's Committees assembled from 17-20 February 1947. It approved all legislation enacted by the Provisional People's Committee, adopted a national economic plan proposed by Chairman Kim Il Sung, and decided to establish the National Assembly of Northern Korea. It did

so, apparently by constituting itself as the Assembly on 21 and 22 February. Its 237 members were divided as follows among the parties :

Labour Party . . . . .	89
Democratic Party . . . . .	29
Chondo-Kyo Party . . . . .	29
Independents . . . . .	90
	<hr/> 237 <sup>52</sup>

8. Prior to the entry of United States military forces into Korea, a "People's Republic" had been set up on 6 September 1945, following a national congress in Seoul attended by local representatives from all parts of Korea. This "People's Republic", under the leadership of the well-known Korean political leader Lyuh Woon Hyung, claimed governmental authority. The United States military authorities did not recognize this organization and established in its place a military government administration in which Japanese officials were initially retained.<sup>53</sup>

After the replacement of most of these Japanese officials by the beginning of 1946 had eliminated that source of contention, the interpretation of the Moscow declaration came to serve as a new symbol of disunity and controversy. The opinion became widespread, and was greatly supported by right-wing anti-Russian politicians, that the Moscow declaration meant, and that its adherents supported, the principle of trusteeship for Korea instead of independence. Originally, all parties in South Korea had been opposed to trusteeship. Then suddenly, late in December 1945, the South Korean Communists changed their position in line with the attitude of the Soviet Union, and from then on advocated strict adherence to the terms of the Moscow agreement, including the issue of trusteeship. When, in November 1946, elections were held in South Korea by means of a system of indirect election to select one-half of the membership (ninety in all) of an interim legislative assembly, of which the other half was appointed by the United States military government, the rightist parties campaigned against trusteeship and the Moscow declaration, and for independence, and won nearly all available seats.

9. The election was reported to have been accompanied by coercion and other questionable means.<sup>54</sup> Mr. Kim Kiusic, a prominent politician of the moderate Right, who later was appointed a member of the Legislature by General Hodge and became its first speaker, even sent a letter to the Commanding General, requesting that the results of the election be invalidated since leftist candidates had been "handicapped by current police investigations".<sup>55</sup>

10. The United States Command did, indeed, annul elections in Seoul and in one province, but at the re-election candidates of similar right-wing political faith won the seats vacated.

<sup>50</sup> See *Department of State Bulletin*, 30 December 1945, page 1035, for statement of Secretary of State Byrnes in this regard and G. M. McCune : "Korea : the First Year of Liberation", *Pacific Affairs*, March 1947, page 8. Documentary evidence of the proceedings at Yalta and Potsdam is not yet available.

<sup>51</sup> As quoted from *Pravda* and *Izvestia* by G. M. McCune, *Korea's Post-War Political Problems*, Institute of Pacific Relations, 1947, page 25.

<sup>52</sup> *Ibid.*

<sup>53</sup> *Ibid.*, page 12.

<sup>54</sup> G. M. McCune : *Pacific Affairs*, March 1947, page 7.

<sup>55</sup> *Summation of United States Army Military Government : Activities in Korea*. No. 14, November 1946, page 18.

11. In view of the markedly unrepresentative nature of the election returns, the United States Command appointed a considerable number of moderates and non-Communist leftists, as well as rightist party members and non-party professional persons, to the forty-five appointive seats of the Legislature.

12. Meanwhile, the following political trends had developed. At the right, there were the Korean Democratic Party (Hankook Min Choo Dang), the National Association for the Rapid Realization of Korean Independence and the Korean Independence Party. The first was the party of conservative landowners, headed by Mr. Kim Sung Soo. The National Association for the Rapid Realization of Korean Independence was the creation of the important rightist leader, Mr. Rhee Syngman. Mr. Kim Koo, leader of the provisional government created in 1919 in Shanghai, was most influential in the Independence Party, but wielded also some power in Mr. Rhee's association. Mr. Kim Koo's provisional government had come over from Chungking late in 1945 and on several occasions sought to proclaim itself as the government of Korea. The United States authorities, however, rejected such claims.

13. More moderate elements of the right were concentrated in the Nationalist Party with leaders such as Mr. Ahn Chae Hong, later appointed first Civil Administrator in the South Korean administration established under United States military government.

14. The moderate left concentrated around the late Mr. Lyuh Woon Hyung, who for some time worked in coalition with extreme leftists. Originally, their organization was the Korean People's Republic, later the People's Party, and the Social Democratic Party. Finally, in the spring of 1946, Mr. Lyuh established the Labouring People's Party, following the apparent failure of all attempts to effect a coalition of left-wing groups. Mr. Lyuh was assassinated on 19 July 1947 in Seoul, leaving this important group without any outstanding leader.

15. The extreme left contained a number of parties and groups, of which the Communist Party, later renamed and reorganized as the South Korea Labour Party, was the most important. Its leader, Mr. Pak Heun Young, a forty-five-year-old underground leader, had spent ten years in Japanese jails and was reported to have been in Moscow for two years. In September 1946, the United States Command ordered his arrest on grounds of "activities prejudicial to law and order", but he was not apprehended.

16. A number of attempts, meanwhile, were made to form a broad coalition of parties, representative of majority opinion in South Korea. Since the liberation, and throughout 1946, these attempts were in the direction of including the extreme left in such a grouping. The United States Command, on the other hand, for a while inclined toward a coalition around Mr. Rhee, until it was felt that his inflexible extreme rightist position provided no

basis for any stable and representative political combination.

17. Coalition attempts at the centre resulted in the formation of a "Coalition Committee" in October 1946, in which Mr. Kim Ki-uc, Mr. Ahn Chae Hong and Mr. Lyuh Woon Hyung co-operated and discussed current political affairs with the United States Command. It also nominated members for appointment by the Commanding General to the Interim Legislative Assembly.

#### (c) WORK OF THE JOINT COMMISSION IN 1946

18. In conformity with the Moscow agreement of December 1945, a meeting of the United States-Soviet Joint Commission was inaugurated on 20 March 1946. After considerable discussion as to the procedure to be followed in consulting with Korean "democratic parties and social organizations", referred to in the Moscow agreement, a deadlock was reached, and the Commission adjourned *sine die* on 8 May 1946. The United States interpretation of the failure to reach agreement has been stated as follows :

" . . . The United States assumed the position that representatives of *all* political parties should be consulted. The Soviets contended that all Koreans who had opposed in any way the terms of the Moscow agreement should be excluded. Inasmuch as most of the vocal sections of the Korean population, with the exception of members of the Communist Party, had been active in expressing disagreement with one aspect or another of the agreement, the Soviet criterion would have effectively limited the Commission to consultation with one minority group."<sup>56</sup>

The Soviet explanation claimed that the United States delegation to the Joint Commission had proposed the inclusion for consultation of "seventeen political parties and social groups of Southern Korea which opposed the Moscow agreement and only three democratic parties which supported the agreement", and further claimed that certain important democratic parties and social organizations had been debarred for purposes of consultation by the United States proposals.<sup>57</sup> In the months following the breakdown of the Commission's initial proceedings there was an exchange of views between the United States and Soviet commanders with a view to narrowing the area of disagreement.

19. In a letter dated 8 April 1947, the United States Secretary of State, Mr. Marshall, proposed that the United States and Soviet Governments "agree to instruct our respective commanders in Korea to reconvene the Joint Commission as soon as possible and charge it with expediting its work under the terms of the Moscow agreement on the

<sup>56</sup> Assistant Secretary of State Hilldring, *Department of State Bulletin*, 23 March 1947, page 545.

<sup>57</sup> Letter from Soviet Foreign Minister V. Molotov to the United States Secretary of State, 19 April 1947 (document A/AC.19/W.6, pages 19-22).

basis of respect for the democratic rights of freedom of opinion.”

20. In his letters dated 19 April and 7 May 1947, the Soviet Foreign Minister, Mr. Molotov, agreed that the work of the Joint Commission should be resumed on the basis of certain amendments proposed by the United States commander in Korea on 24 December 1946, in replying to proposals made by the Soviet commander in his letter of 26 November 1946. These proposals<sup>58</sup> were accepted by both Governments as the basis for reconvening the Joint Commission.

(d) RESUMPTION OF WORK OF THE JOINT COMMISSION, MAY 1947

21. In conformity with the Molotov-Marshall correspondence referred to, the Joint Commission was reconvened at Seoul on 21 May 1947. After lengthy discussions, the Commission failed to reach agreement, in particular, regarding the following major issues :

(i) *Consultation of “democratic parties and social organizations”* : The United States view was that all parties and organizations must be consulted which were prepared to sign the declaration set out in the Joint Commission’s *communiqué* 5,<sup>59</sup> in accordance with the Molotov-Marshall letters, excepting those which “foment or instigate active demonstrations against the work of the Joint Commission or against one of the Allied Powers, or against the fulfilment of the Moscow decision.”<sup>60</sup> The Soviet view was that representatives of parties or organizations belonging to the so-called “anti-trusteeship committee” formed in South Korea under the leadership of Mr. Kim Koo should not be eligible for consultation unless they had officially and publicly announced withdrawal from the anti-trusteeship committee.<sup>61</sup>

(ii) *Restrictions on freedom of speech and opinion* : The United States representative objected to the alleged exclusion from the Soviet list of consultees of twenty-four political parties claiming a total membership of over fifteen million. The Soviet Government claimed, in reply, that democratic parties and organizations in South Korea which supported the Moscow agreement were being subjected by the United States authorities to the “severest restrictions”, including seizure of their premises, arrest of leaders and suppression of Press organs. The Soviet Government considered the situation as “excluding the possibility of the correct fulfilment of the decision of the Moscow

Conference”, if “these persecutions . . . do not immediately and completely cease.”<sup>62</sup>

(iii) *Formation of Korean provisional government* : The United States Government proposed that representative provisional legislatures should be elected by universal suffrage in each zone as a means of constituting a national provisional legislature, to be made up of representatives selected from the legislature of each zone in proportion to its population.<sup>63</sup> The national provisional legislature would then establish “a provisional government for a united Korea”.<sup>64</sup> The Soviet Government’s view was that a provisional all-Korean People’s Assembly should be constituted of representatives of democratic parties and organizations having 10,000 or more members, and which were known to “sincerely support the Moscow decisions and not be opposed to the Joint Commission or to the Allied Powers”. Representation of the northern and southern zones in the Assembly was to be equal.

(e) UNITED STATES PROPOSAL TO REFER THE QUESTION TO THE FOUR POWERS

22. On 26 August 1947, the United States Government proposed in a letter to the Soviet Foreign Minister that the question of implementing the Moscow agreement should be referred forthwith to the four Powers adhering to that agreement.<sup>65</sup> The letter appended certain proposals for consideration by the projected four-Power meeting.

23. The Chinese and United Kingdom Governments accepted the proposal for the four-Power meeting. In a letter to the United States Secretary of State, dated 4 September 1947, the Soviet Foreign Minister announced the refusal of the Soviet Government to participate in the proposed four-Power discussions, and rejected the United States proposals regarding the establishment of a provisional Korean government. The United States proposal was deemed “inexpedient” inasmuch as “the Joint Commission is still far from exhausting all its possibilities for working out agreed recommendations, which is entirely possible.”<sup>66</sup> Emphasis was placed on the alleged suppression by United States authorities of democratic organizations in South Korea, and on the view that the necessary condition for giving effect to the Soviet proposal regarding formation of a provisional all-Korean People’s Assembly was “free and unfettered activity of democratic parties and organizations”. It was considered that the United States proposals would “entail further separation in Korea since they provided for the

<sup>58</sup> Document A/AC.19/W.6, pages 23-24.

<sup>59</sup> A general declaration of willingness to uphold the Moscow agreement and abide by the decisions of the Joint Commission. For text of the declaration included in the *communiqué* of 18 April 1946, see document A/AC.19/W.6, page 6.

<sup>60</sup> Letter from Acting Secretary of State Lovett to Soviet Foreign Minister, 26 August 1947, document A/AC.19/W.6, pages 62-64. The quotation is from the letter of the Soviet Foreign Minister to the United States Secretary of State, 7 May 1947, document A/AC.19/W.6, page 24.

<sup>61</sup> Letter from Foreign Minister Molotov to the United States Secretary of State, 23 August 1947, document A/AC.19/W.6, pages 61-62.

<sup>62</sup> *Ibid.*

<sup>63</sup> Population of southern (United States) zone : approximately 19 million ; northern (Soviet) zone : approximately 9 million.

<sup>64</sup> Letter from Acting Secretary of State Lovett to Foreign Minister Molotov, 26 August 1947, document A/AC.19/W.6, page 62.

<sup>65</sup> *Ibid.*

<sup>66</sup> Document A/AC.19/W.6, pages 64-67.

creation of separate provisional legislative assemblies in Southern and Northern Korea", and thus that the "abnormal situation" whereby the country was divided into two zones would be consolidated. The United States Government then brought the question of Korean independence before the United Nations (see chapter I).

(f) POLITICAL ACTIVITY IN SOUTH KOREA DURING THE SECOND HALF OF 1947

24. Meanwhile the sessions of the Joint Commission had been accompanied by increased activity of the Korean political parties. Anti-trusteeship demonstrations were held in Seoul at the end of June and when the United States Chief Commissioner censured the instigators for their actions, a vigorous protest was made on 4 July by 150 representatives of 70 rightist organizations. The petitions demanded the establishment of a Korean provisional government by a general election in North and South Korea, the resignation of the Civil Administrator and the suspension of the official newspaper of the South Korea Labour Party.

25. The leftist parties, on the other hand, tried to discredit their opponents, branding them as pro-Japanese and "national traitors" and contrasting their own support of the Joint Commission to this rightist opposition. The collapse of the Joint Commission's negotiations was welcomed by the rightists, who had hoped for and advocated such a result. The leftists were disheartened and blamed the United States for it.

26. After the Korean question had been referred to the General Assembly of the United Nations, the attitude of the political parties and leaders was mainly reflected in their reaction to the several proposals under discussion at United Nations headquarters.

27. The rightist parties and some moderate groups favoured immediate elections. The rightist National Association for the Rapid Realization of Korean Independence at this time proposed that Mr. Rhee should be sent to Lake Success as representative of the Korean people.

28. Moderate leaders meanwhile were engaged in a number of attempts at organization and consolidation. In September, the Democratic Independence Party came into being, largely as a result of the work of Mr. Kim Kiusic and Mr. Ahn Chae Hong.

29. A further consolidation of the moderate parties of the centre was effected in October with the formation of the National Independence Federation. Again Mr. Kim Kiusic and Mr. Ahn Chae Hong were the prime movers of this Federation, which included among others the Social Democratic Party, the Democratic Korean Independence Party, the New Progressive Party and the Popular Alliance.

30. The objectives of the Federation were (1) a joint conference of North and South Korean political leaders; (2) a general election; (3) withdrawal of United States and Soviet troops; (4) the unifica-

tion of the moderate elements in South Korean politics. On 20 December, the National Independence Federation, now including fifteen participating political groups ranging from moderate right to moderate left, held its first meeting in Seoul. Its policies included a meeting of North and South Korean political party representatives to expedite the establishment of a unified government and the immediate recall of United States and Soviet troops.

31. Leftist activities were highlighted by a statement of the Chief of Police concerning planned riots for 15 August 1947. It was alleged that the South Korea Labour Party had developed an elaborate plan to discredit the Korean police and the United States in Korea. In this atmosphere of excitement, accompanied by all sorts of rumours and reports, the rightist parties felt justified in demanding that all parties and social organizations connected with the South Korea Labour Party be disbanded. On 9 August, the police began to arrest suspects. It should be noted that eventually no riots developed.<sup>67</sup>

32. In the rightist camp throughout the second half of 1947, there were rumours of attempts to merge the rightist forces of Mr. Kim Koo and Mr. Rhee Syngman, but while these seemed often near fruition, they never really materialized.

(g) SITUATION AT THE END OF 1947

33. Meanwhile, during November, the attitudes of the Korean political parties towards an election under the auspices of the United Nations became clearer. An attempt was made to form a group advocating a joint meeting of North and South Korean political leaders known as the Council of Twelve Parties, but before the month was over, the extreme rightists had withdrawn and the whole movement foundered upon the question whether, in case of a Soviet boycott, there should be elections in South Korea alone.

34. Towards the end of the year 1947, the attitudes towards the United Nations Commission appeared to be as follows: the extreme rightists were favourable, while the extreme leftist group continued to oppose the Commission; Mr. Kim Koo and his Korean Independence Party were wavering in giving a decision regarding support of an election in South Korea. The moribund Council of Twelve Parties (of the moderate left) was clearly in favour of an election, but only if held in both North and South Korea. Mr. Kim Kiusic gave no indication of his attitude. It is worthy of note, however, that when, on 12 December, the official National Reception Committee was organized to receive the United Nations Commission, both Mr. Kim Kiusic and Mr. Kim Koo joined with Mr. Rhee and other extreme rightists and consented to have Mr. Chough Pyong Ok, Director of the Department of Police, as Chairman. Mr. Rhee meanwhile continued his propaganda for immediate elections.

<sup>67</sup> See *South Korea Government Activities*, No. 25, October 1947, page 134.

(h) SOUTH KOREA

*Political organizations at the beginning of 1948*<sup>68</sup>

35. The organization of political parties and movements in South Korea is a relatively recent development and in consequence they tend to be for the most part of a fluctuating character. New parties and combinations emerge and political alignments change, often at short notice. A characteristic feature of South Korean political life is the large number of political groups, many of them small in size and whose origins are to be found in personal rather than ideological factors. The officially claimed membership frequently bears little relation to their actual political significance. A related characteristic is that "social organizations", in the terminology of the United States-Soviet Union Joint Commission, frequently have a decided political orientation and programme. Examples may be found not only amongst the trade unions but in cultural, civic and professional organizations.<sup>69</sup> In January 1948, the total number of political parties and social organizations registered at the national level in accordance with United States Army Military Government in Korea Ordinance No. 55 was 354.<sup>70</sup>

36. While, therefore, it would be unreal to set down any rigid classification, certain major parties and organizations which have maintained some consistency of political attitude and organizational form may be distinguished. It is to be noted that the major parties of the right, since they appear to have the advantage of some influence in the South Korean administration, have been able to develop an effective network of organization covering the whole country. The leftist parties, on the other hand, in present circumstances do not enjoy the same favourable position and thus have not been able to maintain an effective and comprehensive framework of organization.

37. On the right, the major organizations were the Hankook (Korean) Democratic Party (Chairman : Mr. Kim Sung Soo), the National Association for the Rapid Realization of Korean Independence (Chairman : Mr. Rhee Syngman), the Korean Independence Party (Chairman : Mr. Kim Koo), the Chosen Democratic Party, representing refugees from North Korea, of which the Chairman *in absentia* was Mr. Cho Man Sik,<sup>71</sup> and the various youth organizations, including the Dai Dong Youth Group, the North West Youth Association, the General Alliance of Korean Young Men, and the Great Korean Independent Young Men's Group. The influential National Youth, Inc., sponsored officially by the United States military government, should also be mentioned, though its

constitution declares it to be "non-political . . . as a movement".<sup>72</sup>

38. The Hankook Democratic Party is probably the most effectively organized of the rightist groups. It has the support of some of the largest land-owners in Korea and through its connexions in the rural areas has been able to build up a relatively wide-spread network of local organization. It has been suggested that the party had the goodwill of the whole Korean administration and, more particularly, of the members of the National Police. These claims were repudiated both by the Chairman of the party and the Director of National Police.

39. The National Association for the Rapid Realization of Korean Independence was in its origin less a political party than a combination of various societies and individuals pledged to the general objective of the early attainment of Korean independence. In the period of preparation for the elections, however, and in presenting candidates, the Association served as the organizational means for extending Mr. Rhee Syngman's political influence throughout South Korea. To a considerable extent his influence derives also from the support accorded by certain of the rightist youth organizations.

40. The Korean Independence Party, which does not appear to have the same efficient organization as the above-mentioned parties, has gained a large measure of its support from the personal prestige of its leader, Mr. Kim Koo, who embodies the traditions of the struggle for independence centred in the Provisional Government established after the Declaration of Independence of 1 March 1919. Mr. Kim's influence is further strengthened by his following among certain sections of the youth organizations.

41. The youth organizations of the right, several of them having a large membership, are undoubtedly important political factors in South Korea. Though not organized as political parties, some of them, in particular the Dai Dong Youth Group and the National Youth, Inc., sponsored their own candidates in the elections of 10 May. In the main they have served as an important auxiliary for the political leaders to whom they attach their allegiance.

42. The moderate political groups established as a loosely-knit coalition the National Independence Federation which, early in 1948, embraced fourteen political parties of moderate and moderate left persuasion and some fifty social organizations.<sup>73</sup> Being of very recent origin, the Federation has had little time in which to develop an effective organization outside Seoul, though branches exist in some of the provinces.

43. A grouping of moderate and leftist parties, together with the rightist Korean Independence Party (subject to reservations concerning action by the Council), was established at the end of 1947 as

<sup>68</sup> Concerning political organizations in North Korea, see paragraphs 4-7 above. Additional reliable information has not been available.

<sup>69</sup> Volume II, Annex VI : document A/AC.19/60/Rev.1.

<sup>70</sup> Memorandum, 22 January 1948, Headquarters United States Army Military Government in Korea : Department of Public Information, Bureau of Public Opinion.

