

UNITED



NATIONS

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

Volume II — Annexes I-VII

GENERAL ASSEMBLY

OFFICIAL RECORDS : THIRD SESSION

SUPPLEMENT No. 9 (A/575/Add.4)

PARIS, 1948

(42 p.)

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OF THE REPORT OF THE UNITED NATIONS TEMPORARY COMMISSION
ON KOREA

Volume II — Annexes I-VII

ANNEX I

Texts of main documents concerning the formation of the Korean National Assembly
and consultation of the Temporary Commission with its representatives

1. LETTER TO THE CHAIRMAN OF THE UNITED NATIONS TEMPORARY COMMISSION ON KOREA FROM THE CHAIRMAN OF THE KOREAN NATIONAL ASSEMBLY CONCERNING THE ESTABLISHMENT OF THE NATIONAL ASSEMBLY AND CONSULTATION WITH THE COMMISSION¹

National Assembly, the Capitol
Seoul, 11 June 1948

I have the honour to notify you formally of the establishment of a Korean National Assembly in the capital city of Seoul on the thirty-first day of May 1948, by the representatives of the Korean people elected on 10 May 1948, under the observation of the United Nations Temporary Commission on Korea.

This notification of the formation of the Korean National Assembly is confirmatory of the informal notification of the proposed establishment of a National Assembly to the United Nations Temporary Commission on Korea through Mr. Chu, Hung-Ti, representing the Secretariat, on Saturday, 29 May 1948 by a Preparation Committee of representatives. An invitation to attend the opening session of the National Assembly was extended to Mr. Chu, Hung-Ti, and to Mr. Henri Costilhes, head of the Liaison Group.

This will also confirm the appointment of a temporary Liaison Committee by resolution of the National Assembly. This Committee was received by Mr. Patterson, the United Nations Temporary Commission on Korea, Chairman, and Mr. Milner, the Principal Secretary, on 8 June 1948. The Committee will be available for any consultation with the United Nations Temporary Commission on Korea on all matters affecting the National Assembly.

The establishment of the Korean National Assembly was in accordance with part II of the *Resolutions adopted on reports of the First Committee*, United Nations, 14 November 1947, particularly paragraph 3 which states "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."

The Interim Committee after hearing the views of former Chairman K. P. S. Menon of the United Nations Temporary Commission on Korea stated on 27 February 1948 that it was resolved "in the light of developments in the situation with respect to Korea since that date (14 November 1947), to implement the programme as outlined in resolution II in such parts of Korea as are accessible to the Commission".

(Signed) Syngman RHEE
Chairman
Korean National Assembly

2. REPLY FROM THE CHAIRMAN OF THE TEMPORARY COMMISSION TO THE CHAIRMAN OF THE NATIONAL ASSEMBLY REGARDING ITS ESTABLISHMENT AND CONSULTATION WITH ITS REPRESENTATIVES²

Duk Soo Palace
Seoul, 25 June 1948

I have the honour to acknowledge receipt of your letter of 11 June 1948 in which you notify the Commission formally of the establishment of a Korean National Assembly in the capital city of Seoul on the thirty-first day of May 1948, by the representatives of the Korean people elected on 10 May 1948, under the observation of the United Nations Temporary Commission on Korea.

The Commission takes note of the fact that a National Assembly was constituted on 31 May 1948 by the elected representatives of the Korean people and desires to express the earnest hope that these representatives will seek to promote early attainment of the independence and unification of Korea.

Your letter further refers to the resolutions of 14 November 1947 of the General Assembly of the United Nations and to the resolution of the Interim Committee of 26 February 1948, which constitute the terms of reference of the United Nations Temporary Commission on Korea.

In this regard, the United Nations Temporary Commission on Korea desires to make reference to the letter of 10 June 1948, in which the then Chairman of the Commission, Mr. G. S. Patterson, advised

¹ A/AC.19/78.

² A/AC.19/78/Add. 1.

you that the Commission is now ready for such consultation as the elected representatives may request concerning the further implementation of its terms of reference as defined in the resolutions of the General Assembly adopted on 14 November 1947.

(Signed) YU WAN LIU
Chairman

3. LETTER FROM THE COMMANDING GENERAL, UNITED STATES ARMY FORCES IN KOREA, TO THE ELECTED REPRESENTATIVES CONCERNING THEIR RESPONSIBILITIES IN THE FORMATION OF A GOVERNMENT³

27 May 1948

I congratulate you upon your election as a representative of the Korean people to participate in forming a government and in uniting the Korean nation. You carry great responsibilities of which I am sure you are well aware and which I am confident you will handle with great honour to yourself and the fine people you represent.

The most important feature of the election is that it puts the fate and future of Korea into Korean hands. The manner and method in which the elected representatives in South Korea make their approach to handling the affairs of their nation will have tremendous and lasting effect on the future of the Korean people.

The policy of the United States has always been that Korea shall be a *united* independent nation under democratic government free of foreign domination. That same policy is reflected internationally in the 43 to 0 vote of the United Nations General Assembly when it voted to observe elections in Korea as a step toward establishing a Korean National Government and to advise Korean elected representatives in the formation of that government. This policy also reflects the wishes of the 30,000,000 Korean people, and we all regret exceedingly that the free election could not be held in Korea north of 38° parallel at the same time as in South Korea. The United States and the United Nations hope that this can be done, and that representatives from North Korea can join those of South Korea in the establishment of a truly National Korean Government joining North and South Korea together in one nation.

It is my hope, the hope of the United States Government and the hope of the members of the United Nations Temporary Commission on Korea as expressed to me on numerous occasions, that the newly elected representatives will do everything in their power to form a truly democratic government and to unite Korea.

I am sure that members of the Assembly, both as individuals and as members of party groups, have ideas as to how these objectives can be accomplished. In that

connexion, I have three suggestions for your possible early consideration when you meet to begin your deliberations toward the formation of a government. They are as follows.