<sup>71</sup> Reported to be under house detention in North Korea.

<sup>72</sup> Document A/AC.19/W.39/Add.3.

<sup>73</sup> Paragraphs 29-30 above and document A/AC.19/NC.4 (Annex).

the South Korean Political Parties Council. Its more important original members, in addition to the Korean Independence Party, included the following: Labouring People's Party, Democratic Korean Independence Party, Democratic Independence Party, New Progressive Party, Social Democratic Party and People's League (Alliance). The Council continued as a political entity though with some internal dissensions over policy, reflected in the withdrawal of some of the more moderate groups. For the most part its component parties are members also of the National Independence Federation and on major issues, such as those of the elections in South Korea and the proposal for a joint conference of North and South political leaders, the views of the two organizations have been similar, though leftist views were more evident in the Council.

44. The major political organizations of the left were the South Korea Labour Party (former Communist Party), the Democratic National (People's) Front, the People's Republican Party, the Chundo-Kyo Young Friends' Party and the Labouring People's Party (the latter's leadership has reflected both moderate and leftist influences within the party). If any distinction is to be made amongst the parties and organizations of the left, it would be in terms of the extent to which any groups adheres to the clearly defined communist line of policy expressed in the programme of the South Korea Labour Party. A distinctive organization of the left is the Democratic National Front, which is a broad federation of political parties, trade unions, farmers', women's, cultural and other associations. It has maintained a consistent South Korea Labour Party ideology in its leadership, though variations of political programme may occur in some of the constituent bodies.

45. Following the disturbances of August 1947, many of the extreme leftist leaders were arrested for alleged violation of existing laws and ordinances and, by the beginning of 1948, the major organizations of the extreme left continued their activities underground. How far the changed circumstances had weakened their political influence, it would be difficult to estimate, but the attempt to initiate a "general strike" on 7 February 1948 met with little apparent response beyond localized attacks on police stations and communications (see paragraphs 63-65).

#### *Structure of government*

46. The framework of governmental authority within which the above political groups operated was that of the South Korean Interim Government. While, in the first stages of the occupation, the United States authorities replaced the outgoing Japanese administrative personnel almost completely with Americans, the officially declared policy was that of "Koreanization" for purposes of government and administration. In the words of the United States Military Governor:

"I want more and more responsibility placed on the Koreans and more and more I desire that

the Americans withdraw to positions that are purely advisory and inspectoral . . . It has been our objective from the beginning to get the Korean government organized so that it could run itself in exactly the same manner, subject only to limited controls to be exercised by the Americans."<sup>74</sup>

47. The major steps taken in carrying out this policy were:

(a) The entire replacement of the American elements in the executive branch of the Military Government (the Directorate) by Koreans in August 1946 and the vesting of responsibility in the Directorate, consisting of twenty-two departments and bureaux headed by a Korean Civil Administrator, for the executive functions of military government. All members of the Directorate were appointed by the Military Governor and acted under his authority, while in each department and bureau, both centrally and in the provinces, United States officials participated in an advisory capacity.

(b) The establishment of the Korean Interim Legislative Assembly under United States Army Military Government in Korean Ordinance No. 118, of 24 August, as "a Korean legislative body".<sup>75</sup> The Assembly was declared competent to "enact ordinances on matters affecting general welfare and interest and on such matters as may be referred to it by the Military Governor", but such ordinances had effect as law only when concurred in by the Military Governor. In the event that the Military Governor did not concur in any ordinance, he "will return it to the legislature with a written statement of reasons for non-concurrence". The Military Governor also had power to dissolve the Assembly, approve new members, and require new elections to be held. Section XI of the ordinance further indicated that "all duties and powers of the Korean Interim Legislative Assembly under this ordinance shall be exercised under the authority of the military government in Korea, until the establishment of a provisional Korean democratic government."

(c) The establishment of an all-Korean judicial system.

48. The changes leading to the establishment of the South Korean Interim Government were formally recognized in Ordinance No. 141 of 7 May 1947, which states *inter alia* that:

"The Korean elements of the United States Army military government in Korea concerned with governing Korea south of 38 degrees north latitude, including the legislative, executive and judiciary branches, are hereby designated as the South Korean Interim Government."

The situation at the beginning of 1948 thus appeared to be that a self-contained unit, composed solely of Koreans and operating in the legislative, executive and judicial spheres, had been developed

<sup>74</sup> *Summation of United States Army Military Government Activities in Korea*, No. 19, April 1947, page 11.

<sup>75</sup> See paragraphs 8-11 above.

within the framework of the United States military government to assume responsibilities analogous to those of the normal governmental process.

49. However, in each sphere, legislative, executive and judicial, the supreme authority of the Military Governor prevailed. Executive acts of the Directorate and the bills passed by the Korean Interim Legislative Assembly required his approval. In two important cases — namely, those of the Special Law dealing with National Traitors, Collaborators and Profiteers and of the Temporary Constitution of Korea (Chosen), both passed by the Legislative Assembly — the non-concurrence of the Military Governor, in the face of considerable pressure from members of the Assembly, prevented the measures from taking effect of law.<sup>76</sup>

50. A further limiting condition on the authority of the South Korean Interim Government has been the presence of United States advisers in the central departments and in the provincial administrations (chief civil affairs officers). It has been stated that such advisers, in practice, assumed more than a purely advisory role and, for some time, exerted a considerable influence in the shaping of policy.<sup>77</sup> Commenting on the relation between the United States advisers and their respective Korean directors (heads of departments) the Military Governor, Major General William F. Dean, stated at a Press conference on 12 February 1948 :

“As long as the United States is holding representatives of the United States responsible for funds appropriated by the United States, the United States is going to look to the Adviser to see that those funds are distributed to the ultimate recipient according to the dictates of the Congress which appropriated those funds. The Adviser is going to be held responsible to me. For Korean funds the Korean Director is responsible. For the Police Department, as far as the protection of the Korean people and the Korean Government is concerned, the Director of Police is concerned. I feel that I am responsible if things get so out of hand that the whole economy of South Korea is damaged to such an extent that we fail in our mission in establishing a democratic stable government. In the over-all analysis, if action is taken by any Director as long as I am here that I feel is going to wreck our efforts in establishing a stable government for the Koreans, then I feel I am responsible.”<sup>78</sup>

51. As far as local government is concerned, on 15 November 1946 Military Government Ordinance No. 126 provided for the election under democratic principles of local officials from village councillors and headmen up to mayor and provincial governor. However, in view of deeply rooted traditions, the ordinance could not be put into effect and such officials continued to be

appointive. From the viewpoint of Korean social development the proposed change was significant. The local unit of government assumes great importance in a predominantly rural community where communications are poor and illiteracy widespread. In the absence of elected officials, the formal machinery developed by the Japanese remained the basis of local administration. Thus one observes a graded system of authority from the provincial governor or mayor downwards to the village headman and the Pan<sup>79</sup> leader. In the village, township or ward of a city, the influence of the latter, in their respective fields, is all-pervasive. Their significance in political life as well as in matters of day-to-day local administration can scarcely be over-estimated.

#### *Police and security forces*

52. A factor of special significance in the South Korean Interim Government is the position held by the Director of National Police. The Civil Administrator, Mr. Ahn Chae Hong, chief official of the Directorate of the Interim Government, indicated in a hearing before Sub-Committee 2 of the Temporary Commission that the Director of National Police was nominally responsible to the Civil Administrator as far as the routine aspects of his governmental functions were concerned. The Civil Administrator stated further, however, that “in the technical part, it is not quite well understood by the Department of National Police that whatever the Civil Administrator says must be obeyed. This is not well performed yet”.<sup>80</sup> The Director of National Police himself stated to Sub-Committee 2 that, while he was appointed by and was responsible to the Military Governor, in the exercise of his functions “personal power has been given to me direct by the Military Governor”.<sup>81</sup>

53. The Director of National Police in March 1948 had at his disposal a total strength of 30,185 officers and men, of whom 1,936 were officers.<sup>82</sup> It was emphasized by the Commanding General, United States Army Forces in Korea, in a statement before Sub-Committee 2 on 7 February 1948, that :

“The police force strength of South Korea is at the rate of less than 1.5 men per thousand people. The over-all for the United States is almost two per thousand, and in the cities of the United States (I say the United States because it is my own country and I know it best) it runs well over two per thousand people. By those standards in numbers, I can establish that we are under-policed in South Korea. The constabulary and our soldiers do not perform police duty. Neither of them is engaged at present, nor have they been engaged to a great extent, in law enforcement.”<sup>83</sup>

54. As indicated by the Commanding General, United States Army Forces in Korea, the South Korean constabulary, which, in the first months of

<sup>76</sup> *South Korean Interim Government Activities*, No. 27, December 1947, page 201.

<sup>77</sup> G. M. McCune : *Korea's Postwar Political Problems*, pages 15-16.

<sup>78</sup> *Press Release*, 12 February 1948 : South Korean Interim Government, Department of Public Information.

<sup>79</sup> “Block association” of 10 to 20 households.

<sup>80</sup> Document A/AC.19/SC.2/PV.13, page 5 (Volume III).

<sup>81</sup> Document A/AC.19/SC.2/PV.14 (Volume III).

<sup>82</sup> Document A/AC.19/W.32.

<sup>83</sup> Document A/AC.19/SC.2/PV.16 (Volume III).

1948, had a strength of approximately 23,000, has not normally engaged in police duties of law enforcement, but has had the duties of guarding important establishments, including docks, warehouses, railroad bridges and tunnels, ships in port, etc.<sup>84</sup> However, in emergency situations, such as that which arose in April and May on Cheju Island, where guerrilla attacks on police stations and registration places were frequent,<sup>85</sup> the services of the constabulary were utilized to reinforce the police.

#### *Attitudes towards the United Nations Temporary Commission on Korea*

55. Various attitudes were assumed by the major political groups towards the Commission after its arrival in Seoul early in January 1948. At first all parties, with the exception of those of the extreme left and certain closely allied leftist parties, announced with varying emphasis their appreciation and support. Once it became clear, however, by the beginning of February, that it would be impossible for the Commission to observe elections north of the 38th parallel, and particularly after the decision of the Interim Committee of the General Assembly,<sup>86</sup> the Korean Independence Party and most parties of the National Independence Federation modified their attitude towards the Commission and expressed opposition to the holding of elections under the observation of the Commission in part of Korea only. The major leftist parties and organizations, with some variation of emphasis, urged from the time of the Commission's arrival that it should cease its activities and leave the Koreans to settle their problems themselves. A characteristic charge levelled at the Commission by these groups was that it acted only as the servant of United States "imperialism".

#### *The elections issue*

56. By the end of January, the question of elections had become the issue upon which all political interests and attitudes were concentrated. Before it was made certain that elections could not be held throughout Korea, the major political organizations, except those of the extreme left and its affiliates, were in principle in favour of an election under the observation of the Commission in all Korea. The moderate groups and the Korean Independence Party however attached certain conditions regarding the freedom of atmosphere considered essential for such a general election. By the beginning of February, in view of the Commission's inability to enter North Korea,<sup>87</sup> the political situation was dominated by support for and opposition to the holding of elections in the southern part of Korea only.

57. The major aspects around which controversy developed were: (i) the problem of re-establishing the unity of Korea, (ii) the conditions considered

essential for the holding of a free and democratic election, and (iii) the attitude towards the occupying Powers and their military forces.

#### *The problem of unification*

58. Of the rightist parties, the Hankook Democratic Party and the political followers of Mr. Rhee Syngman, given the impracticability of an all-Korean election, were strongly in favour of an election in South Korea only. It was the view of these parties that such an election should lead to the establishment of a National Government, since two-thirds of Korea's population were in South Korea and special electoral districts were to be provided to give representation to refugees from North Korea. Such a National Government established in South Korea, with the temporary assistance of what Mr. Rhee termed a "small token force" from the United States, would be able to organize its own national defence and in time, given the support of world opinion and of the United Nations, would be able to unify Korea.

59. The Korean Independence Party of Mr. Kim Koo, however, considered that such an election would perpetuate the division of Korea rather than lead to its eventual unification. This view was shared by the moderate parties and organizations of the National Independence Federation.

60. As an alternative to the holding of elections in South Korea, Mr. Kim Koo and Mr. Kim Kiusic initiated, in early February, a proposal for a joint conference of political leaders from North and South Korea.<sup>88</sup> At one stage, early in February, it appeared that Mr. Kim Koo, Mr. Kim Kiusic and Mr. Rhee Syngman had reached some measure of agreement whereby the two former leaders, in the event that the joint conference proposed proved unsuccessful, would be prepared to waive their objections to the holding of elections in South Korea, while Mr. Rhee was apparently willing at least not to oppose the attempt to convene the joint conference.<sup>89</sup> Following the announcement of the terms of the resolution of the Interim Committee, however, Mr. Kim Koo and Mr. Kim Kiusic and their respective adherents reiterated their intention of proceeding with the project for a North-South political conference and reaffirmed their opposition to the holding of elections in South Korea only.

61. A significant aspect of the elections controversy was the rift in political relations between Mr. Kim Koo and the other rightist political leaders and the former's alignment with the moderate groups led by Mr. Kim Kiusic. Early in January 1948, a measure of unity had apparently been established in the reported merger<sup>90</sup> of the National Congress, under Mr. Kim Koo's influence, and an organization developed by Mr. Rhee Syngman, the National Representative Assembly of the Korean

<sup>84</sup> Document A/AC.19/W.32.

<sup>85</sup> Documents A/AC.19/SC.5/SR.6 and A/AC.19/SC.12/SR/1 (Volume III).

<sup>86</sup> See chapter IV, B.

<sup>87</sup> See chapter IV, A.

<sup>88</sup> See paragraphs 82-92 below.

<sup>89</sup> Document A/AC.18/28, pages 14 and 19: statement of Mr. K. P. S. Menon, Chairman of the United Nations Temporary Commission on Korea, at the Interim Committee meeting on 19 February 1948.

<sup>90</sup> *South Korean Interim Government Activities*, No. 28, January 1948, pages 176-177.

People. However, on making public his views,<sup>91</sup> expressed on 26 January 1948 before Sub-Committee 2 of the Commission against the holding of elections in South Korea and favouring early withdrawal of foreign troops and the convening of a North-South political leaders' conference, Mr. Kim Koo became subject to the strongest criticism from other rightist groups and politically isolated from them.

62. As far as the parties and organizations of the left are concerned, their attitude has consistently been that no election should be held in Korea except by agreement of Koreans in both North and South Korea and under Korean auspices only. If, contrary to this opinion, an election were to be held, under the observation of the United Nations Temporary Commission in South Korea alone, there would be no representation of moderate or leftist elements who, under these circumstances, would not participate. The result would be the establishment of a government composed mainly of rightist elements, and this would not only contribute to the perpetuation of the present artificial division of the country, but would also nullify possibilities of an arrangement between North and South Korea. The South Korea Labour Party and the Democratic National Front continued to demand cessation of the Commission's activities in Korea, joint withdrawal of the foreign occupation forces and establishment by the Koreans themselves of a unified democratic government.

63. In furtherance of these demands, on 7 February 1948, the so-called "South Korean All-Out Strike Committee against the United Nations Commission on Korea" issued a "Declaration of Strike"<sup>92</sup> which, in addition to affirming the leftist objections to the activities of the Commission and elections in South Korea, urged support for political and economic measures such as implementation of labour and social insurance laws, raising of wages by 300 per cent, increase of the rice ration, confiscation of land from landowners and its free distribution to farmers and vesting of governmental authority in the People's Committees.<sup>93</sup>

64. The movement caused sporadic outbreaks of violence in six provinces of South Korea. Between 7 February and 19 March, according to information received from the United States authorities,<sup>94</sup> there were 139 attacks on police boxes, 28 police killed and 53 wounded, 19 non-rioters and 78 rioters killed, 53 railroad locomotives sabotaged, 10 rail lines cut, and 106 cases of sabotage of communications. On 26 February 1948, the Director of National Police was reported to have stated that the total number of persons arrested in consequence of the outbreaks was 8,479.<sup>95</sup>

65. Commenting on the significance of the outbreak, the Commanding General United States

Army Forces in Korea declared, on 10 February, in a letter to the Commission :

"The demonstration is referred to by the Communists as a 'general strike' . . . . As a matter of interest, our information is that in all South Korea only a few hundred persons in small plants struck and in almost every case they were under heavy coercion and threats of violence from agitators. . . . Despite the inclusion of legitimate with illegitimate, of labour with political, demands, the display of power by the Communists over the past weekend is a good indication of their basic weakness and small following in South Korea."<sup>96</sup>

#### *Resolution of the Korean Interim Legislative Assembly concerning the elections*

66. Political controversy concerning the elections was reflected during February in the Korean Interim Legislative Assembly. On 19 February, an "urgent proposal" was presented by forty rightists, two moderates and one leftist member "sincerely requesting" the United Nations Temporary Commission to supervise a general election "within the possible area at the present time" and to "assist in the establishment of a formal sovereign, independent and unified government". Lengthy procedural debates followed on the proposal, culminating in the withdrawal from the Assembly Chamber of the Speaker, Mr. Kim Ki-uc, the Vice-Chairman, and more than twenty members.<sup>97</sup> They later explained that they "could not dare to take the burden of responsibility for causing a split in the land and in the people".

67. Subsequently, the original resolution, modified in form though not in substance, was carried on 23 February at the 206th session by a vote of forty to nil, with two abstentions. As an aftermath of the incident, the chairman of the Legislative Assembly, Mr. Kim Ki-uc, resigned on the stated grounds of ill-health. The Vice-Chairman and twenty-eight other political adherents of the moderate and leftist groups also presented their resignation as members of the Assembly.

#### *Question of civil liberties*

68. An aspect of the elections which caused considerable controversy was the extent to which political and social conditions in South Korea would permit the holding of elections in a free and democratic atmosphere. While the rightist groups, with the exception of the Korean Independence Party, were satisfied that such conditions existed in South Korea, the moderate and left point of view was that, in the application of existing laws and regulations, there were serious limitations on the freedom of expression, of Press, assembly and association. Attention was drawn during the hearings of Sub-Committee 2 to the non-existence at that time of *habeas corpus*,<sup>98</sup> to restrictions upon the right of assembly and to the police system under

<sup>91</sup> Document A/AC.19/SC.2/PV.6 (Volume III).

<sup>92</sup> Document A/AC.19/W.22/Add.4 (enclosure 2).

<sup>93</sup> See paragraphs 4 to 8 above.

<sup>94</sup> Document A/AC.19/W.22/Add.6.

<sup>95</sup> Document A/AC.19/W.22/Add.5.

<sup>96</sup> Document A/AC.19/W.22/Add.4.

<sup>97</sup> Documents A/AC.19/NC.12 and Add.1.

<sup>98</sup> Document A/AC.19/SC.2/PV.14, page 8 : statement of the Chief Justice of the Supreme Court (Volume III).

which it was claimed that the National Police operated as an independent organization not in fact responsible to the civil administration. Criticism from moderate and leftist circles was also directed at the allegedly high proportion of Japanese-trained officers in the National Police<sup>99</sup> and at the alleged connexions of the police with certain rightist political parties. In relation to the elections, the conclusion drawn by the moderates and left was that such alleged conditions prejudiced any free atmosphere in favour of certain political groups.

69. These claims were disputed or dismissed as mere partisan propaganda by the rightist organizations favouring the holding of elections in South Korea. They, in turn, pointed to the dangers of Communist abuse and contended that there was such freedom of atmosphere as might endanger the public peace. As regards the alleged political sympathies of the Korean police, they also disclaimed any monopoly of political connexions with members of the National Police.

70. A further source of controversy was the question of political prisoners. The rightist parties, with the exception of Mr. Kim Koo's party, denied that political prisoners existed in South Korea, while most moderate and all left and extreme left organizations claimed that many persons were either in jail or under investigation for offences purely political in character.

71. Political differences also arose during the pre-election period in regard to the alleged influence of so-called "pro-Japanese" and "national traitors" in South Korean politics. On 2 July 1947, after considerable controversy, the Korean Interim Legislative Assembly had passed the Special Law dealing with National Traitors, Collaborators and Profiteers,<sup>100</sup> which provided stringent measures against persons who might be designated as coming within broadly defined categories of "pro-Japanese" elements. The feeling of certain groups against persons closely associated in positions of authority with the Japanese régime was also reflected in provisions of Public Act No. 5<sup>101</sup> of the South Korean Interim Government prohibiting or limiting the electoral rights of certain classes of such persons. Moderate and leftist political groups continued to press their criticism of persons considered as "pro-Japanese", while the major rightist organizations denied the validity of such criticism.

#### *Attitude of United States authorities towards civil liberties*

72. The attitude of the United States authorities concerning civil liberties had been defined on 29 August 1945 in the governing instrument of occupation (Field Order No. 55) as follows :

"Freedom of religion shall be proclaimed. The freedom of Press, freedom of speech, freedom of assembly, and representative government

will be encouraged to the extent that the security of the military occupation and the attainment of its objects are not prejudiced."

73. Following the announcement on 3 March 1948 by the Commanding General, United States Army Forces in Korea, that elections would be held in the territory under his command on 9 May,<sup>102</sup> certain special measures were taken by the United States authorities to broaden the scope of civil liberties in South Korea. By Ordinance No. 176<sup>103</sup> of the South Korean Interim Government, effective 1 April 1948, changes in criminal procedure were introduced "so that the rights of the people to freedom from unlawful arrest and detention may be more adequately secured". On 5 April 1948 the Commanding General United States Army Forces in Korea, Lieutenant General John R. Hodge, issued a "Proclamation on the Rights of the Korean People"<sup>104</sup> which "in order to assure a free atmosphere" enumerated "the inherent liberties of the Korean people" who were to take part in the elections. The proclamation took the form of a "Bill of Rights" which formulated the fundamental liberties available to all citizens. Relevant provisions, as far as the elections were concerned, included the following :

"2. Personal liberty is inviolable, and any limitations upon it are not permissible, except by virtue of law duly enacted and promulgated.

"3. Dwellings are inviolable, and the right of the people to be secure in their persons, houses, papers and effects against unreasonable search and seizure shall not be violated, and such seizures and search may take place only by virtue of provisions of the law.

"4. Freedom of assembly and association, as well as speech, Press and all other forms of expression are recognized, including the use of all types of campaign handbills and wall posters; provided they are not inflammatory to the extent of inciting disorders or overthrow of government.

"9. The rights of meeting and forming associations shall be regulated by law. All citizens and groups of citizens have the right to petition the government and all organs thereof for a redress of grievances."

74. In regard to the role of the National Police in the elections, the South Korean Interim Government, on 27 January 1948, announced that the Director of the Department of National Police had issued special instructions to all police chiefs to ensure compliance with the Government's policy "that the democratic rights of freedom of speech, Press and assembly should be recognized, respected and safeguarded". On 2 March, the Director of National Police publicly stated the duties of the

<sup>99</sup> Document A/AC.19/SC.2/PV.7 (Volume III).

<sup>100</sup> Introduced as the Anti-co.laborators Bill : see paragraph 49.

<sup>101</sup> Section 2, Law for the election of members of the Korean Interim Legislative Assembly, 3 September 1947.

<sup>102</sup> On 5 April the Commanding General announced that the elections would be held on 10 May 1948 (document A/AC.19/58/Add.6).

<sup>103</sup> Volume II, Annex V; document A/AC.19/W.40.

<sup>104</sup> Volume II, Annex V; document A/AC.19/62.

police in connexion with the elections :

"Firstly, inasmuch as the general election is decided upon as national policy, all acts that interfere with it will be disposed of as unlawful, whether carried out by rightists or leftists. Secondly, in the process of holding the election, national police are prepared to enforce with fairness and severity all the laws and orders governing the election in order that a free environment may be created, in which every adult Korean will be able to cast his free and intelligent vote. A member of the national police may exercise his right to vote, but he is prohibited from engaging in political activities, not to mention promotion of the interests of a political party or parties."<sup>105</sup>

75. Concerning the question of political prisoners, it was the view of the United States authorities, during discussions with Sub-Committees 1 and 2 of the Commission, that persons alleged to be political prisoners had, in fact, been arrested because they had committed specific criminal acts such as murder, arson, counterfeiting, etc., and with the possible exception of some 700 in special categories, could not be regarded as political prisoners.<sup>106</sup> However, following the Commission's recommendations for the attainment of a free atmosphere for elections,<sup>107</sup> the Commanding General, United States Army Forces in Korea, advised the Commission on 8 April that a pardon had been granted by the Military Governor to over three thousand prisoners with a view to restoring to them their full civil rights, entitling them to register for voting and to become candidates in the elections.<sup>108</sup>

#### *Attitude towards the occupying Powers*

76. While all political organizations favoured the earliest possible attainment of Korean independence, their views differed in regard to the continued presence of occupation forces in Korea. The rightist parties, with the exception of Mr. Kim Koo's Korean Independence Party, considered the presence of United States military forces essential for the preservation of law and order until elections were held and an independent Korean Government established. It was Mr. Rhee Syngman's opinion<sup>109</sup> that the preparation of an adequate security force for South Korea required the temporary assistance of a "small token force" from the United States. On the other hand, the attitude of Mr. Kim Koo was that all foreign troops should be withdrawn from Korea in order to permit the holding of a general election throughout Korea in a free atmosphere.<sup>110</sup>

77. Moderate opinion tended to be divided on the question. Mr. Kim Kiusec at first expressed

the view that the United States forces should remain until an effective defence force had been established in South Korea.<sup>111</sup>

Other moderate leftist parties associated themselves with the persistent demand of the leftist organizations for the simultaneous and immediate withdrawal of all foreign troops from Korea.

#### *Attitude of the United States authorities towards the elections*

78. On 7 February, the Commanding General United States Army Forces in Korea indicated that the United States authorities had favoured a general election throughout Korea but that, in view of the non-co-operation of the North Korean authorities, he considered it essential that the people of South Korea should have the earliest possible opportunity of electing representatives and forming a government.<sup>112</sup>

79. On 3 March, the Commanding General, in a public statement in which he stressed the significance of the election for the Korean people, urged that voting was "the civic duty of every adult citizen. Anyone abstaining from voting forfeits his right to complain of actions or policies of a government resulting from an election in which he did not participate".<sup>113</sup>

80. Concerning the election law and regulations, the Commanding General declared :

"The elections will be carried out under laws and regulations drafted by representative Koreans after full and free discussion in the tradition of democratic procedure, and incorporating certain provisions to meet the requirements of the United Nations Temporary Commission on Korea to ensure democratic and free elections."<sup>114</sup>

He further assured the Korean people that, to assist in familiarizing them with election procedures, there would be "a systematic dissemination of information to the public concerning the elections, involving the maximum use of radio, Press, dropping of leaflets by plane, etc."<sup>115</sup>

81. Concerning the conditions in which elections were to be held the following quotation from a statement made by the Commanding General to a combined meeting of provincial governors and police chiefs at Seoul on 12 March 1948 indicates the attitude of the United States authorities :

"The principal item I wish to impress upon you is the absolute necessity for a free atmosphere for elections. This one feature is of more concern to the United Nations General Assembly and to the United Nations Temporary Commission on Korea than any other. Unless there are free elections we have gained nothing, because without free voting we will not have the will of the people expressed."

<sup>105</sup> Document A/AC.19/W.33.

<sup>106</sup> Volume II, Annex V: Document A/AC.19/52, paragraph 20.

<sup>107</sup> Document A/AC.19/53.

<sup>108</sup> Volume II, Annex V: Documents A/AC.19/61 and A/AC.19/61/Add.1.

<sup>109</sup> Hearing of Mr. Rhee Syngman, 26 January 1948 (document A/AC.19/SC.2/PV.5, Volume III).

<sup>110</sup> Document A/AC.19/SC.2/PV.6 (Volume III).

<sup>111</sup> Hearing of Mr. Kim Kiusec, 27 January 1948 (document A/AC.19/SC.2/PV.8, Volume III).

<sup>112</sup> Document A/AC.19/SC.2/PV.16 (Volume III).

<sup>113</sup> Document A/AC.19/41/Add.1.

<sup>114</sup> *Ibid.*

<sup>115</sup> *Ibid.*

(i) CONFERENCE OF POLITICAL LEADERS OF NORTH AND SOUTH KOREA

82. The idea of a conference of political leaders of North and South Korea, according to Mr. Kim Kiusic,<sup>116</sup> had its origins in the meeting of twelve parties in December 1947, when it was sponsored by Mr. Cho So Ang, President of the National Congress and a close associate of Mr. Kim Koo.

83. On 5 February 1948, the terms of a project for such a conference, later concurred in by Mr. Kim Koo, were brought to the attention of the Commission in a letter from Mr. Kim Kiusic which specified a procedure for selecting South Korean representatives to the proposed conference, for fixing its date and place and setting out certain prerequisites for the conference. The stated conditions were that "it will be necessary for the occupation forces to carry out the following :

"(a) Restore freedom to political offenders in the North and South;

"(b) Cancel or suspend warrants (orders) for arrest of political leaders;

"(c) Freedom of speech, Press, assembly, and association shall be effected;

"(d) The conditions and time of evacuation of both occupation forces shall be agreed upon."<sup>117</sup>

84. The proposal received the support of the moderate political groups associated with the National Independence Federation, while it was criticized as impracticable and undesirable by the rightist organizations, other than the Korean Independence Party. The left continued to characterize Mr. Kim Koo and Mr. Kim Kiusic as "reactionaries" and to press for the withdrawal of the occupation forces.

85. On 25 March a broadcast<sup>118</sup> over Pyongyang (North Korea) radio, in the name of the Central Committee of the Democratic People's Coalition Front, invited the Korean Independence Party, certain moderate and leftist parties and the parties or organizations of the extreme left, together with "all other South Korean parties, associations, organizations opposing separate elections in South Korea" to meet in conference on 14 April 1948 in Pyongyang with representatives of North Korean political parties and social organizations.

86. On 31 March, according to reports in the Korean Press,<sup>119</sup> Mr. Kim Koo and Mr. Kim Kiusic indicated that they had received a joint letter from Mr. Kim Il Sung and Mr. Kim Doo Bong, inviting them and thirteen other leaders of moderate and left political organizations to the conference in Pyongyang proposed for 14 April. It was at first reported that Mr. Kim Koo and Mr. Kim Kiusic had drawn the attention of the Northern leaders to the fact that the leaders and prominent members of certain political parties had not been included in the list of invitees and suggested that there should be preliminary conferences amongst interested indi-

viduals and organizations in the South as to the basis of representation at the conference. However, Mr. Kim Koo and Mr. Kim Kiusic decided to accept the invitation, together with the representatives of moderate and leftist parties and organizations who had been invited.

87. Prior to their departure, Mr. Kim Koo and Mr. Kim Kiusic reached agreement on the following principles, which were accepted<sup>120</sup> by the Northern leaders as a basis for discussion :

"(a) Any form of dictatorship shall be rejected and a truly democratic government should be established.

"(b) Monopolistic capitalism should be rejected and private property ownership should be recognized.

"(c) A unified central government shall be established through a general election of the entire nation.

"(d) No military bases shall be allowed to any foreign Power.

"(e) Regarding the early withdrawal of the two (United States-Soviet) occupation forces, the two Powers concerned should immediately open negotiations for reaching an agreement as to the time and conditions (re prerequisites and provision for the aftermath) of withdrawal and make a definite pronouncement to the world."<sup>121</sup>

88. The attitude of the United States military authorities in South Korea towards the conference is indicated in the following comment made by the Commanding General, United States Army Forces in Korea :

"It is interesting to note that the Korean heads of the Communist government of North Korea themselves are naming the South Korean representatives to be invited. They did not give to South Koreans any choice as to whom the South Koreans should name to represent them. . . . In their invitations, the North Koreans have failed to invite the well-known leaders of several major parties of South Korea. They invited only those who opposed democratic elections, which will provide the only way of determining whom the Korean people wish to represent them. . . . There can be no doubt but that these same North Korean individuals are laying down all the conditions for the conference. . . ." <sup>122</sup>

89. The conference, known formally as the Joint Conference of South and North Korean Political and Social Representatives, opened on 19 April 1948 and, according to the report of its credentials committee, consisted of 695 representatives from sixteen political parties and forty social organizations of North and South Korea.<sup>123</sup>

<sup>120</sup> Document A/AC.19/SC.4/SR.8, page 2 (Volume III).

<sup>121</sup> Document A/AC.19/W.43/Add.3.

<sup>122</sup> Document A/AC.19/43/Add.1.

<sup>123</sup> Twenty-four South Korean parties and organizations signed the message of the conference to the Korean people (document A/AC.19/W.43/Add.4, pages 3-6).

<sup>116</sup> Document A/AC.19/SC.2/PV.8, page 26 (Volume III).

<sup>117</sup> Document A/AC.19/NC.5.

<sup>118</sup> Document A/AC.19/W.43.

<sup>119</sup> *Seoul Shin Mun*, 1 April 1948.

90. The results of the conference found expression in three documents <sup>124</sup> :

(a) The decision of the conference on the Korean political situation, 25 April;

(b) A message to the Korean people, 25 April;

(c) A message to the Governments of the United States of America and the Union of Soviet Socialist Republics, 26 April.

In each of these documents, strongly worded views were expressed opposing the elections in South Korea and condemning United States policy in Korea.

91. The message, dated 26 April 1948, to the United States and Soviet Governments urged "the immediate interruption" of the work of the United Nations Temporary Commission and its "prompt withdrawal" from Korea and requested that the two Governments "simultaneously withdraw their troops, that we may establish our own government by our free democratic election under national unity". In South Korea, the Commanding General United States Army Forces in Korea announced on 5 May that a copy of the message had been received and forwarded to Washington for his Government's information. In the same statement, Lieutenant General John R. Hodge remarked : "I can state categorically that my nation does not want to keep troops in liberated Korea one day longer than necessary to keep our promises to the Koreans to establish an independent Korean nation, as made in international conferences and agreements."<sup>125</sup> In North Korea, the Soviet Commanding General delivered to the Chairman of the conference, Mr. Kim Doo Bong, on 7 May 1948, a reply in the name of the Government of the Soviet Union. The reply concurred in the view that the simultaneous withdrawal of Soviet and United States troops was "an essential condition for the expression of the free will of the Korean people" and it further announced that "the Government of the Union of Soviet Socialist Republics has had the necessary arrangements made for the immediate withdrawal of its troops from Korea in order to make the United States troops withdraw from Korea simultaneously."<sup>126</sup>

92. Following the sessions of the main conference, which ended on 26 April and in which Mr. Kim Koo and Mr. Kim Kiusic participated little or not at all, discussions were held by the four North and South leaders, namely Mr. Kim Il Sung, Mr. Kim Doo Bong, Mr. Kim Koo and Mr. Kim Kiusic. On 30 April 1948, a statement was assented to by the representatives of thirty-three North and South political parties and social organizations present at a later conference.<sup>127</sup> The political programme proposed was :

(a) That foreign troops should immediately and simultaneously withdraw from Korea; and that thereupon no internal strife would be permitted;

(b) That following such withdrawal an all-Korea convention was to be called by the signatory parties for the purpose of forming a "democratic provisional government". The provisional government would then "elect, on the principles of universal, direct and equal elections and on the basis of a secret ballot, a united Korean Legislative Organ, which, in turn, shall adopt a constitution which shall be the permanent constitution according to which the unified national government shall be formulated."<sup>128</sup>

#### (j) NORTH KOREA

##### *Political trends during the period January to May 1948*

93. The opportunity of direct acquaintance with political conditions in North Korea was denied to the Commission.<sup>129</sup> Consequently its sources of information were limited primarily to Pyongyang (North Korea) radio broadcasts,<sup>130</sup> which have included official news items, commentaries and speeches by governmental and political personalities and excerpts from the North Korean Press.

##### *Structure of government*

94. In North Korea, formal executive authority has been vested in the North Korea People's Committee since its establishment by the National Assembly of North Korea (also termed the North Korean People's Council) at its session of 21-22 February 1947.<sup>131</sup> The North Korean People's Committee consists of the heads of the various administrative bureaux and has as its chairman Mr. Kim Il Sung. At its February 1947 session, the North Korean People's Council also established a presidium of eleven members to act while the Council was not in session, and a Supreme Court of North Korea.

95. At its third session, on 18 November 1947, the North Korean People's Council set up a "provisional Korean constitution drafting committee" to prepare a draft constitution for Korea. On 10 February 1948, the text of a draft constitution<sup>132</sup> for a "Democratic People's Republic of Korea" was published and submitted to the "general public for popular discussion". On 29 April 1948, at an extraordinary session of the North Korean People's Council, the draft constitution was formally adopted "subject to the approval of an all-Korean legislative assembly in the future".<sup>133</sup>

96. The constitution provides for the establishment of a Democratic People's Republic of Korea, of which the capital is to be Seoul. However, Pyongyang is declared the capital, "pending the formation of a united Government" (article 101). Legislative authority is vested in the Supreme

<sup>128</sup> Text cited by Mr. Kim Kiusic : document A/AC.19/SC.4/SR.8, page 7 (Volume III).

<sup>129</sup> See chapter IV.

<sup>130</sup> *Radio Intercepts*, issued in English by Headquarters XXIV Corps, Office of the Assistant Chief of Staff, G-2, Seoul.

<sup>131</sup> See paragraph 7 above and G. M. McCune : *Korea's Postwar Political Problems*, page 26.

<sup>132</sup> Document A/AC.19/W.25.

<sup>133</sup> Document A/AC.19/W.25/Add.1.

<sup>124</sup> Document A/AC.19/W.43/Add.4.

<sup>125</sup> Document A/AC.19/W.43/Add.5.

<sup>126</sup> *Ibid.*

<sup>127</sup> Document A/AC.19/W.43/Add.4, section D.

People's Council, designated as "the supreme organ of sovereignty" (articles 32 and 33). While the Council is in recess, its authority is to be exercised by a presidium of fifteen elected by and responsible to it. Members of the Supreme Council are to be "chosen on the basis of universal, equal, direct elections by secret ballot" (article 34). Executive power is vested in a cabinet of ministers, to be formed by the Supreme People's Council, and headed by a Prime Minister (articles 52, 58, 36, IV). Local government is based upon a series of elective people's committees to be established in the provinces, cities, counties, sub-counties and villages (article 66).

97. In the economic sphere, the constitution provides that natural resources, transport and communications, electric power, banks, "important enterprises" and "all properties formerly owned by the Government and people of Japan or national traitors" are "the property of the State" (article 5). Article 6 declares that "land shall only be held by those who till the land" and that "the ownership of land formerly held by the Government and people of Japan or Korean landlords, as well as the tenancy system, are repudiated permanently". Private ownership of medium and small industrial and commercial enterprises, private ownership of land "under provision of law", and of personal possessions "shall be guaranteed legally" (article 8).

98. The North Korean authorities have denied reports that adoption of the constitution by the North Korean People's Council would mean inauguration of a new form of government.<sup>134</sup> The North Korean People's Committee has continued to perform the functions of government in North Korea.<sup>135</sup> Commenting on the implications of the constitution's adoption, Mr. Kim Kiusic, in an interview with the Main Committee of the Temporary Commission on 13 May 1948, stated :

"The constitution adopted at the People's Assembly was a draft constitution to be used as one of many possible drafts when considering the actual constitution for the government of united Korea."<sup>136</sup>

99. Simultaneously with the promulgation of the text of the draft constitution, the North Korean People's Council announced, on 8 February 1948, the official establishment of the People's Army in North Korea. No precise information is available to the Commission concerning the North Korean armed forces. As to their strength, estimates vary "from 50,000, which was the figure mentioned by General MacArthur, to 800,000 (including 300,000 Korean Communist troops in Manchuria), mentioned by Mr. Kim Kiusic. General Hodge himself thinks that the number is round about 200,000."<sup>137</sup>

<sup>134</sup> Statement by Mr. Kim Doo Bong, Chairman of the Standing Committee of the North Korean People's Council, 27 February 1948: *Radio Intercepts*, Pyongyang, 28 February 1948.

<sup>135</sup> Document A/AC.19/SC.4/SR.7, page 3 (Volume III).

<sup>136</sup> Document A/AC.19/SC.4/SR.8, pages 8-9 (Volume III).

<sup>137</sup> Document A/AC.18/28, page 12: statement by Mr. K. P. S. Menon, Chairman of the United Nations Temporary Commission on Korea, at the Interim Committee meeting, 19 February 1948.

#### *Attitude towards the United Nations Temporary Commission on Korea*

100. From the time of its arrival in Seoul, the Commission was condemned in Pyongyang radio broadcasts as the agent of "American imperialism". In the words of the Chairman of the Commission, Mr. K. P. S. Menon, in his statement to the Interim Committee of the General Assembly on 19 February 1948 :

"Day after day, the Pyongyang radio denounced the members of the Commission as 'hirelings of the American dollar', 'puppets consisting of henchmen of American imperialists, bent on converting Korea into an American colony', and 'brokers who want to fatten the pocket of the United States of America as well as their own, by selling under false pretences the small nations of the world, including Korea'."

On 9 March 1948, in an address to the Central Committee of the North Korean Democratic People's Coalition Front, Mr. Kim Il Sung, after criticizing the rejection by the United Nations General Assembly of the Soviet Union's proposals concerning the Korean problem, stated :

"The real mission of the Commission established was aimed at concealing the American colonization policy in Korea. . . . Creation of such a commission is unlawful, unacceptable, and is contrary to the principles of racial self-determination."<sup>138</sup>

#### *Attitude towards the elections*

101. A constant stream of criticism was directed from the Pyongyang radio against the "separate election" to be held in South Korea. A major claim was that such an election would permanently divide the country and so render impossible the attainment of Korean unity and independence.

102. It was further claimed that support for the election in South Korea came from the United States of America in furtherance of that country's alleged design to transform Korea into a "colony", not only subject to its economic control, but capable of serving as a United States military base. Such alleged designs were said to have the support of only a small minority of the Korean people designated as "pro-Japanese collaborators" and "national traitors", of whom the leaders were declared to be Mr. Rhee Syngman and Mr. Kim Sung Soo, and, until the eve of the North-South political conference, Mr. Kim Koo, Mr. Kim Kiusic and Mr. Ahn Chae Hong.

103. Furthermore, the North Korean radio commentaries and statements of political leaders continually asserted that South Korea was a police-controlled state in which "reactionaries" had assisted the police and the United States authorities in suppressing civil liberties, particularly those of the leftist parties and organizations, and that under such conditions no free or democratic election could be held.