First, in order to pave the way for unification of North and South Korea, an early resolution might be adopted stating that 100 seats (or a number as calculated on a proportional population basis) are always open in the Assembly for your brothers in North Korea when their representatives have been duly chosen.

Second, the Assembly might, early in its deliberations, appoint an able liaison committee to contact the United Nations Temporary Commission on Korea inasmuch as this Commission was specifically appointed for the purpose of facilitating and expediting the establishment of an independent Korean Government. The Government which you will form will certainly wish to have the approval of the United Nations of the world and such a committee could be most helpful to both the United Nations and the Korean Assembly in carrying out the remaining provisions of the United Nations resolution of 14 November 1947.

Third, that the Assembly avoid precipitant action in the adoption of any constitution providing a form of government which may not be suitable to Korean needs and psychology. The constitution provides the basic foundation of the State and its provisions should be the subject of most careful and serious consideration.

I wish you and all other elected representatives of the Korean people every success. I assure you that as the senior United States representative in Korea I will continue to do everything I can to assist the Korean people in attaining their life-long desire, namely, an independent Korean nation, united under its own sovereign government.

(Signed) John R. HODGE
Lieutenant General, U. S. Army
Commanding

4. RESOLUTION OF THE NATIONAL ASSEMBLY OF 12 JUNE 1948 CONCERNING NORTH KOREA⁴

Korean National Assembly, Seoul, Korea
14 June 1948

Dr. G. S. Patterson, Chairman,
United Nations Temporary
Commission on Korea,
Duk Soo Palace,
Seoul, Korea.
Dear Sir:

I have the honour in sending you herewith the original Korean copy of the Resolution passed at the ninth sitting of the Assembly on 12 June 1948 re "Message to Our Countrymen in North Korea" with a copy of the English translation.

³ A/AC.19/W.51.

⁴ A/AC.19/W.53.

I trust this will receive your due consideration and appropriate action.

(Signed) Yun T. YOUNG
Liaison Committee
Korean National Assembly, Seoul, Korea

TEXT OF THE RESOLUTION

To our fellow countrymen in North Korea

Our independence movement conducted since 1919 finally resulted in international promises of independence at Cairo and Potsdam, thanks to the blood of our martyrs and the spirit of our patriots.

The task of the US-USSR Joint Commission which was organized by the Moscow Agreement, however, incompatible with the will of the thirty million Korean people and (therefore the commissions) finally broke up.

International justice expressed by the resolution of the General Assembly of the United Nations on 14 November 1947, brought the United Nations Temporary Commission on Korea into Korea, and the 10 May general elections were held in a free atmosphere in that area where it was possible, according to the resolution of the United Nations Little Assembly on 17 February 1948.

We, the members elected by the free will of the nation, held a solemn opening ceremony of the National Assembly before the (eyes of the) world, and we are proceeding to the great task of establishing a complete sovereign government. We deeply regret that our fellow countrymen in North Korea did not have the opportunity to hold a general election like we did, because the Union of Soviet Socialist Republics boycotted the United Nations resolution.

Hereby we, all the members of the National Assembly, resolve to express our sincerest wishes to our fellow countrymen in North Korea.

We hope you, our fellow countrymen in North Korea, will hold a general election soon in a free atmosphere, in accordance with the United Nations resolution, as we did, and elect the true representatives of the people, sending them to the National Assembly (to sit with us).

5. LETTER FROM THE CHAIRMAN OF THE TEMPORARY LIAISON COMMITTEE TO THE CHAIRMAN OF THE TEMPORARY COMMISSION REQUESTING CONSULTATION²

Korean National Assembly
Temporary Liaison Committee
Seoul, 12 July 1948

I have the honour to call your attention once again to the urgent desire of the members of the Korean National Assembly for unity of Korea, and to request your assistance to attain that objective.

In the Korean National Assembly, as well as throughout Korea, there is great anxiety that elections shall be held north of the 38th parallel at the earliest possible date, in a free atmosphere, under United Nations supervision, so that freely elected representatives may join in the deliberations of our National Assembly and in the activities of our forthcoming government. We hold open some one hundred seats for our brethren in North Korea who have been unable to hold elections.

On 12 June, by unanimous vote, the National Assembly passed a resolution, appealing to our fellow countrymen in North Korea to join us. A copy of this resolution³ is attached for your information. By publication in the Press and by repeated radio broadcasts of the text, we have endeavoured to acquaint our fellow countrymen in North Korea with our longings and our hopes. In addition, a member of the Liaison Committee, Mr. Yun Chi Yung, personally read the text of the resolution over the radio in a broadcast to North Korea, acting officially as a member of the National Assembly.

To this date, however, we have received no response. We do not possess any other means of communication ourselves. We have explored other possible avenues but find none feasible. Since the United Nations Temporary Commission on Korea also is deeply concerned over the question of our national unity, we wish to consult with you as to the best means not only of transmitting our resolution to the north, but of achieving our objective of a united Korea.

We respectfully request that you transmit our resolution to the Secretary-General of the United Nations, with your memorandum that he communicate our appeal to the people residing in the northern part of our country through the Government of the Union of Soviet Socialist Republics whose troops are in occupation.

We would like to consult with you on behalf of the Korean National Assembly as to additional means to further our objective of national unification.

(Signed) CHANG MYUN
Chairman, Temporary Liaison Committee
Korean National Assembly

6. REPLY FROM THE CHAIRMAN OF THE COMMISSION TO THE COMMUNICATION OF THE CHAIRMAN OF THE TEMPORARY LIAISON COMMITTEE REGARDING REQUESTED CONSULTATION¹

Duk Soo Palace
Seoul, 16 July 1948

I acknowledge receipt of your letter dated 12 July, enclosing copy of a resolution adopted on 12 June by your Assembly.

² The text of this resolution was submitted to the Chairman of the Commission on 14 June 1948. For the text, see A/AC.19/W.53, page 2.