<sup>138</sup> Radio intercept, Pyongyang, 11 March 1948.

104. In opposing an election in South Korea only, Pyongyang radio spokesmen urged that a general election throughout the country, based on universal adult suffrage and a secret ballot, should be held with a view to establishing a unified and independent Korean government, but that such an election should only take place following the withdrawal of all foreign troops from Korea and under the auspices of the Korean people themselves.

105. In furtherance of their objections to an election in South Korea only, the North Korean political leaders sponsored the joint conference of South and North Korean representatives of political parties and social organizations which was convened in Pyongyang on 19 April 1948.<sup>139</sup>

(k) ECONOMIC ASPECTS OF THE SITUATION IN KOREA

106. The political situation in North and South Korea which has developed since August 1945 has given rise to a number of economic problems. These problems, in turn, have had a marked effect on the political situation, as well as on the attitude of many Koreans who felt that the great Powers have been responsible for Korea's present economic plight.

107. During the period of Japanese domination from 1910 until August 1945, the Korean economy was considerably expanded by the Japanese and closely integrated with that of the Japanese Empire. As a result, Korea was deprived of the opportunity of developing an economy to serve its own needs.

108. During the decade prior to Japan's surrender, Korea's resources were geared completely to the Japanese war machine, and civilian production and requirements were consequently sacrificed. The economic structure of the country, including roads, buildings, machinery, transportation and communication systems, mines, irrigation canals, bridges and other facilities had badly deteriorated.

109. Since August 1945, the economic recovery of Korea has been retarded largely because of the following conditions :

(a) The severance of Korea as an integral part of the Japanese Empire has left the country in economic isolation. The small amount of trade carried on with other countries since the war has been insufficient to meet the critical shortage of material resources which both zones require for an economic recovery.

(b) The division of the country into two zones at the outset of occupation, and the subsequent restriction of economic and commercial intercourse between the zones, have further hindered economic recovery. The hydro-electric power, iron ore, coal and other resources and the chemical and metal industries of the North are a necessary complement to the agricultural resources and light industries

of the South. This separation has left South Korea seriously short of coal and fertilizers and dependent on the authorities in North Korea for electric power.<sup>140</sup> At the same time, it has deprived the North of essential foodstuffs, textiles and other consumer goods from the South.

(c) The scarcity of skilled Koreans to fill professional and technical positions previously held by the Japanese.

(d) The dilapidated condition of factories, mines and transport systems, for which replacement parts, repair facilities, raw materials and highly skilled labour and management have been unavailable. The level of industrial production in South Korea during the first part of 1948 was estimated to be about 20 per cent of its pre-war level.

(e) Currency inflation, characterized by a very large increase in note circulation, has been due in part to continuing shortages of almost all commodities. Bank of Chosen note circulation in the whole of Korea increased from 4,377,000,000 yen in June 1945 to more than 32,420,280,000 yen in January 1948. These notes were legal tender in North Korea until 6 December 1947, when the North Korean authorities issued a new currency in exchange for Bank of Chosen notes, part of which seem to have found their way into South Korea since that date.

110. During this period, prices and wages spiralled upward, but wage increases did not keep pace with the rapid rise in prices. Bank of Chosen index figures for South Korea in December 1945 and January 1948 were reported as follows :

	Prices (1936 = 100)	Wages
December 1945 . . . .	6,964	2,564
January 1948 . . . .	149,381	18,715

111. Additional factors which have continued to disrupt the economy in South Korea include a steady influx of repatriates from outside the country and of refugees from the North,<sup>141</sup> and insufficient production of foodstuffs to cope with this abnormal situation.

<sup>140</sup> In a radio intercept dated 6 May 1948 from Pyongyang, North Korea, the North Korean authorities announced that they would be obliged to suspend the power supply to South Korea because of the unwillingness of the United States authorities to come to an agreement with respect to payment. Electric power from North Korea was in fact cut off on 14 May 1948. The United States authorities, in protesting against this action, stated that they had made repeated efforts to arrange for equitable payments.

<sup>141</sup> The estimated number of Koreans repatriated from Japan, China and other Pacific areas to South Korea since the end of the war totalled 1,264,530 on January 1948 (*South Korean Interim Government Activities*, No. 28, January 1948, page 4). The estimated number of refugees in South Korea having their *Bonjuk* (family register) in North Korea on 31 December 1947, according to figures furnished by the United States authorities on 8 January 1948, was 1,116,600 (document A/AC.19/W.30).

<sup>139</sup> See paragraphs 82-92 above.

## CHAPTER IV

### SUMMARY OF THE MAIN ACTIVITIES OF THE COMMISSION AND ITS SUBSIDIARY BODIES DURING THE PERIOD 12 JANUARY TO 24 MAY 1948

- A. APPROACHES TO THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UKRAINIAN SOVIET SOCIALIST REPUBLIC AND THE MILITARY AUTHORITIES IN NORTH KOREA
- B. CONSULTATION WITH THE INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

#### A. APPROACHES TO THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UKRAINIAN SOVIET SOCIALIST REPUBLIC AND THE MILITARY AUTHORITIES IN NORTH KOREA

1. At the first meeting of the Commission, the representative of the Philippines proposed that, the composition of the Commission having been altered by the fact that one Member nation had declined to designate a representative, the Commission should immediately consult with the Interim Committee as to whether it should be composed of eight or nine members. It was agreed that the proposal of the representative of the Philippines should be discussed after the election of the Chairman and the adoption of the rules of procedure.

2. At the fourth meeting, the Commission reopened the discussion on the Philippine proposal. It was pointed out that the United Nations had several precedents of its subsidiary bodies proceeding with their work even though not all the Governments concerned had appointed representatives to them. The representative of the Philippines did not insist on his proposal.<sup>142</sup>

3. The Commission adopted at its second meeting a resolution proposed by the representative of Australia, stating that steps should be taken "to guard against any misconstruction which might be placed upon the initial presence of the Commission in South Korea or upon the acceptance by its members of the courtesies extended to them in Seoul". The resolution also stated "that every opportunity be taken to make it clear that the sphere of this Commission is the whole of Korea and not merely a section of Korea".<sup>143</sup>

4. At the third meeting, consideration was given to paragraph 6 of resolution II adopted by the General Assembly on 14 November 1947, calling on all Member States concerned to afford every assistance and facility to the Commission in the fulfilment of its responsibilities. A resolution proposed by the representative of Australia concerning the exchange of appropriate courtesies with the General Officers commanding the forces in North and South Korea, was adopted unanimously.<sup>144</sup>

5. At the fourth meeting, the Commission decided to adopt the text of a letter to be addressed to the military commanders of the armed forces in North and South Korea, stating that the Chairman, accompanied by one member of the Secretariat of

the Commission, wished to pay immediate courtesy calls upon the commanders.<sup>145</sup>

6. The Commanding General in South Korea replied to this communication on 19 January, and a courtesy call was made on the following day. No reply was received from the Commanding General in North Korea.

7. At the same time, the Secretary-General was asked by cable to request the permanent representative of the Union of Soviet Socialist Republics to the United Nations, Mr. Gromyko, to transmit to Moscow the communication of the Commission concerning the exchange of courtesies with the General Officers commanding the forces in North and South Korea.

8. Mr. Gromyko replied to this cable to the Secretary-General on 22 January that he found it necessary to refer to the "negative attitude" taken by the Soviet Government during the second session of the General Assembly towards the establishment of the United Nations Temporary Commission on Korea.

9. It was also decided to send a cable to the Secretary-General, asking him to remind the Government of the Soviet Union of the letter of the Secretary-General dated 24 November 1947, drawing attention to paragraph 6 of resolution II of the General Assembly, calling on all Member States concerned to afford every assistance and facility to the Commission in the fulfilment of its responsibilities. No reply was received from the Soviet Government.

10. Further, at the fourth meeting a resolution, proposed by the representative of Syria, was adopted, recording the Commission's regret at the absence of the representative of the Ukrainian Soviet Socialist Republic and stressing the importance of the participation of the Ukraine in the work of the Commission.<sup>146</sup>

11. On 25 January 1948, a reply was received by the Secretary-General from the Ukrainian Government stating that the attitude of the Government of the Ukrainian Soviet Socialist Republic remained the same as presented by the Ukrainian delegation at the second session of the General Assembly.

<sup>142</sup> Document A/AC.19/SR.4.

<sup>143</sup> Document A/AC.19/1.

<sup>147</sup> Document A/AC.19/2.

<sup>145</sup> Document A/AC.19/12.

<sup>146</sup> Document A/AC.19/6.

12. At the seventh meeting, the secretariat of the Commission reported that the letter addressed to the Commanding General of the Soviet Forces in North Korea, requesting exchange of courtesies, together with other United Nations Commission documents, had arrived at Pyongyang, North Korea, but had not been accepted by the Soviet authorities.

13. At the tenth meeting, the Commission adopted a statement concerning the non-co-operation of the military authorities in North Korea.<sup>147</sup>

<sup>147</sup> Document A/AC.19/29. Volume II, Annex III, contains the texts of statements and exchange of communications concerning the efforts to obtain co-operation with the Union of Soviet Socialist Republics, the Ukrainian Soviet Socialist Republic, and the military authorities in North Korea.

## B. CONSULTATION WITH THE INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

14. The question of consultation with the Interim Committee arose out of the inability of the Commission to enter North Korea for the purpose of implementing the terms of reference of the resolution adopted by the General Assembly on 14 November 1947. The question was discussed in detail during the course of the eighth, ninth, tenth and eleventh meetings in order to determine what further steps the Commission could take in carrying out its mission.<sup>148</sup>

15. At the eleventh meeting, the Commission adopted the following two resolutions concerning consultation with the Interim Committee of the General Assembly (document A/AC.19/30):

### I

*"The United Nations Temporary Commission on Korea,*

*"Having considered that the Commission may consult with the Interim Committee with respect to the application of the resolutions of the General Assembly of 14 November 1947 in the light of developments,*

*"Resolves that the Commission shall consult with the Interim Committee of the General Assembly, in the light of developments."*

### II

*"The United Nations Temporary Commission on Korea,*

*"Having considered that the negative attitude of the Soviet authorities with regard to the work of the Commission has made it clear that it will not be possible for the Commission to exercise, for the time being, the functions conferred upon it by the General Assembly under the resolutions of 14 November 1947 in the part of Korea occupied by the armed forces of the Union of Soviet Socialist Republics ;*

*"Having considered that the General Assembly, in resolution II of 14 November 1947, paragraph 5, authorized the Commission to consult with the Interim Committee with respect to the application of this resolution in the light of developments ;*

*"Having considered the preliminary results of the work of its Sub-Committees and in particular the consultations held to date by Sub-Committee 2,*

### *"Resolves*

*"1. That the Commission shall consult with the Interim Committee with respect to the application of the resolutions of 14 November, in the light of developments ;*

*"2. That the Chairman, accompanied by the Assistant Secretary-General, shall present the Commission during the consideration of this question by the Interim Committee ;*

*"3. That in the accomplishment of this mission the Chairman shall be guided by such directives as the Commission may formulate."*

Resolution I was adopted by five votes to three, with one abstention. Resolution II was adopted by five votes to none, with three abstentions.

16. At the same meeting, the representative of Australia introduced a resolution that a survey be made of information collected by Sub-Committee 2 for the guidance of the Chairman during the discussions with the Interim Committee.<sup>149</sup> This resolution was adopted by five votes to none, with three abstentions.

17. At the twelfth meeting, discussions took place concerning the questions on which the Interim Committee would be consulted. The result of these discussions was that the Commission adopted the following resolution:<sup>150</sup>

*"The United Nations Temporary Commission on Korea,*

*"Having resolved to consult with the Interim Committee of the General Assembly,*

*"Resolves that this consultation should take place on the following questions :*

*"1. Is it open to or incumbent upon the Commission, under the terms of the General Assembly resolutions of 14 November 1947, and in the light of developments in the situation with respect to Korea since that date, to implement the programme as outlined in resolution II in that part of Korea which is occupied by the armed forces of the United States of America ?*

*"2. If not,*

*"(a) Should the Commission observe the election of Korean representatives to take part in the consideration of the Korean question, as outlined in resolution I of 14 November 1947, provided that it has determined that elections can be held in a free atmosphere ? and*

<sup>148</sup> Documents A/AC.19/SR.8 and A/AC.19/PV.9, A/AC.19/PV.10 and A/AC.19/PV.11.

<sup>149</sup> Document A/AC.19/31.

<sup>150</sup> Document A/AC.19/34.

“(b) Should the Commission consider such other measures as may be possible and advisable with a view to the attainment of its objectives?”

The representative of Australia had proposed that the words “or incumbent upon” should be inserted in question 1 of the above resolution. The resolution, as amended, was adopted by four votes to none, with four abstentions.

18. It was also decided at the twelfth meeting that the survey of information collected by Subcommittee 2, as provided for in the resolution adopted in the eleventh meeting,<sup>149</sup> “be designated as a paper for the use of the Chairman alone and that it be withheld from all circulation”.<sup>151</sup>

19. It was agreed that the Commission would leave it to the Chairman to express the views of the members concerning the question of consultation by the Temporary Commission with the Interim Committee. A summary of these views expressed by the members of the Commission at the eighth, ninth, tenth, and eleventh meetings is contained in document: A/AC.19/33 and A/AC.19/33/Corr.1.

20. The Chairman, Mr. K. P. S. Menon, and the Assistant Secretary-General, Mr. Victor Hoo, departed by air for Lake Success on 14 February 1948.

(a) *Resolution of the Interim Committee of the General Assembly*

21. The Commission was informed by cable that the Interim Committee of the General Assembly, at the close of its ninth meeting on 26 February 1948, had adopted the following resolution :

“Whereas the Chairman of the United Nations Temporary Commission on Korea, accompanied by the Assistant Secretary-General, consulted the Interim Committee on the following questions :

“1. Is it open to or incumbent upon the Commission, under the terms of the General Assembly resolutions of 14 November 1947, and in the light of developments in the situation with respect to Korea since that date, to implement the programme as outlined in resolution II in that part of Korea which is occupied by the armed forces of the United States of America ?

“2. If not,

“(a) Should the Commission observe the election of Korean representatives to take part in the consideration of the Korean question, as outlined in resolution I of 14 November 1947, provided that it has determined that elections can be held in a free atmosphere? and

“(b) Should the Commission consider such other measures as may be possible and advisable with a view to the attainment of its objectives?”

“The Interim Committee,

“Bearing in mind the views expressed by the

Chairman of the United Nations Temporary Commission on Korea;

“Deeming it necessary that the programme set forth in the General Assembly resolutions of 14 November 1947 be carried out and as a necessary step therein that the United Nations Temporary Commission on Korea proceed with the observance of elections in all Korea, and if that is impossible, in as much of Korea as is accessible to it; and

“Considering it important that the elections be held to choose representatives of the Korean people with whom the United Nations Temporary Commission on Korea may consult regarding the prompt attainment of freedom and independence of the Korean people, which representatives, constituting a National Assembly, may establish a National Government of Korea,

“Resolves that in its view it is incumbent upon the United Nations Temporary Commission on Korea, under the terms of the General Assembly resolution of 14 November 1947, and in the light of developments in the situation with respect to Korea since that date, to implement the programme as outlined in resolution II, in such parts of Korea as are accessible to the Commission.”

22. In a letter dated 1 March 1948 from the Chairman of the Interim Committee, Dr. Luis Padilla Nervo, addressed to the Chairman of the Temporary Commission, Mr. K. P. S. Menon, the Chairman of the Interim Committee stated that, in deciding to answer in the affirmative the first question asked by the Commission, the Interim Committee had in mind the following principal considerations, in addition to those stated in the resolution :

“1. The elections to be observed by the United Nations Temporary Commission on Korea should be held in a free atmosphere wherein the democratic rights of freedom of speech, Press, and assembly would be recognized and respected. In this connexion the Interim Committee took note of the assurance given by the representative of the United States that authorities of the United States in Korea would co-operate to the fullest extent to that end.

“2. The National Assembly to which representatives are to be elected would be a stage in the formation of a Korean Government, the form of which is to be determined by the Korean people themselves. In reaching this conclusion, the Interim Committee noted that the representatives constituting the National Assembly would be entirely free to consult with the United Nations Temporary Commission on Korea and to carry on such negotiations as they wished with any other Korean groups which might not have participated in the elections, regarding the form of government to be established and the participation of those groups therein. The Interim Committee entertained the hope that, in these consultations and negotiations, the Korean representatives in the National Assembly would

<sup>151</sup> Documents A/AC.19/PV.12 and A/AC.19/32. See also chapter V, paragraph 25 and footnote.

be able to secure through their efforts the full co-operation in the government of all Koreans. The Interim Committee was confident that all peaceful methods of persuasion would thus be used to the greatest possible extent for the attainment of Korean unity.

"3. The Interim Committee recognized that the United Nations Temporary Commission on Korea itself has the authority and discretion to discharge its duties in Korea wherever and to the extent that circumstances permit."

In conclusion, the Chairman of the Interim Committee stated that it was his duty "to inform you and, through your good offices, all the members of the United Nations Temporary Commission on Korea, that the advice of the Interim Committee contained in the resolution has been given with a view to securing the fullest possible compliance with the General Assembly resolutions and to acting wholly within the intent and spirit of the resolutions".<sup>152</sup>

(b) *Decisions of the Commission concerning the implementation of the resolution of the Interim Committee of the General Assembly*

23. In the absence of the Chairman and the representative of Canada, an informal meeting of the representatives present in Seoul was held on 28 February, following adoption by the Interim Committee of its resolution of 26 February. The representatives felt that it was desirable to avoid further delay in considering a final date for the elections, and also, that a public announcement of some sort would be expected in connexion with the celebration of the Korean Independence Day on 1 March. It was hoped that a public announcement from the Commission might have a quieting effect in view of threatening riots.

24. Consequently, it was unanimously decided by the representatives present at this informal meeting to issue the following public statement :

"In conformity with the views expressed by the Interim Committee of the General Assembly in its resolution adopted on 26 February 1948, the United Nations Temporary Commission on Korea will discharge its duties — that is to say, observe elections in such parts of Korea as are accessible to the Commission, not later than 10 May 1948, according to the terms of reference of the resolutions of the General Assembly, and taking into account the recommendations made by the Interim Committee as to the conditions to be fulfilled for such elections, namely, 'that the elections be held on the basis of adult suffrage and by secret ballot', and in 'a free atmosphere wherein democratic rights of freedom of speech, Press and assembly would be recognized and respected'."

25. In a telephone conversation on 29 February between the Chairman of the Commission, who was at that time still in New York, and the Principal Secretary of the Commission in Seoul the Chairman

agreed with the statement drafted by the representatives present at the informal meeting of 28 February.<sup>153</sup>

26. On 1 March 1948, in conformity with the decision of the informal meeting of 28 February, the representative of China, Mr. Liu Yu-Wan, as acting Chairman of the Commission, delivered a speech at Seoul Stadium, in which he read the text of the statement referred to above, concerning observation of elections.<sup>154</sup>

27. The Chairman and the Assistant Secretary-General returned to Seoul from Lake Success on 6 March, and on 8 March, at the sixteenth meeting of the Commission, the Chairman submitted an account of the consultations with the Interim Committee at Lake Success and made reference to the Interim Committee's resolution of 26 February and the considerations on which that resolution was based.<sup>155</sup>

28. At the seventeenth and eighteenth meetings, the representative of Canada requested the Commission to clarify its position with respect to certain public statements made by the Commanding General, United States Army Forces in Korea, regarding the elections to be held on 9 May 1948.<sup>156</sup> The representative of Canada considered that the Commission had not yet officially reached a decision concerning the observation of elections and had therefore taken no action which substantiated the statements of the Commanding General.

29. The representative of Canada considered that the decision reached at the informal meeting of the representatives on 28 February (see paragraph 24 above) could not be regarded as an official decision of the Commission. He stated that unless a clarifying statement were issued, he would be compelled to abstain from participation in the activities of the Commission pending receipt of further instructions from his Government.

30. After detailed discussions, a proposal by the representative of Syria to adopt the following revised text of a Press release submitted by the Chairman, was adopted by four votes to none, with three abstentions :

"The United Nations Temporary Commission on Korea held its seventeenth and eighteenth meetings on 9 March 1948 and discussed questions arising out of the resolution adopted on 26 February 1948 by the Interim Committee of the General Assembly.

"On the initiative of the representative of Canada, the Commission has taken note of certain statements made by General Hodge while announcing the date of the elections on 9 May; these statements were to the effect that the Commission would observe the elections. They were made on the basis of conclusions unanimously reached by the members of the Commission present at an informal meeting on

<sup>153</sup> Document A/AC.19/W.29.

<sup>154</sup> Document A/AC.19/41.

<sup>155</sup> Document A/AC.19/45.

<sup>156</sup> Documents A/AC.19/41 and A/AC.19/41/Add.1.

28 February. The whole question of observing elections and implementing the resolution of the Interim Committee is now under consideration by the Commission."

31. During a three-day debate, at the nineteenth, twenty-first and twenty-second meetings, the members of the Commission stated their views, which were summarized in a public statement on 12 March 1948, as follows:

*"Australia"*

Not only did Australia adhere to the stand which she took in the Interim Committee in opposition to the holding of elections in South Korea, but she opposed the resolution on the additional grounds that a vital development has occurred which might have altered the views of the Interim Committee had it appeared earlier.

Mr. Jackson stated: 'It appears that the elections will be boycotted by all parties in Korea except the extreme right group. Latest information is that Mr. Kim Koo and Mr. Kim Kiusic will not take part in the election.'

He pointed out that the Interim Committee had realized that there might be developments which would alter the situation as they knew it and that very wisely they had provided for such a contingency by emphasizing that the Commission itself 'has the authority and discretion to discharge its duties in Korea wherever and to the extent that circumstances permit'.

The Australian delegate recommended an alternate plan. The basis of this was that the Commission withdraw at an early date after first having made recommendations to the military authorities and that it return at a later date to re-examine the situation and if advisable to carry on with its task.

*"Canada"*

The Canadian representative voted against the resolution because it is believed that the advice from the Interim Committee is unwise and unconstitutional. It is not believed that observation of the proposed elections can be brought within the terms of the resolution of the General Assembly of 14 November 1947 which are binding on the Commission. This vote should not be interpreted to suggest that the Canadian Government are not anxious to see a free, united and democratic Korea brought into being at the earliest possible date. They still strongly support that objective.

*"China"*

China views the Commission's resolution as a concrete step forward in the direction of realizing Korean independence and unity. Implemented by the concerted efforts of all parties concerned, it should help to bring about a better prospect for the fulfilment of Korean aspirations.

*"El Salvador"*

The Salvadorian delegation thinks that the advice and recommendations made by the Interim Committee are effective steps towards the

attainment of liberty and independence for the Korean people.

The resolution adopted by the said Interim Committee was based on a clear interpretation of the resolution adopted by the General Assembly on 14 November 1947, and if necessary, to say it more clearly, the Korean problem has not only a legal aspect, but also aspects in the political, social, and above all in the human fields.

In consequence, in order to solve the problem, it is necessary to interpret the living spirit of the resolution itself and its human bearings.

*"France"*

The French delegation having stressed that, in its view, since a majority in the Commission had considered that a consultation with the Interim Committee of the General Assembly was advisable and since the Committee had given its advice, the Commission could but follow it, presented the following draft resolution:

*The United Nations Temporary Commission on Korea,*

*Considering* the resolution of the General Assembly of the United Nations of 14 November 1947;

*Considering* that, in view of the difficulties encountered in implementing its mission north of the thirty-eighth parallel, it has requested from the Interim Committee of the General Assembly the advice provided for in resolution II, paragraph 5, of 14 November 1947;

*Considering* both the resolution of the Interim Committee of the General Assembly dated 26 February 1948 and the annexed note adopted under the same conditions;

*Having recorded* that under the terms of this resolution it is incumbent upon the United Nations Temporary Commission on Korea to implement in such parts of Korea as are accessible to the Commission, the programme outlined in resolution II,

*Decides* to observe the elections announced by the Commanding General of the American forces, to be held on 9 May 1948;

*Expresses* its firm hope that, taking into account the recommendations it has formulated or will formulate to that effect, these elections will be held 'in a free atmosphere wherein democratic rights of freedom of speech, Press, and assembly would be recognized and respected'.

*"India"*

Mr. Menon, speaking as delegate for India, observed that all the members of the Commission had genuine doubts whether it was legally open to them to implement the resolution of the General Assembly in one part of Korea only. Now that the Interim Committee had expressed the view that it was open to the Commission to do so, Mr. Menon felt that the Commission should abide by that decision. Members of the

Commission were also concerned about the possibility of having free elections and establishing a truly national government. Mr. Menon stated that his view was that the Commission should try to implement the resolution of the General Assembly on the understanding that the Commission has the authority and discretion to discharge its duties wherever and to the extent that circumstances permit.

#### *"Philippines"*

The Philippine delegation stands unreservedly for the immediate unification of Korea and the speedy realization of her independence. The holding of elections in parts of Korea accessible to the Commission to choose Korean representatives to the National Assembly is an urgent step in this direction. This National Assembly, the members of which are to be elected on the 'basis of adult suffrage and by secret ballot from each voting area or zone proportionate to the population', 'would be a stage in the formation of a Korean Government, the form of which is to be determined by the Korean people themselves', and has the full power to 'carry on such negotiations as they wish with any other Korean groups which might not have participated in the elections regarding the form of Government to be established and the participation of those groups therein'. No nation, not even the Commission, should interfere in their exercise of these prerogatives.

#### *"Syria"*

Syria abstained from voting to avoid any possible interpretation that she endorses implementing the General Assembly's resolutions or rejecting them. As there is no third alternative, Syria is going to co-operate with the Commission on the condition that conditions in the South will be corrected so as to guarantee a free election. The Syrian representative is glad that this provision, originally his proposal, was accepted and embodied in the text of the resolution of the United Nations Temporary Commission on Korea. The Syrian delegation will reject any elections if and when it deems that a free atmosphere is not secured or that elections are fettered and unfree."

32. The draft resolution proposed by the representative of France<sup>157</sup> and subsequently amended by the proposal of the representative of Syria,<sup>158</sup> concerning the implementation of the resolution of the Interim Committee, was adopted in its revised form by four votes to two, with two abstentions.<sup>159</sup> The text of the resolution is as follows :

#### *"The United Nations Temporary Commission on Korea,*

"1. *Having resolved* at its eleventh meeting, on 6 February 1948, to consult with the Interim Committee of the General Assembly with respect

to the application of the resolutions of 14 November 1947 in the light of developments,"<sup>160</sup>

"2. *Having considered*, in view of the difficulties encountered in implementing its mission north of the thirty-eighth parallel, that it had decided at its twelfth meeting on 11 February 1948 to request from the Interim Committee of the General Assembly the advice provided for in paragraph 5 of resolution II of the General Assembly of 14 November 1947;

"3. *Having considered* both the resolution of the Interim Committee of the General Assembly dated 26 February 1948, and the letter of the Chairman of the Interim Committee of the General Assembly to the Chairman of the United Nations Temporary Commission on Korea,"<sup>161</sup>

"4. *Having recorded* that, under the terms of this resolution, the Interim Committee states, 'that in its view it is incumbent upon the United Nations Temporary Commission on Korea under the terms of the General Assembly resolution of 14 November 1947, and in the light of developments in the situation with respect to Korea since that date, to implement the programme as outlined in resolution II in such parts of Korea as are accessible to the Commission';

"5. *Having taken special note* of the view expressed by the Chairman of the Interim Committee in his letter to the Chairman of the United Nations Temporary Commission on Korea, dated 1 March 1948 'that the Commission itself has the authority and discretion to discharge its duties wherever and to the extent that circumstances permit',

#### *"Resolves :*

"*To observe* the elections announced by the Commanding General of the United States Army Forces in Korea, to be held on 9 May 1948,

"*Provided* the Commission has ascertained that the elections will be held in a free atmosphere wherein the democratic rights of freedom of speech, Press and assembly would be recognized and respected."

The result of the vote taken by roll-call on the Syrian amendment was as follows :

*In favour :* Australia, China, El Salvador, India, Philippines, Syria,

*Against :* Canada, France.

The result of the vote taken by roll-call on the French draft resolution, as amended, was as follows :

*In favour :* China, El Salvador, India, Philippines,

*Against :* Australia, Canada,

*Abstained :* France, Syria.

33. The Canadian representative stated at the twenty-second meeting (12 March 1948), after the final text of the resolution was adopted, that in view of the action taken by the Commission, he would have to abstain from participation in the activities of the Commission until he had received further instructions from his Government. On

<sup>157</sup> Document A/AC.19/46.

<sup>158</sup> Document A/AC.19/48.

<sup>159</sup> Document A/AC.19/49.

<sup>160</sup> See paragraph 17.

<sup>161</sup> See paragraph 22.

23 March 1948, the representative of Canada addressed a letter to the Principal Secretary of the Commission, stating that he had received instructions from his Government by which he was authorized to participate again in the activities of the Commission.

34. At the twenty-seventh meeting, the representative of Australia proposed a resolution stating that the Commission would "announce its final decision to observe or not to observe the elections

at a date which shall not be later than 25 April 1948".<sup>162</sup> Other representatives felt that the resolution was premature, and it was finally agreed that the Australian draft resolution should be discussed at a future plenary meeting of the Commission.<sup>163</sup>

<sup>162</sup> Document A/AC.19/55.

<sup>163</sup> The decision on the Australian resolution and the resolution confirming that the Commission would observe the elections on 10 May 1948, will be found in chapter V, paragraphs 67-69.

## CHAPTER V

### SUMMARY OF THE MAIN ACTIVITIES OF THE COMMISSION AND ITS SUBSIDIARY BODIES DURING THE PERIOD 12 JANUARY TO 24 MAY 1948 (*continued*)

#### C. WORK OF THE SUB-COMMITTEES

##### D. DATE OF THE ELECTIONS

##### E. OBSERVATION OF THE ELECTIONS

#### F. PREPARATION OF THE FIRST PART OF THE REPORT TO THE GENERAL ASSEMBLY

1. The Commission, while considering the implementation of the resolutions of the General Assembly and the question of consultation with the Interim Committee, initiated all the necessary pre-

paratory work connected with the observation of the elections. The greater part of this work was done by sub-committees and other subsidiary bodies created by the Commission.

#### C. WORK OF THE SUB-COMMITTEES

2. At the fifth meeting, a note to the Chairman from the representative of Syria was discussed concerning alleged suppression of newspapers, and making suggestions for a general amnesty for political crimes.<sup>164</sup> The discussion centred on a consideration of means of ensuring a free atmosphere for elections, and it was decided that a Sub-Committee (1), consisting of the representatives of Canada, France and Syria, should be established to consider ways and means of ensuring a free atmosphere for elections in Korea.<sup>165</sup> At the fourteenth meeting, the Commission decided to include the representative of China in the Sub-Committee.<sup>166</sup>

3. At the fifth meeting, a general discussion ensued concerning the programme of work of the Commission and the representative of France introduced a resolution,<sup>167</sup> providing for the examination of documents received from Korean sources and the collection of statements of Korean individuals who might express the wish to be heard, or might happen to be heard in the course of the Commission's work. It was decided to establish a Sub-Committee (2) consisting of the representatives of Australia, China, France and the Philippines, to (a) examine any documents already received or which might be received from Korean sources by the secretariat, and (b) secure statements from Korean personalities whose views might be helpful to the Commission in the discharge of its duties.<sup>168</sup>

The representative of El Salvador was elected to the Sub-Committee at the seventh meeting of the Commission.

4. At the sixth meeting of the Commission, following a resolution introduced by the representative of the Philippines,<sup>169</sup> a general and detailed discussion took place concerning the question of elections in Korea. The Commission decided, on the basis of the Philippine resolution, as amended,<sup>170</sup> that a Sub-Committee (3) consisting of the representatives of Canada, France, the Philippines, and Syria be established to examine the electoral laws and regulations at present in force in North and South Korea, and in the performance of this function, to acquaint itself with the views of Korean, Soviet and United States officials and experts. The Commission, at its seventh meeting, decided that the representative of El Salvador would take the place of the representative of France on the Sub-Committee. At the thirteenth meeting of the Commission, the representative of China was appointed to the Sub-Committee.

#### (a) *Summary of the work of Sub-Committee 1*

##### *Composition*

5. Sub-Committee 1 held its first meeting on 21 January and elected Mr. Zeki Djabi (Syria) as Chairman.

6. The Sub-Committee held a total of fifteen meetings, namely, on 21, 23 and 28 January; 18, 19,

<sup>164</sup> Document A/AC.19/8.

<sup>165</sup> Document A/AC.19/9/Corr.1.

<sup>166</sup> Document A/AC.19/SR.14, page 8.

<sup>167</sup> Document A/AC.19/5.

<sup>168</sup> Document A/AC.19/11.

<sup>169</sup> Document A/AC.19/10.

<sup>170</sup> Document A/AC.19/13.

24 and 26 (two sessions) February; and 1, 3 (two sessions), 5, 6, 7 and 15 March 1948.

7. During the absence of Mr. Djabi, a rotation acting-chairmanship rule was adopted which placed Mr. Olivier Manet (France) in the chair at the fourth, sixth, and fifteenth meetings, Mr. George S. Patterson (Canada) at the fifth meeting, and Mr. Yasin Mughir (Syria) at the seventh to fourteenth meetings.

#### *Programme of work*

8. During its early meetings, Sub-Committee 1 adopted the following programme of work :

(a) Definition of the term "a free atmosphere for elections" in the light of the United Nations Charter, of existing particular cases of implementation of the Charter and other relevant documents;

(b) Examination of laws, regulations, and ordinances in force in Korea bearing on the question of freedom of elections;

(c) Co-ordination of the work of the Sub-Committee with that of Sub-Committee 2 in the interest of securing from Korean personalities their opinion with respect to the present conditions in Korea which bear on freedom of elections ;

(d) Hearing of responsible authorities on the interpretation and application of laws and regulations referred to in (b).

#### *Definition of the minimum requirements for a free atmosphere*

9. At its second meeting, the Sub-Committee defined the "minimum requirements" for a free atmosphere for elections as follows :

"Freedom of expression, freedom of the Press and information, freedom of assembly and association, freedom of movement, protection against arbitrary arrests and detention and protection against violence or threats of violence."

#### *Questionnaire for Sub-Committee 2*

10. At the request of Sub-Committee 2, the Sub-Committee prepared the following question which the former was to put to Korean personalities it would hear :

"Are there any laws, regulations and ordinances now in force, or any conditions now prevailing in Korea which, in your opinion, are incompatible with this free atmosphere and, if so, what are they and what provisions, legal or practical, are required, in your opinion, to improve the situation?"

The question was prefaced by a statement embodying the definition quoted in paragraph 9.

#### *Hearings*

11. The meetings of the Sub-Committee during February and March were divided into regular business meetings and hearings of officials and experts. The following persons were heard : Lieutenant General John R. Hodge, Commanding General, United States Army Forces in Korea, on 3 March 1948; Major General William F. Dean, Military Governor, on 24 February and 5 March 1948 ; Brigadier General John Weckerling on

19 February 1948; Dean Charles Pergler, special adviser of the Military Governor, and Dr. Ernest Fraenkel, adviser to the Department of Justice, on 25 February 1948.<sup>171</sup>

12. The Sub-Committee had also decided to hear a number of Korean officials, among them the Director of the Department of Justice and a justice of the Korean Supreme Court, but because of lack of time, had to forgo their hearings.

#### *Recommendations for a free atmosphere*

13. The main work of the Sub-Committee consisted of drafting recommendations for a free atmosphere for elections. The Interim Committee of the General Assembly, on 26 February 1948, in addition to the resolution adopted, authorized its Chairman to transmit a letter to the Chairman which embodied "the relevant consideration it had in mind when reaching its conclusions". This letter read in part as follows :

"The elections to be observed by the United Nations Temporary Commission on Korea should be held in a free atmosphere wherein democratic rights of freedom of speech, Press and assembly would be recognized and respected."<sup>172</sup>

14. It therefore devolved upon Sub-Committee 1, charged "to devise ways and means to ensure a free atmosphere for elections", to formulate the requirements to be recommended by the Temporary Commission to the United States authorities in South Korea, on the understanding that these recommendations were to be acted upon by the authorities in a way and to an extent satisfactory to the Commission.

15. With this object in view, the Secretariat was charged with preparing a first draft of recommendations which, on 7 March, was approved by the Sub-Committee and submitted for the consideration of the Commission.<sup>173</sup> This report covered four main points essential for the attainment of a free atmosphere, namely :

- (a) The question of law;
- (b) The question of enforcement;
- (c) The question of information and education;
- (d) The question of political prisoners.

16. Before the report came up for discussion, the Commission had adopted, on 12 March 1948, at its twenty-second meeting, a resolution concerning the implementation of the resolution of the Interim Committee, by which it resolved to observe the elections in South Korea, "provided the Commission has ascertained that the elections will be held in a free atmosphere wherein the democratic rights of freedom of speech, Press and assembly

<sup>171</sup> Documents A/AC.19/SC.1/PV.11, A/AC.19/SC.1/PV.6, A/AC.19/SC.1/PV.12, A/AC.19/PV.5, and A/AC.19/SC.1/PV.8, respectively (Volume III).

<sup>172</sup> See chapter IV, paragraph 22.

<sup>173</sup> Document A/AC.19/42.

would be recognized and respected".<sup>174</sup> This increased the importance of the report and the recommendations submitted by the Sub-Committee.

17. As a result of suggestions made in the Commission, the Sub-Committee on 16 March submitted a revised draft of recommendations<sup>175</sup> which, at the twenty-sixth meeting on 17 March was adopted by the Commission with minor changes.<sup>176</sup>

18. In addition the Sub-Committee, at its fifteenth meeting on 15 March, heard Dean Charles Pergler. From his statement, it appeared that the United States military authorities at that time were considering the possibility of enacting some sort of general ordinance or proclamation, which would cover the main freedoms guaranteed to the Korean people on the basis of existing legislation, with such clarifications or amendments as they deemed necessary for the fulfilment of the requirements set forth by the Interim Committee and formally adopted by the Commission itself at its twenty-second meeting.

19. On 24 March 1948, one week after the recommendations of the Sub-Committee had been adopted and had been transmitted to the Commanding General, United States Army Forces in Korea, in a letter from the Chairman,<sup>177</sup> an eighteen-page memorandum was received, signed by Brigadier General John Weckerling, entitled, "Compilation of Proclamations, Official Statements, Policies, Ordinances, etc., affecting Civil Liberties in South Korea."<sup>178</sup> This memorandum has been reproduced as document A/AC.19/W.41.

20. Finally, on 8 April, the Commanding General, United States Army Forces in Korea, transmitted to the Commission a "Proclamation on the Rights of the Korean People", which he had issued on 5 April. This proclamation, while embodying previous proclamations, official statements, policies, ordinances, etc., was in fact a new declaration concerning civil liberties in South Korea.<sup>179</sup> The substance of these documents had been submitted by Brigadier General John Weckerling (see paragraph 19).

#### *Release of political prisoners*

21. In relation to the recommendation of the Commission for a pardon of political prisoners,<sup>180</sup> a letter from the Commanding General, United States Army Forces in Korea, was received on 8 April, informing the Commission that, on 31 March 1948, the Military Governor had issued 3,140 pardons. The letter further stated that these pardons were issued after a "detailed study of 6,260 carefully selected cases regardless of political belief".

22. The pardons issued affected (1) 1,253 persons who were serving prison sentences, (2) 1,797 persons

who were under investigation or awaiting trial, and (3) 90 persons on parole. The second category included "many who were arrested in connexion with anti-United Nations demonstrations and sabotage efforts in February and March 1948". The letter went on to state that the release orders and pardons for all persons affected were despatched by courier to the various provinces for distribution to prisoners and police jails in ample time for the prisoners to proceed to their respective place of residence and register as voters or as candidates "if they are otherwise eligible to register for these purposes".<sup>181</sup> The names of the persons affected and the text of the pardon orders were transmitted to the Commission on the previous day, 7 April 1948.<sup>182</sup>

#### *(b) Summary of the work of Sub-Committee 2*

23. At the first meeting of Sub-Committee 2, held on 20 January, Mr. S. H. Jackson (Australia) was elected Chairman.

24. Between 20 January and 29 March 1948, Sub-Committee 2 held twenty-nine meetings. The main documents relating to the discharge of the terms of reference of the Sub-Committee are set out in Volume II, Annex VI, of this report.

#### *Survey of information collected by the Sub-Committee*

25. At its eleventh meeting, the Commission adopted the following resolution :

"(a) That Sub-Committee 2, with the assistance of representatives of Sub-Committees 1 and 3, make a survey of the information collected by the Sub-Committee to date;

"(b) That this survey, together with the important conclusions approved by the Commission at a session called for the purpose of examining it, be handed to the Chairman for his guidance during discussions with the Interim Committee."<sup>183</sup>

In accordance with this resolution a survey was prepared by the Sub-Committee. At its twelfth meeting on 11 February 1948, the Commission considered the survey and resolved :

"That the survey submitted by Sub-Committee 2, as required by the resolution concerning the survey of information collected by Sub-Committee 2 passed at the eleventh meeting of the United Nations Temporary Commission on Korea, be received; and that it be designated as a paper for the use of the Chairman alone and that it be withheld from all circulation."<sup>184</sup>

The survey prepared by the Sub-Committee was accordingly handed to the Chairman, Mr. K. P. S. Menon, for his use during discussions with the Interim Committee of the General Assembly.<sup>185</sup>

<sup>174</sup> See chapter IV, paragraph 32.

<sup>175</sup> Document A/AC.19/42/Rev.1.

<sup>176</sup> Document A/AC.19/52 (Volume II, Annex V).

<sup>177</sup> Document A/AC.19/53.

<sup>178</sup> Volume II, Annex V.

<sup>179</sup> Document A/AC.19/62 (Volume II, Annex V).

<sup>180</sup> Documents A/AC.19/52, paragraphs 23 and 24; A/AC.19/53, paragraphs 18 and 19.

<sup>181</sup> Document A/AC.19/61/Add.1.

<sup>182</sup> Document A/AC.19/61 (Volume II, Annex V). For documents mentioned, see Volume II, Annex V.

<sup>183</sup> See chapter IV, paragraph 16.

<sup>184</sup> See chapter I, paragraph 18.

<sup>185</sup> This survey was later substantially reproduced as Annex I of the Final Report of Sub-Committee 2, document A/AC.19/60/Rev. 1 (see Volume II, Annex VI).