¹ A/AC.19/W.53/Add. 2.

The United Nations Temporary Commission on Korea notes with special interest the repeated assurances given in this communication concerning the earnest desire of the representatives elected on 10 May to further the national unification of Korea.

The Commission welcomes your suggestion for consultations and has instructed me to invite the Temporary Liaison Committee to appear before the Main Committee of our Commission, at the Duk Soo Palace, on Monday 19 July, at 10.30 a.m.

Meanwhile your communication will be transmitted to the United Nations, Lake Success, for information purposes.

As to the procedure you suggest to acquaint the people in the northern part of Korea with the resolution of 12 June, we cannot but make reservations as to its practicability. Moreover, our Commission wishes to remind you of the fact that the proper channel for all official communications remains, as in the past, the respective military authorities of occupation.

(Signed) Jean PAUL-BONCOUR
Chairman

7. RECORD OF CONSULTATION BETWEEN THE MAIN COMMITTEE OF THE TEMPORARY COMMISSION AND THE TEMPORARY LIAISON COMMITTEE OF THE NATIONAL ASSEMBLY, 19 JULY 1948^a

On the invitation of the Chairman, Mr. Chang Myun, Chairman, and Messrs. Yun Tchi Young, Lee Hooku, Kim Do Yun and Chang Ki Young, members of the Temporary Liaison Committee, took their places at the Committee table.

The CHAIRMAN said that the Main Committee felt very happy at starting formal co-operation with the Liaison Committee of the Korean National Assembly, elected by the people of that part of Korea to which the Commission had access. As stated already to this Assembly in the speech of his predecessor, Mr. Valle, the elections of 10 May 1948 had been held in a free atmosphere and the electoral procedure had been correctly applied; the Assembly constituted therefore the expression of the will of the electorate.

The lack, thus far, of any formal consultations between the Commission and the Liaison Committee might have led to a somewhat delicate situation due to certain irresponsible elements, over which the Assembly could have no control, since the Press in South Korea was free, and to a wrong interpretation given by some Press comments to the speech of Mr. Valle on 30 June and the communications addressed by the Commission to Mr. Rhee, Chairman of the Assembly. He felt sure, however, that all members of the Assembly had duly noted the very careful way in which those verbal and written communications had

been worded. The Commission had taken note of the decision of the elected representatives to constitute a National Assembly, but it had been careful to avoid any responsibility to recognize the title of "National". It did not mean that the members of the Assembly had not the full right to give to it any name they wanted. On the other hand the Commission had the obligation to stress that its relations with the Assembly were only based on factual grounds.

He considered it of great importance that the Liaison Committee realized on what delicate basis the collaboration between the Assembly and the Commission was placed. He hoped that that would also be kept in mind when the formation of a government would be considered. He felt it his duty to explain that in a friendly and frank way so to avoid any misunderstanding in the future.

He further asked the Liaison Committee for an authorized English version of Mr. Rhee's speech delivered before the National Association for the Rapid Realization of Korean Independence. Divergent reports had been published and might lead to international polemics. It was important therefore for the Commission to know what, in fact, had been said.

Mr. CHANG, Chairman of the Temporary Liaison Committee, said that the Committee was greatly honoured by having been invited to meet formally with the Main Committee of the United Nations Temporary Commission on Korea. The Liaison Committee felt it its obligation to keep the Commission informed on the proceedings of the Assembly and all important events had been reported to the Principal Secretary. Up to that time all the members of the Assembly had been busily engaged in passing the Constitution and the law on the formation of the government. It was expected to proceed the next day to the election of the President and Vice-President. The President, with the consent of the Assembly, would appoint a Prime Minister, and in a week or so the Cabinet might be formed. The Commission would be duly notified of the fact of the formation of the government.

Referring to the Chairman's remarks, he did not believe that there was any misunderstanding in the Assembly as to the attitude taken by the Commission. It had been duly stated in all the communications of the Commission that it had taken note of the fact that the Assembly had been established. Note had been taken by the Assembly that the word "recognition" had not been used. He perfectly realized that the Commission was not entitled to take decisions on recognition, since that was an attribute of individual Governments only. He had been well aware of, and had deplored, the irresponsible comments of the Press, over which the Assembly had no control. However, in private conversations

with pressmen, he had stressed the erroneous interpretations they had given to the Commission's communications. The Assembly, however, had abstained from formally rectifying those comments.

He assured the Main Committee that no misunderstandings existed and he did not expect any misunderstanding in the future.

As to the speech of Mr. Rhee, it had been delivered outside the Assembly and could not involve its responsibility. He was well aware of various tendentious Press reports which had circulated on that subject: they were incorrect. In his speech, Mr. Rhee had made reference to the people in the north, who had been persecuted by the Communists and had taken refuge in the south and he stressed the necessity of combatting communism. Some newspapers had changed that idea and had attributed to Mr. Rhee the words: "combatting the USSR". Denial had been published by several newspapers, but he would submit to the Committee an authorized English translation.

The CHAIRMAN thanked Mr. Chang for his frank and friendly statement. The Commission had also abstained from rectifying the Press comments. The country was on its way to independence and it had not been considered advisable to interfere in questions belonging to the elected representatives, such as the constitution of the National Assembly or the formation of a government. He was glad to hear that members of the Assembly had rightly interpreted the attitude of the Commission and that there was no misunderstanding as to the stand of the Commission. He shared the hope of Mr. Chang that such misunderstandings would not arise in the future.

He noticed that the Liaison Committee did envisage the notification to the Commission of the fact of the creation of a Korean Government in Seoul. He agreed that the Liaison Committee should be the proper agency to transmit to the Main Committee such a notification.

He expressed the hope that steps would be taken in advance to avoid the repetition of erroneous comments by the Press at the time of the notification to the Commission of the formation of the government.

He understood that the Assembly had no responsibility for Mr. Rhee's speech. If he wanted to know its exact text, it was because the Commission was preoccupied with the possible repercussions of that speech and wanted to be able to reply to the eventual accusation that the trend of political developments following the elections of 10 May had not been in accordance with the wishes of the United Nations, as specified in paragraph 2 of the letter of the Chairman of the Interim Committee to Mr. Menon on 1 March 1948 (A/AC.19/45).

Mr. CHANG, Chairman of the Temporary Liaison Committee, said that great care would be taken to avoid repetitions of any further misinterpretations of the Commission's position.

With regard to the letter of 1 March 1948, he considered that the term "other Korean groups which might not have participated in the elections", applied to the people in North Korea since in South Korea there had been no group which had not participated in the elections.

In that respect he recalled that the first resolution passed by the Assembly had been an appeal to the people in North Korea. All members of the Assembly considered it their most essential task and were unanimous in the desire to attain the unity of Korea. That was why the appeal had been made asking the people in the north to send their representatives elected under the supervision of the United Nations. A copy of that appeal had been handed to the Chairman of the Commission and to the Principal Secretary.

For its part, the Assembly had taken all possible steps to have the appeal reach the people in the north. Finally, the Commission had been requested, on 12 July, to transmit it to the Secretary-General of the United Nations for communication to North Korea through the Government of the Union of Soviet Socialist Republics. The Assembly had done everything it could and hoped that the whole world would know that it was most anxious that elections be held in North Korea under the supervision of the United Nations.

If members of the Main Committee had any suggestions to make, they would be gratefully accepted.

The CHAIRMAN pointed out that the request of the Liaison Committee presented in its letter of 12 July had been transmitted to Lake Success. However, the experience which the Commission had had in its dealings with the Soviet authorities in North Korea and the Government of the USSR obliged him to make reservations as to the practicability of the rest of the procedure.

He took note of Mr. Chang's statement that no methods, other than issuing an appeal to the people in North Korea, had been used to attain unity. He stated that the Commission would feel obliged to report to the General Assembly and to submit its recommendations with regard to the independence and unity of Korea. The Commission would have to consider the international situation, and in particular the relations of the two occupying Powers in Korea, as well as the national factors, such as for instance the imminent constitution of separate governments in the north and in the south. Those recommendations would necessarily depend on the nature of decisions taken in that respect by South and North Korea.

He hoped that the happy contact established by that first meeting would be maintained and developed.

Mr. CHANG, Chairman of the Temporary Liaison Committee, expressed again his gratitude and that of his colleagues. He felt that no other organization was more con-

cerned or interested in assisting Korea in achieving its independence and unity than the United Nations. The Assembly was, so to speak, a child of the United Nations and would look to it for guidance and assistance. Although no immediate steps to realize the unity of Korea could be taken, it was to be hoped that some formula would be found later. In spite of all difficulties, international and otherwise, the Korean people would never give up their hope and they counted on the help of the United Nations.

The CHAIRMAN assured the members of the Liaison Committee that all the members of the Commission had deeply at heart the interests of Korea.

He enquired whether the Liaison Committee would report to the Assembly informally or publicly. If the report was made at public session, the Main Committee might consider it advisable to issue a Press release of its own.

Mr. CHANG, Chairman of the Temporary Liaison Committee, said that he would report to the Assembly at its next public meeting; he did not think that his statement would necessitate a Press release by the Main Committee since it would be made in a very general way.

Mr. Chiang, Chairman, and the other members of the Temporary Liaison Committee, withdrew.

ANNEX II

Texts of main documents concerning the establishment of the Government of the Republic of Korea and consultation with the Temporary Commission

1. DRAFT MEMORANDUM ON THE IMPLEMENTATION OF THE RESOLUTIONS OF THE GENERAL ASSEMBLY OF 14 NOVEMBER 1947, SUBMITTED BY THE CHINESE DELEGATION¹

(1) The powers and duties of the United Nations Temporary Commission on Korea are defined by resolution II of the United Nations General Assembly of 14 November 1947, taking into consideration also the resolution of the Interim Committee of 26 February 1948. It should be noted that the resolution of the Interim Committee did not and could not add to, or subtract from, the powers and duties of the Commission as determined by the resolution of 14 November 1947, not only because the "Little Assembly" is without power to change the resolutions of the General Assembly, but also because the Commission is an autonomous body within the limits fixed by the instruments of its creation.

(2) The United Nations Temporary Commission on Korea was authorized by the resolution of 14 November 1947 "to consult with the Interim Committee... with respect to the application of this resolution in the light of developments". The Commission did consult the Interim Committee and the latter did advise that "in its view it is incumbent upon United Nations Temporary Commission on Korea to implement the programme as outlined in resolution II in such parts of Korea as are accessible to the Commission". The Commission decided to accept this advice and adopted this interpretation as its own decision "to proceed with the observation of elections in that part of Korea accessible to it". This means that no change has been made and none could be made in the tasks imposed upon the Commission by its fundamental law, the resolutions of 14 November 1947. What are these tasks?

(3) Resolution I of 14 November 1947 recognized that a correct solution of the Korean question requires participation of the indigenous population through its elected representatives and the Commission was established "to facilitate 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". The Commission undertook to observe the elections in territory accessible to it after having determined that the elections could be held in a reasonably free atmosphere.

(4) The representatives so elected are representatives of the Korean people with whom, under paragraph 2 of the resolution of 14 November 1947, the Commission "may consult regarding the prompt attainment of the freedom and independence of the Korean people", but also under the express terms of the resolution, they are constituting a National Assembly "which may establish a National Government of Korea". The circumstance that the elections could not be held in the whole territory of Korea does not change the fact that the elected representatives constitute a National Assembly. Historically, instances could be cited showing that national assemblies did not always at all times control all national territory. The Commission has already expressed its readiness to consult with the elected representatives "concerning the further implementation of the Commission's terms of reference as defined in the resolution of the General Assembly adopted on 14 November 1947". Under that same resolution, these elected representatives may constitute and have already constituted a "Korean National Assembly".