26. At its twenty-fifth meeting, when considering the progress report of the Sub-Committee,<sup>186</sup> the Commission agreed "that Sub-Committee 2 should continue its consultations and ascertain the views concerning the conduct of elections, of those who supported and of those who opposed the holding of elections". At its twenty-seventh meeting, however, in determining its organization for observing the elections, the Commission decided "that on 29 March 1948 the existing Sub-Committees will be merged into one Committee".<sup>187</sup>

27. In accordance with this decision, Sub-Committee 2, on 29 March 1948, submitted a final report<sup>188</sup> to the Commission which was adopted with certain amendments by the Commission at its thirtieth meeting, on 31 March.<sup>189</sup> In its report, the Sub-Committee expressed the view that "the work of ascertaining Korean opinion concerning the question of elections should continue" and it noted that the functions of the Main Committee of the Commission included "the obtaining and analysing of information concerning attitudes of Koreans towards participation in the elections".

#### *Documents received from Korean sources*

28. On 21 January 1948, the Sub-Committee invited "individuals and organizations, religious, cultural and political, to express their views in writing" before 28 January.<sup>190</sup> On 28 January the Sub-Committee announced its wish "to continue to receive written statements".<sup>191</sup>

29. In examining communications received, the Sub-Committee agreed on the following procedure.<sup>192</sup>

(a) Communications received from representatives of organizations or from individuals who had been heard by the Sub-Committee were issued as Commission documents, together with communications received from representatives of organizations or individuals whom the Sub-Committee had wished but found it impracticable to hear.<sup>193</sup>

(b) Communications other than the above were referred by the secretariat for the Sub-Committee's consideration when deemed appropriate.

(c) A list of all communications received from individuals or from organizations, indicating the author, language of origin and a brief summary of the subject matter, was issued in the document series A/AC.19/NC.1, A/AC.19/NC.2 and A/AC.19/NC.3.

30. At its twenty-seventh meeting on 6 March 1948, the Sub-Committee took note of two incidents involving the arrest of Koreans and confiscation by the police of communications which were being conveyed to the Commission's offices.<sup>194</sup> At the request of the Sub-Committee, the acting

Chairman of the Commission addressed a letter to the Commanding General, United States Army Forces in Korea, expressing the concern of the Sub-Committee "that there should be no unnecessary restrictions on freedom of communication with the Commission".<sup>195</sup>

31. Up to 10 May 1948, inclusive, a total of 776 communications had been received: 498 from organizations and 278 from individuals, of which 478 were from individuals and organizations within Seoul City and 298 from individuals and organizations in the provinces of South Korea. A considerable number of communications were in the form of signed petitions which related mainly to the holding of elections and the role of the Commission.

#### *Hearings of Korean personalities*<sup>196</sup>

32. In selecting Korean personalities for a hearing, the Sub-Committee decided that its selection should be based upon:

(a) A tentative list drawn up by the Sub-Committee "composed of individuals and representatives of right, moderate, and left parties and of important organizations not directly political in character";

(b) Requests by Koreans for hearings in response to the public announcements of the Sub-Committee inviting such requests.

At the fourth meeting, on 23 January, the Sub-Committee agreed that the purpose of the hearings should be "to secure a balanced representation of the main trends of public opinion".<sup>197</sup>

33. In commencing its hearings, the Sub-Committee announced that it wished to hear the views of the following prominent political leaders from both South and North Korea:

Cho Man Sik, Huh Hun, Kim Doo Bong, Kim Koo, Kim Kiusic, Kim Il Sung, Kim Sung Soo, Pak Heun Young, Rhee Syngman.

Of these, the Sub-Committee heard Mr. Kim Koo, Mr. Kim Kiusic, Mr. Kim Sung Soo, and Mr. Rhee Syngman. Of the remainder, three were residing in North Korea and it was not found possible to make contact with them.<sup>198</sup> Two others (Huh Hun and Pak Heun Young) were extreme leftist leaders in South Korea, who were under order of arrest by the South Korean authorities and whom the Sub-Committee attempted, but found it impracticable, to interview. At the tenth meeting, on 28 January, the Sub-Committee adopted a resolution requesting the Chairman of the Commission to approach the competent authorities with a view to securing freedom of access to its hearings for persons under arrest or police restraint.<sup>199</sup>

<sup>186</sup> Document A/AC.19/21/Add.2.

<sup>187</sup> Document A/AC.19/56, page 4.

<sup>188</sup> Document A/AC.19/50.

<sup>189</sup> Volume II, Annex VI: document A/AC.19/60/Rev.1.

<sup>190</sup> *Ibid.*, document A/AC.19/SC.2/1.

<sup>191</sup> Press release No. 19.

<sup>192</sup> Document A/AC.19/SC.2/SR.20.

<sup>193</sup> Documents A/AC.19/NC.4/1 *et seq.*

<sup>194</sup> Documents A/AC.19/SC.2/SR.27; A/AC.19/SC.2/10 and Add.1.

<sup>195</sup> Volume II, Annex VI: document A/AC.19/26/Add.2.

<sup>196</sup> The verbatim or summary records of the hearings of Korean personalities are reproduced as documents A/AC.19/SC.2/PV.5 to 9, 11 to 15, 23 to 25 and A/AC.19/SC.2/SR.26 (Volume III).

<sup>197</sup> Document A/AC.19/SC.2/SR.4.

<sup>198</sup> Documents A/AC.19/17 and A/AC.19/17/Add.1.

<sup>199</sup> Volume II, Annex VI: documents A/AC.19/SC.2/5 and A/AC.19/26.

34. Having in mind its decision to secure a balanced representation of Korean opinion, the Sub-Committee, at its twentieth meeting, decided to invite to a hearing the following representatives of leftist groups :

- Haw Sawng Taik (Chairman, Federation of Korean Trade Unions)
- Huh Hun (Chairman, South Korea Labour Party)
- Kim Won Bong (Chairman, People's Republic Party)
- Paik Yong Hi (Chairman, All Korea Farmers' Union)
- Yoo Yawng Choon (Chairman, Women's Democratic Alliance)

35. Taking account of the fact that the above persons were either in prison, under order of arrest, or under some form of police surveillance, the Sub-Committee approached the United States authorities<sup>200</sup> with a view to securing an appropriate grant of immunity which would enable them, if they so desired, to accept its invitation to a hearing. A public announcement by the Commanding General, United States Army Forces in Korea, to this end was made on 18 February.<sup>201</sup>

36. None of the persons concerned accepted such invitations to a hearing before the Sub-Committee. From written statements received from some of them, the reasons for the declining of the Sub-Committee's invitations appeared to be objections on political grounds to the Commission's activities and lack of confidence in the assurances given by the authorities at the request of the Commission regarding their immunity from arrest or police surveillance.

37. As far as the representatives of political parties were concerned, the Sub-Committee heard the views of representatives of three rightist, three moderate, and three leftist (other than extreme leftist) political parties.

38. The Sub-Committee's hearings were not confined to representatives of political organizations. The Sub-Committee considered it desirable to ascertain the opinion of religious, educational, and cultural, business, financial and civic organizations. In this regard those heard included certain important Korean officials (the Chief Administrator of the South Korean Interim Government, the Chief Justice of the Supreme Court, and the Director of the National Police), the Catholic Bishop of Seoul, a Christian pastor formerly resident in North Korea, the President of the Federation of Women's Clubs, the President of Seoul National University, the President and Vice-President of the Chamber of Commerce and Industry of Korea, the Director of the Bank of Chosen, the President of the *Seoul Times*, the Secretary-General of the Civil Liberties Union, the Chairman of the Industry, Labour and Agriculture Committee of the South Korean Interim Legislative Assembly, and a headman of a village in the neighbourhood of Seoul.

39. In all, between 26 January and 6 March 1948, the Sub-Committee heard the views of twenty-four Korean personalities,<sup>202</sup> interviewed the Chairman of the Federation of Korean Trade Unions<sup>203</sup> and held a consultation<sup>204</sup> with the Commanding General, United States Army Forces in Korea.

(c) *Summary of the work of Sub-Committee 3*

40. Sub-Committee 3 held nine meetings. At its first meeting, Mr. Melecio Arranz (Philippines) was elected Chairman and Mr. George S. Patterson (Canada) was elected Rapporteur. At the third meeting, Mr. Rufino Luna (Philippines) was appointed acting Chairman for the period of the absence of Mr. Arranz.

41. At its first meeting, Sub-Committee 3 requested the secretariat to present reports and other technical and documentary studies on the electoral laws and regulations of North and South Korea, with observations as to :

“(a) Their compatibility with the General Assembly's recommendations;

“(b) Their consistency with democratic practices generally accepted in elections held in territories of Members of the United Nations.”

The secretariat was also authorized to consult with United States and Korean experts, including some of the authors of the electoral laws and regulations in force in South Korea and to obtain from them such information as was necessary for the preparation of its reports.

42. At the request of Sub-Committee 2, Sub-Committee 3 adopted, at its second meeting, a list of questions to be used by Sub-Committee 2 in the hearings of Korean personalities. These questions are reproduced in document A/AC.19/43, Annex I.

43. Sub-Committee 3 based its study of the electoral provisions on the following texts :

- (a) Public Act No. 5 of the South Korean Interim Government, being the Law for the Election of Members of the Korean Interim Legislative Assembly, enacted by the Korean Interim Legislative Assembly on 12 August 1947 and approved by the United States Military Governor on 3 September 1947.<sup>205</sup>
- (b) The Draft Temporary Regulations for Implementing the Law for the Election of Members of the Legislative Assembly.<sup>206</sup>

The English translation of both these texts was transmitted to the Commission by the United States authorities.

- (c) A text of the Electoral Regulations for North Korea (for the election of the members of the Myun, County, City and Provincial People's Committees), which was transmitted in an English translation to the secretariat, at its

<sup>202</sup> For list, see Volume II, Annex VI : document A/AC.19/60/Rev.1, Annex II.

<sup>203</sup> Document A/AC.19/SC.2/9.

<sup>204</sup> Document A/AC.19/SC.2/PV.16 (Volume III).

<sup>205</sup> Document A/AC.19/W.11 (Volume II, Annex IV).

<sup>206</sup> Document A/AC.19/W.12.

<sup>200</sup> Document A/AC.19/SC.2/8.

<sup>201</sup> Document A/AC.19/SC.2/7.

request, by the United States authorities in Washington.<sup>207</sup>

44. The Sub-Committee was unable to consult with North Korean or Soviet experts or receive information as to the application of the electoral regulations in force in North Korea. Members of the Sub-Committee, however, had cognizance of the transcripts of broadcasts from the North Korean radio, which were circulated by the secretariat. The text of a broadcast from Pyongyang, which summarizes the main points of criticism made by North Korean authorities of the election law in force in South Korea, was circulated to the members of the Sub-Committee in document A/AC.19/W.26.

45. As a result of the decision of the Sub-Committee mentioned in paragraph 43 above, informal conversations were held by the secretariat with a group of representatives of the Korean Legislative Assembly who had been designated by the President of the Assembly, Mr. Kim Kiusic :

Mr. Yun Ki Sup, Vice-Chairman of the Interim Legislative Assembly

Mr. Pak Kim Oong, Chairman of the Legal Committee

Mr. Kim Poong Choong, Chairman of the Electoral Committee

Mr. Chung Hong Kyu, Secretary of the Interim Legislative Assembly

as well as with :

Mr. Ro Chin Sul (Justice of the Supreme Court)

Mr. Kim Do Sung (Chairman of the Korean Press Association),

both of whom had been designated by the Military Governor from among the authors of the Draft Resolutions, which were drafted to implement the Electoral Law for South Korea, and with

Brigadier General John Weckerling

Dean Charles Pergler

Dr. Ernest Fraenkel

who had been designated by the Military Governor as United States experts.

46. At its third meeting, on 24 February 1948, Sub-Committee 3 began a thorough and detailed consideration of the reports and studies which had been prepared by the secretariat. These documents deal with the following questions :

- I. The franchise : qualifications and disqualifications.
- II. Candidature.
- III. Electoral districts and representation.
- IV. Election organization : administrative divisions and election agencies.
- V. Registration of voters.
- VI. Electoral campaign and voting procedure.
- VII. Counting of ballots and declaration of election results.
- VIII. Incompatibilities, litigation and penal provisions.<sup>208</sup>

47. On 1 March 1948, the United States Liaison Officer to the Commission drew attention to cer-

tain provisions of the election law, the application of which involved technical preparations which were to be started immediately, in view of the fixing of the election date on 9 May 1948.

48. Since the United States Liaison Officer requested an expression of views as early as possible, Sub-Committee 3 considered these questions at its fifth meeting, on 2 March, and the Chairman of the Sub-Committee authorized the secretariat to transmit the substance of the decisions of the Sub-Committee as to the recommendations it would make to the Commission on the points mentioned in the United States Liaison Officer's memorandum. Accordingly, on 3 March, the Secretariat transmitted the recommendations of Sub-Committee 3 to the United States Liaison Officer.

49. The United States Liaison Officer replied to the Secretariat's memorandum on 4 March, pointing out that the United States authorities, while accepting most of the recommendations of the Sub-Committee, requested the reconsideration of three of its recommendations, namely, (1) the elimination of provincial election committees; (2) the appointment by the National Election Committee of the members of lower echelon election committees on the basis of lists of personalities recommended by the administrative head of the district concerned and the president of the highest tribunal located in or having jurisdiction over the district; and (3) the establishment of voting districts of not more than two thousand inhabitants.

50. The Sub-Committee, at its ninth meeting, on 7 March, agreed with the first two points presented by the United States authorities, but felt unable to change its recommendation on the last point. This information was communicated to the United States Liaison Officer on 8 March.

51. At its eighth and ninth meetings, the Sub-Committee approved with amendments the draft report of its recommendations to the Commission. These recommendations concerning the modifications of provisions in the electoral law and regulations are reproduced in documents A/AC.19/43 and A/AC.19/43/Add.1.

52. In its report to the Commission, the Sub-Committee stated that its understanding of the mission which was entrusted to it by the Commission was not so much that it should make a theoretical study of the electoral laws and regulations as that it should prepare draft recommendations, which the Commission, after consideration, would transmit to the authorities in Korea. The purpose of the recommendations would be to bring the electoral provisions which would govern the election to be held under the observation of the Commission into greater conformity with the General Assembly's resolution concerning adult suffrage, the secrecy of the ballot and a representation of the Korean people from each voting area or zone proportionate with the population and, in general, to promote as complete and as free expression of popular will as possible.

<sup>207</sup> Document A/AC.19/W.13 (Volume II, Annex IV).

<sup>208</sup> Documents A/AC.19/W.28 and Addenda 1 to 7.

53. The Sub-Committee stated that it was quite aware that even the best legal provisions were not sufficient to achieve these aims. An honest and sincere application of the texts in the spirit in which they were conceived and a free atmosphere during the election period were regarded as essential. The Sub-Committee was, however, of the opinion that, if its recommendations were implemented, the electoral texts would constitute a sufficient basis for fulfilling the General Assembly's resolution on this subject.

54. The Sub-Committee made a comparative study of the electoral laws of South and North Korea.<sup>209</sup> The recommendations resulting therefrom were based on generally accepted democratic practices and the terms of reference of the Commission itself.

55. The Commission considered the report of Sub-Committee 3, as well as its supplementary report, at its twentieth and twenty-first meetings.<sup>210</sup>

56. With respect to the eligibility for office of persons who were serving or who had served prison sentences, the Commission decided to limit its recommendations to political offenders only. The Commission also rejected a proposal for a second ballot if in the first ballot no candidate had received fifty per cent of the votes. It further decided to change the recommendation of Sub-Committee 3 and to recommend that the voting age should be twenty-one years.<sup>211</sup>

<sup>209</sup> A comparative chart of the Law for Election of Members of the Korean Interim Legislative Assembly (Public Act No. 5 of the South Korean Interim Government) and the election regulations for North Korea (document A/AC.19/W.15) is reproduced in Volume II, Annex IV.

<sup>210</sup> Documents A/AC.19/SR.20 and A/AC.19/SR.21.

<sup>211</sup> Directive No. 6, issued by the National Election Committee on 29 March 1948, states in part as follows:

57. With respect to disqualification from voting, the Commission, on the proposal of the representative of France, decided to recommend the deletion of the reference to persons who were alleged to have acted as spies (section 2 (b) (4) of Public Act No. 5) in order not to open the way to an indefinite number of accusations, many of which might be groundless.

58. On 12 March 1948, the Chairman of the Commission transmitted officially to the United States authorities these recommendations of the Commission.<sup>212</sup> On the same day, the Commission's recommendations were communicated to the Press.

59. On 19 March 1948, the United States Liaison Officer to the Commission sent a reply to the Chairman's communication of 12 March 1948 in which he stated that, with one exception,<sup>213</sup> all the recommendations made by the Commission were embodied in the revised electoral law, annexed thereto.

60. In a memorandum to the secretariat dated 24 March 1948, the United States Liaison Officer to the Commission stated that the election regulations, a copy of which was annexed thereto, had been redrafted by the authorities on the basis of recommendations submitted by the Commission.<sup>214</sup>

"Any citizen twenty-one or more years of age, as defined in section I of the Election Law, means . . . any person who was born on or before 9 May 1927 . . ."

<sup>212</sup> Document A/AC.19/47/Rev.1 (Volume II, Annex IV).

<sup>213</sup> The Commission recommended that certain categories of persons (e.g., former officials in the Japanese regime) should not be eligible to vote. The authorities considered, among other things, that it would be physically impossible to check the records of voters for this purpose (document A/AC.19/47/Rev.1/Add.1, Volume II, Annex IV).

<sup>214</sup> Document A/AC.19/47/Rev.1/Add.2 (Volume II, Annex IV).

#### D. DATE OF THE ELECTIONS

61. On 1 March 1948, the acting Chairman of the Commission, in a public statement, had declared that the Commission would observe the elections not later than 10 May 1948 (chapter IV, paragraph 26). At the twenty-second meeting, on 12 March, the Commission had adopted a resolution to observe the elections proclaimed for 9 May (chapter IV, paragraph 32).

##### *Request for postponement of the election date*

62. On 25 March 1948, the National Election Committee requested the assistance of the Commission to change the election date from 9 May to 24 May 1948.<sup>215</sup> The Chairman of the Commission, Mr. Jean Paul-Boncour, drew the attention of the Commanding General to this request on 27 March 1948.<sup>216</sup>

63. At its twenty-eighth and twenty-ninth meetings, the Commission considered a communication from the Commanding General, United States

Army Forces in Korea, to the Chairman, in which he stated that it was found necessary to change the election date because of certain technical difficulties, and requested the advice of the Commission as to its attitude towards postponement of the Election Day.<sup>217</sup>

64. At the twenty-ninth meeting, the Chairman presented the text of a draft letter to the Commanding General. The Commission adopted this letter, as amended, stating that it was the wish of the Commission that the elections should still be held on 9 May and that a Main Committee (see paragraph 72 below) was authorized to make recommendations to the Commission concerning such new decisions as existing circumstances would warrant. It was further decided to annex to the letter a statement of facts prepared by the Chairman and the Principal Secretary concerning the contents of the communication from the Commanding General.<sup>218</sup>

<sup>215</sup> Document A/AC.19/58.

<sup>216</sup> Document A/AC.19/58/Add.1.

<sup>217</sup> Document A/AC.19/58/Add.2.

<sup>218</sup> Document A/AC.19/58/Add.3.

65. On 2 April 1948, a letter was received from the Commanding General, in which he noted the wish of the Commission that the elections should be held on 9 May 1948. He felt, however, that a one-day postponement of the election, i.e., to 10 May, would not contravene the wish of the Commission, and he explained that this one-day postponement was advisable because of the fact that on

9 May a total eclipse of the sun would occur.<sup>219</sup>

66. At its thirty-first meeting, the Commission decided to concur in the proposal of the Commanding General for a one-day postponement of the election, i.e. from 9 to 10 May 1948, and the Commanding General was informed accordingly.<sup>220</sup>

<sup>219</sup> Document A/AC.19/58/Add.4.

<sup>220</sup> Document A/AC.19/58/Add.5.

## E. OBSERVATION OF THE ELECTIONS

### (a) Resolution concerning the observation of the elections on 10 May 1948

67. As indicated in paragraph 34 of chapter IV, the representative of Australia at the twenty-seventh meeting proposed a resolution stating that the Commission would "announce its final decision to observe or not to observe the elections at a date which shall not be later than 25 April 1948." At that time other representatives felt that the resolution was premature, and it was finally agreed that the Australian draft resolution should be discussed at a future plenary meeting of the Commission.

68. The Australian resolution was taken up again when, at the thirty-third meeting on 28 April, the Commission considered the last paragraph of the resolution of the Commission concerning the implementation of the Interim Committee resolution.<sup>221</sup>

69. After discussing the question as to whether there were sufficient grounds to state that a free atmosphere for elections existed in South Korea, the Commission adopted, at its thirty-third meeting, with five votes in favour and three abstentions, the following resolution proposed by the representative of China : <sup>222</sup>

*"The United Nations Temporary Commission on Korea,*

*"In order to comply with the provisions of the resolution passed at its twenty-second meeting on 12 March 1948,*

*"Having satisfied itself, as a result of its extensive field observations in various key districts in South Korea, that there exists in South Korea a reasonable degree of free atmosphere wherein the democratic rights of freedom of speech, Press and assembly are recognized and respected,*

*"Resolves :*

*"To confirm that it will observe the elections announced by the Commanding General of the United States Army Forces in Korea to be held on 10 May 1948."*

### (b) Establishment of a Main Committee and field observation groups

70. Following a discussion on a working paper prepared by the secretariat on the possible methods

of observation of elections in Korea,<sup>223</sup> the Commission decided, at its twenty-fifth meeting on 16 March 1948, to establish an *ad hoc* Sub-Committee, composed of the representatives of China, France, the Philippines and Syria, to consider methods of observation during the election period and to submit a report thereon to the Commission.