(5) It is this National Assembly which, under paragraph 3 of resolution II of 14 November 1947, was told that "as soon as possible after the elections, the National Assembly should convene and form a Na-

¹ A/AC.19/82.

tional Government and notify the Commission of its formation". It is of this National Assembly, too, that the Interim Committee, in an explanatory note to its resolution of 27 February 1947, fully aware of the negative attitude of the Union of Soviet Socialist Republics and the Ukrainian Soviet Socialist Republic, continued to speak, and added that "the National Assembly to which representatives are to be elected would be a stage in the formation of a Korean Government". The Interim Committee further noted "that the representatives constituting a National Assembly would be entirely free to consult with the United Nations Temporary Commission on Korea" and "furthermore 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 groups therein".

(6) The tasks of United Nations Temporary Commission of Korea are therefore:

(a) To observe the elections, which are already completed;

(b) To consult with the elected representatives of the Korean people constituting a National Assembly regarding the "prompt attainment of the freedom and independence of the Korean people"; and

(c) To be available for consultation with the National Government in carrying out the purposes of paragraph 4 of resolution II of the General Assembly, such as constitution of a national security force, transfer of governmental functions and withdrawal of armed forces of the two occupying Powers.

2. LETTER FROM THE PRESIDENT OF THE REPUBLIC OF KOREA TO THE CHAIRMAN INFORMING THE TEMPORARY COMMISSION OF THE FORMATION OF THE GOVERNMENT OF THE REPUBLIC OF KOREA AND REQUESTING CONSULTATION WITH THE COMMISSION, PARTICULARLY WITH REFERENCE TO PARAGRAPH 4 OF RESOLUTION II OF THE GENERAL ASSEMBLY²

Office of the President

Republic of Korea

Seoul, 6 August 1948

I have the honour to inform you that on 5 August 1948, the Korean National Assembly, which was constituted as a result of elections held on 10 May 1948, under observation of the United Nations Temporary Commission on Korea, formed the Government of the Republic of Korea. This Government has been formed in accordance with the Constitution of the Republic of Korea, adopted by the National Assembly on 12 July 1948, and proclaimed on 17 July 1948. A copy of this Constitution was transmitted for your information on 14 July 1948.

Preliminary to the formation of this Government, the National Assembly adopted the Government Organization Law on 16 July 1948, a copy of which was transmitted to you for your information on 21 July 1948. The Government, as organized, is in accordance with that law, which is based on the Constitution.

In accordance with the Constitution and the Government Organization Law, on 20 July 1948, the undersigned, Syngman Rhee, was elected President, and Lee Shi Young was elected Vice-President of the Republic of Korea, by votes of more than two-thirds of the members of the National Assembly.

Also in accordance with the Constitution of the Republic of Korea, Kim Pyung Ro was designated by the President as Chief Justice on 5 August 1948 and his appointment was approved by vote of the National Assembly on 5 August 1948.

Following the election of the President, Lee Bum Suk was appointed Prime Minister by the President, this appointment being concurred in by the vote of the National Assembly on 2 August 1948. Thereupon, the following gentlemen were appointed to the indicated posts. With the President and the Prime Minister, they form the Cabinet and hence the Executive Branch of the Government:

Yun Tchi Young

Minister of Interior

Chang Taik Sang

Minister of Foreign Affairs

Lee Bum Suk

Minister of Defence

Kim Do Yun

Minister of Finance

Lee In

Minister of Justice

An Ho Sang

Minister of Education

Cho Bong Am

Minister of Agriculture and Forestry

Yim Young Sin (Louise)

Minister of Commerce and Industry

Chun Chin Han

Minister of Social Affairs

Min Heui Sik

Minister of Transportation

Yun Suk Koo

Minister of Communication

This notification of the formation of the Government of the Republic of Korea is being transmitted to the United Nations Temporary Commission on Korea in accordance with paragraph 3 of resolution II, of the General Assembly of 14 November 1947.

In furtherance of the United Nations General Assembly resolutions on Korea, I have the honour to request on behalf of the Government of the Republic of Korea, consultations with the United Nations Temporary

² A/AC.19/89.

Commission on Korea, particularly with reference to paragraph 4 of resolution II, adopted on 14 November 1947.

(Signed) Syngman RHEE
President

3. LETTER FROM THE COMMANDING GENERAL, UNITED STATES ARMY FORCES IN KOREA, TO THE CHAIRMAN OF THE TEMPORARY COMMISSION, TRANSMITTING A STATEMENT OF THE STATE DEPARTMENT ISSUED ON 12 AUGUST 1948³

12 August 1948

Enclosed herewith is a statement concerning the new Korean Government to be released by the United States State Department in Washington at 1800, 12 August (Washington time) and released by me in Seoul at 9:00, 13 August (local time, one hour after Washington release).

I have been asked by my Government to pass an advance copy to the United Nations Temporary Commission on Korea for its confidential information prior to its release here tomorrow morning.

(Signed) John R. HODGE
Lieutenant General, U. S. Army,
Commanding

(Enclosure)

Press release

For release 9:00 a.m., 13 August 1948

The Commanding General, United States Army Forces in Korea, announced that the State Department has released in Washington the following statement :

In the Joint Declaration issued at Cairo on 1 December 1943, the three subscribing Powers, the United States of America, China and Great Britain, expressed their determination "that in due course Korea shall become free and independent". This determination was reaffirmed in the Potsdam Declaration of 26 July 1945, with which the Soviet Union associated itself upon its declaration of war against Japan on 8 August of that year. On 27 December 1945, in Moscow, the Foreign Ministers of the Soviet Union, the United States of America, and Great Britain concluded an agreement, later adhered to by the Government of China, designed to re-establish Korea as an independent State.

Although the annexation of Korea by Japan was effectively terminated with the occupation of that country by the armed forces of the Soviet Union and the United States in August and September 1945, the freedom and independence of Korea so solemnly pledged by the four Powers has proven slow of realization. After nearly two years of painstaking but unavailing effort to give effect to those pledges through negotiations with the other occupying Power, the United States Government, on 17 September 1947, laid the problem of Korean independence before the General

Assembly of the United Nations. The will of an overwhelming majority of that body was expressed in two resolutions adopted by it on 14 November 1947, the purpose of which was to make it possible for the Korean people to attain their long-sought freedom and independence through the holding of free and democratic elections and the establishment, on the basis thereof, of a National Government.

In pursuance of these resolutions, elections were held in Korea on 10 May of this year, under the observation of the United Nations Temporary Commission on Korea, for the purpose of electing representatives to a National Assembly which might in turn form a National Government. The National Assembly so elected convened on 31 May and has proceeded to form a Government—a Government in which it is hoped that the people of North Korea, who were prevented from participating in the 10 May elections by the refusal of the Soviet Union to permit the implementation of the General Assembly resolutions in its zone of occupation, will be free in due course to assume their rightful role. Notification of the formation of the new Government was communicated to the United Nations Temporary Commission on Korea on 6 August 1948.

It is the view of the United States Government that the Korean Government so established is entitled to be regarded as the Government of Korea envisaged by the General Assembly resolutions of 14 November 1947. Pending consideration by the General Assembly at its forthcoming third session of the report of the United Nations Temporary Commission on Korea, the United States, pursuant to its responsibility as occupying Power, is sending to Seoul a Special Representative who will be authorized to carry on negotiations with that Government, in consultation with the United Nations Temporary Commission on Korea, concerning the implementation of the further provisions set forth in paragraph 4 of the second of the General Assembly resolutions of 14 November 1947. As such Special Representative, the President has named the Honorable John J. Muccio of Rhode Island, who will have the personal rank of Ambassador.

4. REPLY FROM THE CHAIRMAN OF THE TEMPORARY COMMISSION TO PRESIDENT RHEE SYNGMAN'S LETTER ACCEDING TO THE REQUEST FOR CONSULTATION (SEE ANNEX II, 2)⁴

Duk Soo Palace
Seoul, 16 August 1948

I have the honour to acknowledge your letter of 6 August 1948, in which you informed the United Nations Temporary Commission on Korea of the formal establishment of the Government of the Republic of Korea, pursuant to paragraph 3 of resolution II of the General Assembly.

³ A/AC.19/89/Add. 3.

⁴ A/AC.19/89/Add. 4.

adopted on 14 November 1947, and in which you requested consultations with the Commission, particularly with reference to paragraph 4 of the aforesaid resolution.

I am pleased to inform you that the Commission has authorized me to communicate to you that the Commission is now ready for such consultation, having designated the Main Committee of the Commission as the body to consult with the Korean authorities.

(Signed) Rufino LUNA
Chairman

5. LETTER FROM THE FOREIGN MINISTER OF THE GOVERNMENT OF THE REPUBLIC OF KOREA TO THE CHAIRMAN OF THE TEMPORARY COMMISSION REGARDING THE APPOINTMENT OF THE KOREAN REPRESENTATIVES FOR THE PURPOSE OF CONSULTATION WITH THE COMMISSION⁵

Republic of Korea
Ministry of Foreign Affairs

Seoul, Korea
17 August 1948

With reference to your letter of 16 August 1948, addressed to the President, I have the honour to inform you that the President has instructed me to appoint representatives of this Government to consult with the United Nations Temporary Commission on Korea.

The President has directed me to express for him, and I also express for myself, great pleasure at the decision of your Commission to engage in consultations with this Government as provided for in resolution II on Korea, paragraph 4, of the United Nations General Assembly of 14 November 1947. The subjects therein defined are: (1) establishment of a security force; (2) arrangements for the transfer of authority from the United States occupation forces to the Korean Government; (3) the withdrawal of foreign troops when practicable.

I have designated Mr. Chang Myun; Mr. Chang Ki Yung and Mr. Koh Chang Il as representatives of the Foreign Ministry to conduct these consultations. I have noted your designation of the Main Committee of the United Nations Temporary Commission on Korea as the consultative body, and have so informed the Korean representatives named above.

(Signed) CHANG Taik Sang
Foreign Minister

6. LETTER FROM THE REPRESENTATIVE OF THE MINISTER OF FOREIGN AFFAIRS OF THE KOREAN GOVERNMENT TO THE CHAIRMAN OF THE TEMPORARY COMMISSION REQUESTING CONSULTATION⁶

Republic of Korea
Ministry of Foreign Affairs

Seoul, 21 August 1948

I have the honour to address you on behalf of the Minister of Foreign Affairs in

acknowledgment of your letter of 19 August 1948, acknowledging the letter of the Minister of Foreign Affairs designating the official Korean representatives to consult with the United Nations Temporary Commission on Korea. The representatives are Mr. Chang Ki Yung; Mr. Koh Chang Il and myself.

I wish to make arrangements for the appearance of our representatives before your Main Committee at the earliest possible date. If you are in a position to make such an appointment verbally I shall be happy to accept the time you designate.

The Korean representatives will wish to consult on problems connected with the establishment of a security force and consequent Korean relations to the United States occupation forces; the transfer of governmental powers from the United States occupation forces to the Government of the Republic of Korea; and the withdrawal of the occupation forces from Korea, in accordance with resolution II, paragraph 4, United Nations General Assembly resolutions on Korea of 14 November 1947.

(Signed) CHANG Myun

7. STATEMENT BY DR. WANG SHIH CHIEH, MINISTER OF FOREIGN AFFAIRS OF CHINA, CONCERNING PROVISIONAL RECOGNITION OF THE GOVERNMENT OF KOREA⁷

An independent Korean Government elected and formed under the auspices of the United Nations has come into being. It has been China's long-cherished desire to see the restoration of independence to Korea.