71. At the twenty-seventh meeting, on 20 March 1948, the report of the *ad hoc* Sub-Committee<sup>224</sup> was examined and adopted, and the decisions of the Commission concerning methods of observation were embodied in document A/AC.19/56.

72. According to this decision, a Main Committee was established, into which, on 29 March 1948, the existing Sub-Committees would be merged, and on which a representative of each member on the Commission would be entitled to sit. It was further decided that the membership of the Main Committee would rotate in accordance with the willingness of members to undertake periodic duties with the field observation groups (see paragraph 74 below).

73. The functions of the Main Committee would include :

- (a) Maintenance of permanent liaison with the National Election Committee in Seoul;<sup>225</sup>
- (b) General observation of the work of the election committees;
- (c) The receiving and examination of complaints and general information concerning the conduct of the elections;
- (d) The analysis of reports received from the Commission's observation groups;
- (e) The obtaining and analysing of information concerning attitudes of Koreans towards participation in the elections;
- (f) The examining of and reporting to the Commission on conditions relating to a free atmosphere for the holding of elections;
- (g) The planning and co-ordination of the activities of the field observation groups in accordance with the general directions of the Commission.

74. The Commission decided further to establish in the first instance two or three field observation groups to observe the conduct of the elections in

<sup>223</sup> Document A/AC.19/W.36.

<sup>224</sup> Document A/AC.19/54.

<sup>225</sup> See documents A/AC.19/W.35, A/AC.19/W.35/Add.1, A/AC.19/W.35/Add.2, A/AC.19/W.35/Add.3, and A/AC.19/W.35/Add.4.

<sup>221</sup> See chapter IV, paragraph 32.

<sup>222</sup> Document A/AC.19/68.

selected areas, in accordance with a co-ordinated plan. The functions of the field observation groups would include :

- (a) Observation on the spot of the activities of selected provincial and local election committees;
- (b) Examination of the extent to which provisions of the electoral law and regulations have been complied with in the areas observed;
- (c) Hearing and examination of complaints received in the areas observed or as directed by the Main Committee;
- (d) Observation of the political aspects of the election campaign in selected areas from the viewpoint of determining whether a free atmosphere for the election exists, with special regard to the conduct of the police and youth organizations;
- (e) Observation, as circumstances permit, of the work of observation groups or agencies established by the United States authorities, by the attaching, where practicable, of a Commission observer to United States observation groups.<sup>226</sup>

75. At the thirtieth meeting, the Commission adopted a report of the *ad hoc* Sub-Committee on items of observation proposed for the guidance of observation groups, but to be complied with only in so far as circumstances would permit.<sup>227</sup>

76. Three periods for observation were agreed to : (1) the registration period; (2) the period following the registration of candidates; and (3) the Election Day and the days immediately preceding and following that day.

77. At the thirtieth meeting, a time-table for three observation groups for the week ending 10 April 1948 was agreed to by the Commission.<sup>228</sup>

78. During the first period, 5 to 10 April inclusive, three teams were sent out, covering all nine provinces and the City of Seoul, by train and motor transportation. The island and province of Cheju-Do were reached by aircraft. During this period, members of the groups interviewed United States military and civil authorities, and also governors, mayors and other Korean civil authorities, the National Election Committee, as well as all the provincial and several district election committees, police officers, local authorities and a few candidates who, at that time, had announced their intention to run.

79. The observation groups checked the progress of the registration at that stage, and visited a number of registration places to observe the procedure at first hand. In general, the registration numbers for male and female voters were about the same, but with regard to the percentage of

illiterates, the groups received highly varying answers even at the same or similar voting places.

80. In accordance with the resolutions passed by the Temporary Commission and the Interim Committee, the groups made detailed inquiries into the existence of a free atmosphere for elections.

81. While the observation groups were unable to establish contact with the extreme leftists, other prominent persons interviewed by the groups freely expressed their opposition to the elections. Their main argument was that they could not co-operate in a separate election in South Korea alone, since that would, in their opinion, tend to solidify the North-South cleavage.

82. At the fourth meeting, the Main Committee had an extensive exchange of views with the Military Governor, Major General William F. Dean. Members of the Commission gave a detailed account of their impressions during the first observation period and of deficiencies encountered, and received assurances from the Military Governor that he would do everything within his power to remedy the situation according to the wishes of the members of the Commission.<sup>229</sup>

83. At the third meeting of the Main Committee, a schedule for four observation groups during the week ending 24 April 1948 was adopted.<sup>230</sup>

84. The second period of observation took place from 19 to 24 April 1948, beginning three days after the registration of candidates had closed. The Commission and the secretariat were this time divided into four groups, and all provinces (with the exception of Cheju-Do) and the City of Seoul were visited.

85. The groups now received detailed and final information about the results of the registration, which normally ran over ninety per cent and quite often close to one hundred per cent.

86. At the sixth meeting of the Main Committee, the organization and travel itinerary of nine observation groups for the period 7-11 May 1948 was approved.<sup>231</sup>

87. The third period of observation, devoted exclusively to the conduct of the elections, took place in the period from 7 to 11 May 1948. The Commission divided into nine observation groups, which visited all provinces and the City of Seoul.

88. The observation can be divided into three phases; namely : (a) the pre-election days, when most groups witnessed the erecting of polling places, and were able to observe the extent to which attempts had been made to sabotage the elections; (b) Election Day itself, Monday, 10 May, when several hundreds of polling places were visited and the actual voting was observed; and finally, (c) that same night and the following day, when, at a number of places, the opening of the poll boxes and the counting of votes were witnessed.

<sup>226</sup> While the Commission received information from United States authorities concerning the elections, it conducted its observations independently, and no observers of the Commission were attached to the United States observation groups.

<sup>227</sup> Document A/AC.19/59.

<sup>228</sup> Documents A/AC.19/W.42 and Addenda 1 to 3.

<sup>229</sup> Document A/AC.19/SC.4/SR.4 (Volume III).

<sup>230</sup> Document A/AC.19/W.42/Add.5.

<sup>231</sup> Document A/AC.19/W.42/Rev.1.

89. At its fifth and sixth meetings, the Main Committee considered various complaints received concerning the free atmosphere for the elections, and instructed the secretariat to bring them to the attention of the United States military authorities.<sup>232</sup> At its ninth meeting, on 14 May 1948, it considered certain replies by the United States Liaison Officer to the Commission to complaints submitted concerning the free atmosphere for elections.<sup>233</sup> It was decided that further complaints received should continue to be submitted to the United States authorities for their observations.

90. The Main Committee decided at its sixth meeting that the secretariat should invite Mr. Kim Koo, Mr. Kim Ki-uc, and Mr. Lyuh Woon Hong

<sup>232</sup> Documents A/AC.19/SC.4/23 and Addenda 1 to 3; A/AC.19/24.

<sup>233</sup> Documents A/AC.19/SC.4/24, A/AC.19/SC.4/25 and Addendum 1.

to be heard by the Committee between 12 and 14 May on the subject of the conference of North and South political leaders held at Pyongyang. The interview with Mr. Kim Koo took place at the seventh meeting on 13 May 1948 and that with Mr. Kim Ki-uc and Mr. Lyuh Woon Hong at the eighth meeting on 13 May 1948.<sup>234</sup>

91. At its seventh meeting, on 13 May 1948, the Main Committee decided that it would also interview political personalities who had favoured participation in the election held on 10 May 1948 and who had not been invited to the Pyongyang conference. In accordance with this decision, the Main Committee at its tenth meeting, on 14 May 1948, held interviews with Mr. Rhee Syngman and Mr. Kim Sung Soo concerning this conference.<sup>235</sup>

<sup>234</sup> Documents A/AC.19/SC.4/SR.7 and A/AC.19/SC.4/SR.8 (Volume III).

<sup>235</sup> Document A/AC.19/SC.4/SR.10 (Volume III).

#### F. PREPARATION OF THE FIRST PART OF THE REPORT TO THE GENERAL ASSEMBLY

92. At the thirty-fourth, thirty-fifth and thirty-sixth meetings, the Commission considered the desirability of temporarily leaving Seoul for Tokyo for the purpose of preparing the first part of its report to the General Assembly, to cover the period up to and including the elections.

93. The representative of Syria introduced a resolution<sup>236</sup> proposing that the Commission should leave for Tokyo on 15 May 1948 for the above purpose. After detailed discussions, the Commission, at its thirty-sixth meeting, adopted the resolution of the representative of Syria, as amended, with five votes in favour and three abstentions. The text of the resolution is as follows:<sup>237</sup>

*"The United Nations Temporary Commission on Korea,*

*"Having resolved to observe the elections on 10 May 1948;*

*"Having recalled the responsibility placed upon it by the General Assembly not only to observe elections of representatives of the Korean people, but to facilitate the participation of such representatives in the consideration of the question of Korean freedom and independence and, in particular, its responsibility to be available for consultation with such representatives;*

*"Having decided that it would be advisable at this time to reach certain preliminary conclusions, and to prepare the first part of its report to the General Assembly to cover the period up to and including the elections;*

*"Having taken into account the advantages to be gained through concentration on this phase of its task in some centre removed from Seoul,*

*"Resolves :*

*"That it proceed from Seoul to Tokyo on 15 May 1948 for the purpose of preparing its report on the work covered so far;*

*"That it return to Seoul during the first week of June, and that during the period of its absence, a liaison group of its representatives remain in Seoul to receive all necessary information."<sup>238</sup>*

94. At the thirty-ninth meeting of the Commission, on 12 May 1948, the Commission reconsidered its decision to proceed to Tokyo, and a resolution proposed by the representatives of El Salvador and the Philippines was adopted by seven votes in favour and one abstention, concerning the departure of the Commission for Shanghai not later than 18 May 1948, and its return to Seoul during the first week of June.<sup>239</sup>

95. The first group of representatives and officers of the secretariat left for Shanghai on 16 May

<sup>238</sup> Following a cable received from the Secretary-General of the United Nations stating that the United States Department of State had cabled its Political Affairs Officer in Tokyo to make the arrangements required, a member of the secretariat of the Commission left for Tokyo on 4 May to make the necessary preparations. He returned to Seoul on 9 May with the information that General MacArthur considered it impracticable for the Commission to come to Japan, owing to lack of accommodation and for other reasons connected with the decision of the Commission to leave Korea.

For the exchange of communications on the decision of the Commission to proceed to Tokyo, see document A/AC.19/W.48.

<sup>239</sup> Document A/AC.19/71. The Commission was informed on 13 May by the United States Liaison Officer that a message from General MacArthur had been received to the effect that in view of the urgency attributed to the matter, arrangements were being made to provide it with facilities in Tokyo. In the meantime, the secretariat had received a cable from the Secretary-General, stating that the Department of State had renewed the invitation to the Commission to come to Tokyo. As arrangements for accommodation in Shanghai were far advanced, the offer was declined by the Secretary-General. The Commission decided, at its forty-second meeting, on 24 May, to regard the incident as closed.

<sup>236</sup> Document A/AC.19/67.

<sup>237</sup> Document A/AC.19/69.

1948, and the other groups followed in the course of that week.

96. Chapters I and II of the first part of the report to the General Assembly, dealing respectively with the creation of the Commission, its terms of reference and composition, and the organization of the Commission, were adopted in their first reading, at the thirty-seventh and thirty-eighth meetings of the Commission held on 5 and 6 May in Seoul, and in their second and final reading, at the fifty-third meeting held on 1 June in Shanghai.

97. Chapters III, IV and V,<sup>240</sup> dealing respectively with (a) the political situation in Korea, (b) the main activities of the Commission and its subsidiary bodies, and (c) the conclusions of the Commission, were discussed at the forty-second to the fifty-eighth meetings, held in Shanghai between 24 May and 4 June 1948.

98. At the forty-fifth meeting on 27 May, the Commission established a drafting Sub-Committee, composed of representatives of China, France, and India, to re-draft portions of the report submitted to it by the Commission.

99. Chapter III was adopted in its first reading at the forty-seventh meeting on 24 May, and in its second and final reading at the fifty-third meeting on 1 June 1948.

100. Chapter IV was adopted in its first reading at the fifty-second meeting on 31 May, with the proviso that it be separated into two chapters.

101. Chapter IV, as separated into two new

<sup>240</sup> Chapter IV was later separated into two chapters, IV and V; the original chapter V became chapter VI.

chapters, IV and V, was adopted in its final reading at the fifty-seventh meeting, on 4 June 1948.

102. The composition of Volume II (Annexes) was approved by the Commission at the fifty-third meeting.

103. The contents of chapter VI (Conclusions) were introduced by the drafting Sub-Committee at the fifty-seventh meeting. After discussing this chapter at the fifty-seventh and fifty-eighth meetings, the Commission decided that this chapter would be further considered following the return of the Commission to Seoul on 7 June 1948.

104. Chapters I, II, III, IV, V, together with the List of Annexes (Volume II), as adopted by the Commission, were signed by the Chairman and the Rapporteur and transmitted to the Secretary-General of the United Nations on 5 June 1948.

105. The discussions on chapter VI were continued in Seoul at the sixty-first to sixty-fourth, sixty-sixth, sixty-seventh, sixty-ninth, seventieth to eighty-second, and eighty-fourth to eighty-sixth meetings. The chapter was adopted in its first reading at the seventy-seventh meeting, in its second reading at the eighty-second meeting, and in its final reading at the eighty-sixth meeting.

106. The introduction was discussed at the eighty-third to eighty-sixth meetings and adopted in its final reading at the eighty-sixth meeting.

107. The introduction, together with chapter VI as adopted by the Commission, was transmitted to the Secretary-General of the United Nations by a letter dated 21 July 1948, signed by Mr. Jean Paul-Boncour, Chairman, and Mr. Liu Yu-Wan, Rapporteur.

## CHAPTER VI

### SUMMARY AND CONCLUSIONS ON THE FIRST PART OF THE REPORT (Technical aspects of the elections)

#### (a) PRELIMINARY CONSIDERATIONS

1. Before going into the subject matter of the present chapter, it may be useful to recall that the problem of the re-establishment of Korean independence had its genesis in the Cairo Declaration of 1 December 1943, the Potsdam Conference of July 1945 and the Moscow Agreement of December 1945.<sup>241</sup> The latter agreement established the United States-Soviet Joint Commission on Korea,<sup>242</sup> which, after a series of inconclusive meetings, finally reached a deadlock in September 1947. Subsequently the United States Government submitted the problem to the General Assembly of the United Nations in September 1947.<sup>243</sup>

2. Following considerable debate, the General Assembly, on 14 November 1947, adopted two resolutions<sup>244</sup> which recognized "the urgent and

rightful claims to independence of the people of Korea" and laid down the principle of the participation of Korean representatives in the discussion of the problem. For that purpose a temporary commission on Korea was established with the right to travel, observe and consult throughout the country.

3. The terms of reference of the Commission, as stated in the resolutions, may be summarized as follows:

(a) To facilitate and expedite the participation of Korean representatives in the consideration of the problem, the Commission shall observe that these representatives be duly elected;

(b) To facilitate and expedite the fulfilment of the programme laid down for the attainment of the independence of Korea and the withdrawal of the occupying forces, the elected representatives, constituting a National Assembly, may establish a National Government and enter into consultations with the Commission.

<sup>241</sup> See chapter III, paragraph 2.

<sup>242</sup> See chapter III, paragraphs 18-21.

<sup>243</sup> See chapter I, paragraphs 1-6.

<sup>244</sup> See chapter I, paragraph 34.

4. Since the resolutions referred clearly to Korea as a whole, and since the United States Government had formally made known its intention to co-operate, the Commission felt it to be its first duty, following its arrival in Seoul in January 1948, to make special efforts to ascertain the degree of co-operation that would be accorded to it by the interested Powers through their occupying forces.

5. The United States military authorities in the South declared themselves ready to extend facilities and assistance. On the other hand, no answer was received to that effect from the Soviet Military Commander in North Korea, but the negative attitude of the Government of the Union of Socialist Soviet Republics was reaffirmed by the Soviet representative to the United Nations.<sup>245</sup>

6. The Commission therefore regretfully drew the conclusion that it would not be possible, for the time being, to implement its terms of reference in that part of Korea occupied by the forces of the Union of Soviet Socialist Republics.

7. In these circumstances, the Commission decided to consult the Interim Committee for the purpose of obtaining its views on the course to be followed in the light of developments.<sup>246</sup>

8. The Interim Committee, on 26 February 1948, expressed the view that "it is incumbent upon the United Nations Temporary Commission on Korea" to implement the programme as outlined in resolution II of the General Assembly, "in such parts of Korea as are accessible to the Commission". The Commission thereupon decided to observe the elections in South Korea announced by the United States Commanding Officer to be held on 10 May 1948,<sup>247</sup> taking into account the recommendations contained in the letter of the Chairman of the Interim Committee to the Chairman of the Commission.

9. This decision did not imply any essential change in the opinion of the members of the Commission that they were primarily concerned with Korea as a whole.

#### *The background of the situation in Korea*

10. In the course of acquainting itself with the background of the situation in Korea since its arrival in January 1948, the Commission had noted certain salient features, bearing upon the political developments, which might be enumerated as follows.

11. The Koreans from both North and South Korea belong to the same race, speak the same language, cherish the same customs and traditions, and have the same fervent love of country. Forty years of Japanese occupation and traditions of feudalistic rule have neither dampened the fervour and political passion of the Korean people nor weakened their historical, ethnic, economic and cultural unity as a people. Both this passion and this unity have periodically manifested themselves in patriotic outbursts.

12. Having discarded certain aspects of their past, they nevertheless continued to conform to old patterns in so far as their cultural and family life was concerned. Language, national dress and way of life outlived the Japanese occupation. The modern tendency to accord equality of rights to women has not lessened the influence and authority of the paterfamilias.

13. In addition to this concept, in rural areas, the village headman continues to speak and decide for his community on important matters relating to agricultural, social and political life.

14. In this context, the Japanese occupation did not find it too difficult to establish an administrative and police network which had so entrenched itself that even after the liberation of the country, the administrative organization of Korea continued to be influenced by deeply rooted systems of vertical authoritarian rule.

15. Moreover, denied access to accurate sources of information and deprived of the freedom usually associated with the Press, the Korean people, under Japanese rule, had spent a number of years in a state of unawareness particularly with reference to international affairs.

16. On the eve of liberation, therefore, the Korean people, in spite of certain traces of indigenous democratic practices, were not prepared for an immediate and general application of modern systems of democracy.

17. Following the disappearance of Japanese rule, the development of the political situation in the part of Korea occupied by the Soviet military forces and in the part occupied by the United States military forces took divergent courses. Thus, this artificial division of the country into two parts by the thirty-eighth parallel,<sup>248</sup> which the Korean people considered as disquieting from the very beginning, was sharpened by the drifting of North and South Korean politics in opposite directions. This unfortunate situation could not but have the most disturbing effects on the political and economic life of the country.

The situation in the Northern zone, on the basis of such fragmentary information as the Commission was able to gather, is described in chapter III, paragraphs 4-7. As for South Korea, the American occupation authorities were faced in the initial stages either with the prospect of a complete breakdown of government or with a continued use of Japanese-trained personnel. This embarrassment was heightened by the fact that Korea was a liberated and not a conquered country. The Military Government, while being compelled to leave a broad measure of authority to such elements as were necessary for the maintenance of law and order, gradually introduced, whenever possible, reforms directly inspired by the American conception of democracy.<sup>249</sup>

18. In addition to a long history of feudalistic rule, the suppression of political activities during

<sup>245</sup> See chapter IV, paragraphs 1-12.

<sup>246</sup> See chapter IV, paragraphs 15-17.

<sup>247</sup> See chapter IV, paragraphs 23-34.

<sup>248</sup> See chapter III, paragraphs 2 and 3.

<sup>249</sup> See chapter III, paragraphs 46, 47 and 48.

forty years of Japanese occupation had deprived the Koreans of opportunities to acquire adequate political experience. This helps to explain the existing weakness in organization of political parties in South Korea, their multiplicity and — possibly — the tendency of such parties and organizations to gravitate more towards personalities than towards issues, resulting in constant shifting of political alignments.

19. Certain rightist parties, having the support of some elements in the Korean administration, had been able to build up an extensive network of provincial and local party organizations.<sup>250</sup> The moderate groups, being of recent origin, were not as successful as the rightists in extending their party organizations in the provinces, in spite of the fact that some of their outstanding members had, until recently, occupied high positions in the Korean Interim Government.<sup>251</sup> The extreme left, whose political machinery was brought to the foreground by the establishment of a "People's Republic" at the time of liberation, had already lost their advantages since the establishment of a military government. Subsequently, they were forced to operate underground and to confine their activities to sporadic attempts at sabotage and violence.<sup>252</sup>

#### (b) PROBLEMS OF THE ELECTION

20. In this political atmosphere, the Commission sought to bring about a greater measure of freedom before the election and to expedite as much as possible the democratization process in South Korea. Through its hearings of Korean personalities and interviews with competent American authorities, such issues as civil liberties, reform of criminal procedure, certain phases of the activities of the police and youth organizations, political prisoners, means of public information, and electoral procedures, came to the attention of the Commission.