Since the Cairo Conference of 1943, the liberation of Korea has become the common commitment of the principal allied Powers, but in spite of the defeat of Japan the realization of Korea's independence has been much delayed. The United Nations Temporary Commission on Korea, through patient and judicious efforts and in accordance with the resolutions of the General Assembly of the United Nations, has fulfilled its assignment in assisting the birth of a truly democratic Korean Government. After due consideration of all the factors involved, the Chinese Government deem it both as her right and as her obligation to establish immediate relations with the Government of Korea. I am happy to announce that, pending discussion of the Commission's report by the General Assembly of the United Nations, and in the spirit of unity and friendship between the two peoples, the Chinese Government accords provisional recognition to the Government of Korea and appoints Dr. Liu Yu-Wan China's diplomatic representative near that Government with the rank of an Ambassador.

⁵ A/AC.19/89/Add. 5.

⁶ A/AC.19/89/Add. 6.

⁷ A/AC.19/W.58/Add. 1.

8. REPORT OF THE "JOHNSTON COMMITTEE" ON KOREA MADE PUBLIC BY SECRETARY OF THE ARMY KENNETH C. ROYALL IN WASHINGTON, D. C., 19 MAY 1948 *

Summary

In Korea the problem is complicated by the artificial division of the country into two zones of military occupation. The Koreans are eager for the independence to which our Government is committed. It has been impossible so far to hold elections throughout all Korea, but an election is soon to be held in the South Korean (American) zone, under the auspices of the United Nations. After the election and the establishment of a representative government it is proposed, under the United Nations resolution, to work out arrangements for the withdrawal of occupation troops.

Korean food production is improving and South Korea should eventually be able to supply its own food requirements if fertilizer requirements can be met. Other problems, however, are most acute. Lack of raw materials is greater even than in Japan. South Korea is dependent on North Korea for most of its electric power supply. The Korean railroads would stop if coal supplied by our occupation authorities in Japan were cut off. The industries which Japan developed during forty years of Japanese control are operating at only about 20 per cent of capacity. South Korea is short of raw materials, and equally short of management and technical supervision formerly supplied by the Japanese. As in Japan, the United States has been supplying food, fertilizer and petroleum products to keep the economy from collapse and to prevent widespread disease and unrest.

Here again the Committee believes, with General Hodge, our military commander, that reasonable assistance should be given to finance importation of raw materials necessary to increase production of agricultural and industrial goods. An interim aid programme, not limited solely to relief, should give a new Korean government, when it is formed under the supervision of the United Nations, the needed help to establish the stable economic conditions so necessary to encouraging the development of free democratic government.

Finally, our Committee has examined the proposed recovery programme prepared by the Department of the Army and supported by the State Department. The programme

would provide a total of 220 million dollars for a twelve-month period for raw materials and other recovery items for Japan, Korea, and the Ryukyu Islands. We believe such a recovery programme essential in order to reduce and eventually eliminate spending in these areas for relief.

As an occupying Power, we have accepted a flag responsibility. We believe the United States can discharge this responsibility better, and end it earlier by concentrating on economic recovery and by gradually reducing relief. Our Committee therefore recommends approval and execution by our Government of the suggested recovery programme at the earliest possible date.

Brief notes on the economic situation in Korea

It is impossible in three days to make a comprehensive and detailed appraisal of the economic situation of a nation. The Committee was dependent, during its short stay in Korea, upon facts and figures made available by General Hodge and his staff, upon sketchy glimpses of the city of Seoul and its environs, and upon individual discussions with Korean business, economic and political leaders. Our review was largely limited to an analysis of the resources, economic potentials and needs of South Korea and to an examination of the fiscal and budget situation.

The Committee was impressed by the strong desire of the Korean people for self-government. They are an intensely nationalistic people who have experienced the bitter taste of suppression. Appreciative as they are for what the United States has done for them in the American Zone in Korea, they are anxious to guide their own destinies as an independent nation.

Korea's assets

Korea is not heavily endowed with natural resources, but has considerable agriculture, fisheries and mineral deposits. Seventy-five per cent of the industrial production, the bulk of the electricity generating capacity, the larger portion of anthracite coal deposits (there is no bituminous deposit), and 95 per cent of the fertilizer production, however, are found in North Korea. With the exception of electric power transmission, the 38th parallel border between the American Zone and the Russian Zone effectively excludes these benefits from South Korea. At present South Korea is able to supply only 80 per cent of the food required to maintain a minimum subsistence level for its enlarged population. The deficit, as in Japan, is being supplied by the United States of America under its occupational responsibilities. The agricultural and food situation may be greatly improved if adequate supplies of fertilizer are made available to the farmers.

The fishing industry offers real promise both by way of food for domestic consump-

* A/AC.19/W.59. The Johnston Committee was composed of Mr. Percy H. Johnston, chairman of the Chemical Bank and Trust Company; Mr. Paul G. Hoffman, now Administrator for the European Recovery Programme; Mr. Robert F. Loree, chairman, National Foreign Trade Council, formerly Vice-President of the Guaranty Trust Company, and Mr. Sidney H. Scheuer, senior partner of Scheuer and Company.

At the invitation of Secretary of the Army Kenneth C. Royall, the Committee accompanied Under-Secretary Draper on a three weeks visit to Japan and Korea in order to study the economic situation and economic occupation problems in Japan and Korea. The Committee submitted its report to Mr. Kenneth C. Royall, Secretary of the Army, on 26 April 1948.

tion and for export, providing Korea can increase her fishing fleet and equipment. No sizable export surplus will emerge, however, unless a considerable investment in the fish catching and processing industries is made. A large proportion of the Korean fishing fleet was taken to Japan by repatriated Japanese and, as a consequence, the Korean fishing industry has been severely handicapped since 1945.

The mineral resources of South Korea, such as tungsten, gold, zinc, copper and graphite, together with her ceramic clays, are of substantial value and should be developed as soon as possible. Here again, there is a need for sizable investment inasmuch as the underground structures have deteriorated and many of the refining processes are obsolescent.