21. In due time, extensive recommendations towards obtaining a freedom of atmosphere were transmitted by the Commission to the Commanding General, United States Army Forces in Korea. These recommendations were made in conformity with recognition of the responsibility of the United States authorities for the maintenance of law and order in the country. The United States Command in Korea subsequently took a number of steps in the direction the Commission had advocated as desirable.

22. The following changes regarded as an important step in ensuring civil liberties were effected by the American authorities :

(a) A Korean Bill of Rights, issued by the Commanding General, United States Army Forces in Korea, enumerated the inherent liberties of the Korean people. The proclamation contained the ordinary constitutional rights and freedoms such as generally prevail in democratic countries;<sup>253</sup>

(b) On 20 March, the Military Governor approved an ordinance on criminal procedures,<sup>254</sup> which had been under consideration for some time by the United States Command. Among other things, the new ordinance provided that there would be no arrests without warrant, or in certain specified cases, where arrests without warrant were permitted, no detention would be for longer than forty-eight hours without subsequent warrant. It also contained provisions for bail, counsel, and punitive measures for abuse of power, all new features for Korea.

23. Realizing that neither laws, ordinances nor proclamations in themselves would provide sufficient guarantees for a free atmosphere for elections, the Commission directed its attention to the national police and the youth organizations which had been described, in a number of complaints, as often resorting to abusive practices (arbitrary arrests, threats or pressure, etc.).

24. Though concrete evidence of such abuses was not actually presented by the complainants, the Commission nevertheless recognized that the national police might play an important role in the application and execution of laws and ordinances relating to elections. For this reason, it took the decision to observe the attitude of the police very closely during the pre-election and the election periods.<sup>255</sup>

25. With respect to "youth organizations",<sup>256</sup> it appeared that with the exception of the National Youth Organization — a group supported by the United States Military Government — they were dependent on private initiative only, and most of them were affiliated to political parties. Almost all of them were markedly prone to organize bellicose demonstrations against their political opponents, thus giving frequent indications of a dangerous lack of tolerance towards the ideas they did not share. The Commission noted, moreover, that the membership of these youth organizations included a large number of adults.

26. A number of recommendations were made in this connexion and the respective youth organizations were informed that their behaviour would constitute an important element in the decision of the Commission as to the free atmosphere for elections.

27. From the outset, the Commission had been concerned with the problem of political prisoners.<sup>257</sup> In its recommendations to the Commanding General, United States Army Forces in Korea, the Commission, recognizing the ambiguity of the term "political prisoners", indicated its attitude by specifying those categories of prisoners on whose behalf it did not feel itself justified in interceding. On the other hand, it advocated the release of all those who had been imprisoned for crimes of a political nature and "had not been guilty of any

<sup>254</sup> Ordinance 176, effective 1 April 1948, document A/AC.19/W.40.

<sup>255</sup> See chapter III, paragraph 74.

<sup>256</sup> The proper translation of "Chong Yon Dan" is "Young Men's Organization".

<sup>257</sup> The question was first raised by the Syrian representative at the opening meeting on 12 January 1948.

<sup>250</sup> See chapter III, paragraph 36.

<sup>251</sup> See chapter III, paragraph 42.

<sup>252</sup> See chapter III, paragraphs 8, 15, 25, 31, 45.

<sup>253</sup> Document A/AC.19/62; see chapter V, paragraph 20.

act of violence or fraud". Furthermore, the Commission recommended that prisoners of the latter category, provided their release did not endanger public order, should benefit by a special pardon.

28. As result of those recommendations, the Military Governor, on 31 March 1948, signed 3,140 pardons restoring to those released full civil rights and allowing them to register as voters and stand as candidates if they so desired.<sup>258</sup> In this regard, the Commission, on 15 April 1948, expressed its gratification to the Commanding General, United States Army Forces in Korea.<sup>259</sup>

29. Although some efforts had been made since the liberation to improve means of public information, the Commission felt it necessary to stress the importance of recognizing and respecting the freedom of the Press. Furthermore, in view of the elections, it made a number of recommendations concerning the dissemination of information, distribution of newsprint and radio time.

30. The Commission undertook a detailed examination as well as a comparative study of the electoral laws of North and South Korea.<sup>260</sup> It was, however, unable to consult the North Korean and Soviet authorities on the matter. Such hearings and interviews as conducted by the Commission were thus confined to competent American authorities and a group of representatives of the Legislative Assembly of South Korea.<sup>261</sup> Subsequent recommendations with respect to the revision of the electoral law and regulations were transmitted to the United States authorities; their purpose was to bring the electoral provisions into greater conformity with the General Assembly's resolutions concerning adult suffrage and secret ballot and, in general, to promote as complete and as free an expression of popular will as possible.<sup>262</sup> With minor exceptions, these recommendations were embodied in the revised electoral law.

31. The Commission, in observing the election programme in South Korea, sought to determine whether these recommendations had been complied with at all levels of authority.

#### (c) OBSERVATION OF THE ELECTIONS OF 10 MAY 1948

32. By extensive field observations, the Commission witnessed the election programme in the most important areas during the period of pre-election preparations and on the date of election itself.

#### *Registration of the electorate (first observation tour)*

33. The observation groups found a fair standard of efficiency and organization at all levels of authority. The members of the various election committees were reasonably well informed of the pro-

cedures they had to implement and their work in this respect was carried out in orderly fashion.

34. This was the first formal occasion since the liberation when the Korean people had the opportunity of demonstrating their desire for independence through the medium of elections. The whole administrative machinery was mobilized to acquaint qualified voters with the procedure of registration and with the significance of the elections. At the end of the registration period, 7,837,504 voters had actually registered.<sup>263</sup>

35. The observation groups were not able to collect any concrete evidence of threats or violence against non-registrants. However, the following complaints about malpractices in the conduct of the registration were received :

(a) In some cases registration was taking place in local administrative offices which, among other functions, issued rice ration cards;

(b) Threatened confiscation of rice ration cards resulted, in some instances, in compulsory registration;

(c) Against the background of Japanese rule, the advice given by the police and youth organizations to register was regarded as a form of coercion.

36. Regarding the complaints noted in paragraph 35, sub-paragraphs (a) and (b), the Commission did not find any evidence of actual confiscation of rice ration cards as a means to compel registration. As to the so-called compulsion through the police or youth groups, the election committees repudiated any suggestion of unlawful pressure being exerted on the people. It would appear, however, that a number of those who were opposed to the elections registered because they did not wish their friends and neighbours to doubt their patriotism at a time when the election was being widely publicized as a decisive step towards national independence. Such minor infractions as were noted by the observation groups were remedied by the election committees.

37. Following the first observation period, the Military Governor was invited to appear before the Main Committee for an extensive exchange of views. Members of the Commission gave a detailed account of their impressions of registrations and of deficiencies observed and received assurances from the Military Governor that he would do everything within his power to remedy the situation.<sup>264</sup> The effect of his intervention in the direction desired by the Commission was noted by the field groups in their subsequent observations.

<sup>258</sup> From the figures compiled by the Office of Administration (Census Division), South Korean Interim Government, the estimated population in South Korea on 1 April 1948 was 19,947,000. The total possible registrants, based on the percentage of 49.3 as derived from the 1947 National Registration (7½ million sample) were 9,834,000. On this basis, the number of registrants would appear as representing some 79.7 per cent of the potential electorate. See also document A/AC.19/66/Add.3 (Volume II, Annex VII).

<sup>264</sup> Documents A/AC.19/SC.4/SR.4, A/AC.19/SC.4/SR.5, A/AC.19/SC.5/SR.9, paragraph 13, A/AC.19/SC.8/SR.1 see Volume III).

<sup>258</sup> Document A/AC.19/61/Add.1.

<sup>259</sup> Document A/AC.19/61/Add.2.

<sup>260</sup> See chapter V, paragraphs 41 and 54.

<sup>261</sup> See chapter V, paragraphs 42 and 45.

<sup>262</sup> See chapter V, paragraphs 41 and 52.

38. The extreme left seemed to have confined itself mostly to conducting a vigorous campaign of anti-election activities, many of which were of a violent nature. In addition to threats to members of the election committees, registration officials, and voters, there were scattered instances of poll registers being stolen or burnt, registration offices being set on fire and persons associated with registration being wounded or murdered. These activities, exaggerated in some instances by the law-enforcement officers in their reports, were continued throughout the election period. From 7 February to 9 May 1948 inclusive, acts of violence resulted in 245 persons being killed and 559 wounded.<sup>265</sup> Similarly, on Election Day itself, 44 persons were killed and 62 wounded.<sup>266</sup> Means of transportation and communication were disrupted in a number of places.

These threats and acts of violence, however, were not as a whole supported by the people. With the exception of North Cheju Gun,<sup>267</sup> where the situation was rather confused, registration was duly completed in accordance with the electoral provisions.

#### *Registration of candidates (second observation tour)*

39. There were 942 candidates<sup>268</sup> originally registered for 200 available seats, ranging from eleven candidates in Cheju-Do for three available seats, to 145 in Kyooggi-Do for twenty-nine available seats.<sup>269</sup> In an electoral district, it was not unusual for four or five candidates, in some instances as many as ten or more, to contest one available seat. There were also instances where two or more candidates from the same party contested the election in the same district.

40. The nomination of the great number of "independent" candidates may be attributed to several factors :

(a) Candidates affiliated with a political party, but not standing as the official nominee of the party in a given district, tended to try their luck by campaigning as independents notwithstanding orders from their party headquarters in Seoul;

(b) It is possible that certain rightist parties, fearing that their nominees would be prejudiced by the local prevailing political situation, put forward some of their candidates as independents ;

(c) Members of certain parties opposing the elections might have attempted to seek election by standing as independent candidates ;

(d) It seemed that a certain number of independents entered the contest relying on their appeal to certain sections of the Korean electorate dissatisfied with the existing parties.

41. The Commission's observation groups made every effort to acquaint themselves with the political views of the candidates. In addition to voicing their opposition to communism and the artificial division of their country, most of these declared themselves in favour of the elections as the method of effecting the unity and independence of Korea. During those interviews it also appeared that many candidates favoured the establishment of a National Government following the elections.

In actual campaigning before the electorate, all candidates pleaded for the support of the elections as a step towards achieving the independence of Korea. This aspect of the campaign was of such overriding importance that discussions on domestic issues and party platforms were noticeably absent. Beyond this question of supporting the elections, the electorate was rarely faced by the candidates with other views as to how unity and independence were to be attained. However, most of the people were fully aware of the meaning of the campaign led by the opposition against the elections.

42. Organized campaigning was local in nature, rather than nationally co-ordinated. It was frequently restricted to local rivalry between competing candidates whose personalities seemed to play a major part. Because of this, certain elected candidates spent only insignificant sums, whereas defeated candidates had devoted sizable funds to their campaigns.

43. During the second observation tour, the candidates, on the whole, declared that they were able to campaign freely and without interference. However, many complaints did later reach the Commission. Specific ones were duly transmitted to the National Election Committee, whose subsequent decisions were regarded as conforming generally to the electoral procedures.

#### *The elections (third observation tour)*

44. The Commission divided itself into nine observation groups which visited the City of Seoul and all the provinces in South Korea for the purpose of observing the conduct of the elections.

45. The preparations made for the actual mechanics of voting were generally satisfactory. Although the arrangements in some cases appeared to be makeshift and might be described as rudimentary, the secrecy of the balloting was, on the whole, ensured. Such minor defections as were noted by the observation groups were immediately rectified by the election committees.

46. Of the 7,837,504 who had registered, 7,036,750, or 95.2 per cent of the total registrants,<sup>270</sup> actually took part in the voting. This represents 75 per cent<sup>271</sup> of the total potential electorate. The Commission observed that a large percentage

<sup>265</sup> Documents A/AC.19/W.39/Add.4, Add.6 and Add.8.

<sup>266</sup> Documents A/AC.19/W.39/Add.7 and Add.8.

<sup>267</sup> Documents A/AC.19/SC.5/SR.5 and 6 (see Volume III), A/AC.19/SC.4/6/Add.3 (not reproduced) and A/AC.19/66/Add.3 (volume II, Annex VII).

<sup>268</sup> Of 942 candidates originally registered for 200 seats, 57 did not stand for election. Of this figure, 50 withdrew their candidacy, 2 were assassinated, 1 died of natural causes, 4 were disqualified.

<sup>269</sup> For detailed classifications of registered candidates and subsequent elections, see paragraph 51.

<sup>270</sup> The figures mentioned are based on statistics compiled by the Census Division, South Korea Interim Government (document A/AC.19/66/Add.3) (Volume II, Annex VII). Computation of percentage is exclusive of 445,622 registrants in non-contested areas. See also footnote to paragraph 34.

<sup>271</sup> It should be kept in mind that registration was neither automatic nor compulsory. Thus, 25 per cent represents the total abstention.

of the registered voters, often as much as 90 per cent, had cast their ballots during the first four hours, so that in many cases voting was practically completed hours before closing time.

47. These features seemed to indicate a real enthusiasm on the part of the people, as well as of the election officials. There can be little doubt that the Korean electorate responded willingly to the appeal that had been made to them by those interested in the success of the elections, and that the election officials, in spite of the threats made — and often carried out — by the opposition, performed their duties with a zeal and a degree of efficiency that the Commission could hardly expect to find in a country recently opened to modern forms of democracy. This might be explained to a large extent by patriotic motives, although an undeniable curiosity for an entirely new experience in a general election on the part of the electorate and of the election officials themselves might have been a contributing factor. The observation groups also found a general display of goodwill and eagerness to perform electoral duties.

48. As to the administrative and electoral authorities, complaints were again received that they had interfered with the normal course of the elections. These complaints were, however, even more vague in character than those received during the period of registration. Concrete facts were rarely reported. Such words as “threats” and “violence” were again freely used to describe irresponsible acts which constitute, even in the most advanced democracies, the quasi-ritual accompaniment of individual or even party propaganda. It should be noted that, while these complaints were still numerous on the eve of the elections, their number decreased substantially after the results had been made known. As a whole, the evidence produced was not such as to impress the Commission that the outcome of the elections had been appreciably affected, the more so when the extreme left parties — which the police and the youth organizations

were accused of trying to suppress — were abstaining. Those cases which appeared to be serious enough to deserve careful consideration were, however, referred to the United States military authorities, who gave to the Commission a detailed account of the results of the enquiries conducted at their request.

49. As regards the national police as a whole, it might be pointed out that, had they ever thought of interfering with the course of the elections, in spite of the Military Governor's specific instructions not to do so, they would have had neither the time nor the means to exert their influence on the days preceding the elections and on Election Day itself. The active campaign of violence conducted by the extreme leftists created among the police a feeling of apprehension and watchfulness. They had thus practically no respite during that period. Being primarily occupied with the maintenance of order, they gave no grounds for criticism to the Commission. Few among the complaints received were connected with their activities on Election Day.

50. As to the youth organizations, which belonged mostly to the extreme right, they appeared to have refrained from active interference in the course of the elections. Their activities were directed towards assisting the authorities in the protection of polling places and the protection of voters or even of candidates. A good number of their members had volunteered in the “Community Protection Groups” created in view of the elections to assist the police in maintaining order. These groups were not allowed to carry arms and were placed under the supervision of the police. It would thus appear that, having been warned by the authorities of the concern of the Commission regarding their activities, the youth organizations adroitly refrained from any unlawful interference, leaving to the extreme left the monopoly of violence.

51. The party affiliations of registered candidates and elected representatives were officially listed as follows :<sup>272</sup>

Candidates' affiliations	Number of candidates	Number of elected representatives
Independents . . . . .	366	85
National Association for the Rapid Realization of Korean Independence (NARRKI) . . . . .	247	55
Hankook Democratic Party . . . . .	100	28
Tae Dong Youth Group . . . . .	90	12
National Youth Corps . . . . .	22	6
Dae Han Labour League . . . . .	22	2
Christian Organization . . . . .	13	1
Korean Independence Party . . . . .	8	1
Buddhist Organization . . . . .	5	—
Patriotic Women's Association . . . . .	3	—
Farmer's Party . . . . .	1	1
Chungyou Youth Group . . . . .	1	—
Former Members of Korean Interim Legislative Assembly . . . . .	6	—
Military Government Officials . . . . .	6	—
Confucian Organization . . . . .	5	—
Liberals . . . . .	4	—

<sup>272</sup> Documents A/AC.19/66/Add.5 (Volume II, Annex VII), A/AC.19/75 (Volume II, Annex VII) and A/AC.19/W.54.

Candidates' affiliations	Number of candidates	Number of elected representatives
People's Independence Party . . . . .	2	—
Young Men's Christian Association . . . . .	1	—
Catholic . . . . .	1	—
Korean Youth Association . . . . .	1	—
Gold Miners' Association . . . . .	1	—
Chundo Religion . . . . .	1	—
Korean Agriculture . . . . .	1	—
Chosen Democratic Party . . . . .	31	1
Tan Min Party . . . . .		1
General Headquarters for Korean National Unification . . . . .		1
Education Association . . . . .		1
Korea Republic Party . . . . .		1
No. 15 Club, Pusan . . . . .		1
Tai Sun Association . . . . .		1
Others . . . . .		—

52. In attempting to interpret the significance of party affiliations of elected representatives, the following factors should be given careful consideration :

(a) Party discipline in Korea seemed relatively loose. The candidates had at their disposal a certain amount of leeway to act independently of the parties to which they were affiliated.

(b) Personalities played an important role in Korean politics. Constant shiftings in party affiliations were not uncommon. It is difficult, therefore, to determine to what extent the people, in electing a candidate to the Assembly, were influenced by his personality and to what extent by his party.

In view of the above, just how and how far the elected representatives may conform to party lines cannot now be foreseen.

53. Of 85 independents elected, allowance should be made for the fact that an indefinite number belonged to either the rightist or opposition parties. The actual alignments of independents can be ascertained only by analysing their forthcoming votes in the Assembly on specific issues.

54. As long as the party affiliations of the independents remain uncertain, the two major political parties in South Korea — the National Association for the Rapid Realization of Korean Independence and the Hankook Democratic Party — would not appear, either alone or together, to have polled a clear majority of the seats.

55. With regard to the boycott of the elections by various parties and organizations,<sup>273</sup> three different methods of protest were available under the conditions in which the elections were held :<sup>274</sup>

- (a) Abstaining from registering;
- (b) Registering but abstaining from voting;
- (c) Registering and casting a blank or a void ballot.

56. No doubt a certain number of South Koreans, for political reasons, followed one or other of the above-mentioned courses. However having regard to the inexperience of voters, the relatively high degree of illiteracy, and normal disabilities of old age and sickness, not all who did so acted for political reasons.

57. The fact that 75 per cent<sup>275</sup> of the potential voters actually went to the polls would be regarded in most countries as an impressive popular response. Even after making full allowance for the possible effects of social pressure on some of the voters and for the habits of subordination to authority in producing a large vote, this response still signified on the part of the people a widespread endorsement of the elections as a means of achieving Korean independence, and an acceptance of those parties and individuals that campaigned for the elections. Of the 25 per cent who abstained from voting, how many did so for political reasons and how many for non-political reasons could not be ascertained. However, such an abstention, whatever the percentage for political reasons may be, might serve as a basis for those who opposed the elections to claim that their views were shared by large numbers of their fellow countrymen. At the same time, it might be pointed out that this abstention constituted a refutation of the charges made by certain circles that the free will of the electorate could not be exercised at all.

#### (d) CONCLUSIONS ON THE ELECTIONS OF 10 MAY 1948

58. The Commission, having taken into account the facts noted above, is of the opinion that :

- (a) There existed in South Korea during the period of preparation for the elections and on Election Day itself, a reasonable degree of free atmosphere wherein democratic rights of freedom of speech, Press and assembly were recognized and respected;

<sup>273</sup> See chapter III, paragraphs 56, 57, 59 and 60-64.

<sup>274</sup> From the data compiled by the Census Division of the South Korean Interim Government about 20.3 per cent of the potential electorate failed to register, 4.8 per cent of those who registered failed to vote, and 3.8 per cent of those who voted cast blank or void ballots.

<sup>275</sup> See footnotes to paragraph 46.

(b) The United States Army Forces in Korea and the South Korean Interim Government complied with the recommendations of the Commission on electoral procedures and the conduct of the elections conformed generally to the electoral laws and regulations;

(c) The elections were regarded as a step in the re-establishment of the independence of Korea and, as such, were the only substantial issue placed before the electorate, resulting in the large percentage both of registration and balloting; the candidates who stood for election were in favour of this method of effecting the unity and independence of Korea and therefore did not place any fundamentally

conflicting issues before the electorate; and opposition to the issues involved in the elections took the form of a boycott of the elections themselves;

(d) Having taken into account the reports of its observation groups, and the conclusions noted above, and bearing in mind the traditional and historical background of the people of Korea, the results of the ballot of 10 May 1948 are a valid expression of the free will of the electorate in those parts of Korea which were accessible to the Commission and in which the inhabitants constitute approximately two-thirds of the people of all Korea.

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