Large investments in public improvements, productive facilities and buildings, made by the Japanese during their occupation have given this essentially agrarian economy an industrial nucleus which can be advantageously utilized if raw materials are made available, if physical plant is converted from war uses to peacetime purposes, and if an adequate corps of managers and technicians can be trained.

Major economic problems

The problems of the Korean economy are similar to those in many under-developed parts of the world today, but are greatly aggravated by the unfortunate division of the country into two zones north and south of the 38th parallel. Serious problems of inflation, unbalanced budget and excessive currency circulation are being experienced in South Korea. The future government must meet these fiscal problems with vigour, but they can only finally be satisfactorily overcome when the economy of all Korea is integrated and when production has been substantially increased.

The inadequacy of fuel and power, the scarcity of raw materials and the lack of competent managers and technicians have combined to reduce South Korea's industrial production to less than 30 per cent of capacity.

No indigenous bituminous coal is produced, and South Korea is now importing from Japan 60,000 tons per month, primarily for railroads and steam electric plants. Of the anthracite coal, which must be briquetted before it can be used industrially, the larger deposits are in North Korea. This briquetting will require the continued importation of asphalt pitch.

South Korea produces less than half of her minimum electric power needs, the remainder being supplied from the northern zone.

Next to coal, the two most important raw materials which Korea must import are raw cotton and salt. South Korea alone will need to import 50,000,000 pounds of raw cotton annually to provide the population

with the very minimum needs of cotton textiles. Korea's domestic salt production supplies less than one-third of her minimum requirements. No substantial increase in fishery output can be had unless salt imports of 200,000 metric tons are provided.

Other vital raw material needs are raw rubber, petroleum products and wool.

The future of Korea's economy will depend upon the development of experienced managers and technicians now lacking as a result of approximately forty years of Japanese imperialistic domination and exploitation. Koreans will need all possible assistance to overcome this deficiency. It would be most desirable to make available top flight industrial consultants and business advisors from the United States, but it is highly doubtful if the services of sufficient numbers of such men with the required qualifications can be obtained. Since the most immediate field from which assistance can be obtained is Japan, the new Korean Government should seriously consider, in its own interest, and in spite of the understandable hatred remaining from the war, recruiting key technicians and technical instructors from Japan.

While able guidance is obviously essential to meet the immediate managerial problem, it is most important, from the long-range point of view, that conditions be established which will encourage the Koreans themselves to learn to deal with all phases of their economic and industrial activities as soon as possible.

The occupation authorities have, to the extent personnel and facilities are available, undertaken training programmes, but these need expansion. Korean technicians should also be given an opportunity to receive training outside the country. There are considerable numbers of qualified candidates, and steps should be taken at once to help Koreans obtain the necessary education in foreign schools.

Revival of a flourishing trade will, of course, be extremely difficult under the present unsatisfactory conditions. In addition, the Koreans must face the problem of developing an entirely new pattern of trade relationships since, under Japanese domination and exploitation, Korean trade was an adjunct of the Japanese economy. Korea must necessarily be an integral part of the Far Eastern economic system. It is dependent for many of its requirements upon Japan, and for others upon China and Manchuria. The resources and industries of Korea, in turn, can supply products valuable to other Far Eastern areas. With additional coastal shipping facilities, Korea should be able to develop her trade with Far Eastern areas on an equitable basis and with considerable saving in cost.

Conclusions

Many of Korea's problems would be solved, and others ameliorated, if the coun-

try were united. The United States must, however, face existing political realities in the Far East. We have publicly affirmed our intention that the Korean people should be free and independent as soon as possible. Pursuant to a General Assembly resolution, a United Nations Commission is now in Korea for the purpose of expediting Korea's independence. Although they have been refused admittance to the northern zone, the Commission has been instructed by the United Nations Interim Committee to supervise elections in South Korea. When an independent government is established as a result of these elections, the basic United Nations General Assembly resolution contemplates the early subsequent withdrawal of occupation forces.

For a time after the withdrawal of United States forces the new independent Korean Government will require continuing American aid, advice, food and raw materials in order to maintain at least the present ration level and to achieve necessary rehabilitation and governmental effectiveness. This assistance we feel should be provided for an interim period, with steps taken to assure that it is properly utilized. The Committee believes that firm support by the United States and the United Nations to the new Korean Government will inestimably help to develop participation in future Far Eastern trade on a basis valuable to the Korean people and to their neighbours.

9. RECORD OF CONSULTATION BETWEEN THE MAIN COMMITTEE OF THE TEMPORARY COMMISSION AND THE REPRESENTATIVES OF THE GOVERNMENT OF THE REPUBLIC OF KOREA, 25 AUGUST 1948 *

The CHAIRMAN said that the representatives of the Korean Government, designated by the Foreign Minister to conduct consultations with the Commission, had visited him that same morning and advised that for the time being they had no concrete questions about which to consult the Committee. However, since he had already convened the meeting and since the Main Committee was ready to proceed with consultations as provided for in paragraph 4 of resolution II of 14 November 1947, he had asked them to attend the meeting at 11 a.m., as had been previously decided, if only for purposes of information.

Mr. LIU (China) considered it advisable to take that opportunity to stress to the Korean representatives that the seat of the Commission remained in Seoul, that the Main Committee was ready for consultation

at any time and that the Drafting Committee only was proceeding to New York.

Agreed.

The meeting was suspended for fifteen minutes.

Mr. Chang Myun, Mr. Chang Ki Yung and Mr. Koh Chang Il, representatives of the Korean Government, took their places at the Committee table.

The CHAIRMAN welcomed the representatives of the Korean Government.

Mr. CHANG MYUN said that he wanted to keep the Committee informed on the negotiations between the Korean Government and the United States authorities, but that for the moment there were no questions on which the Korean Government wanted to consult the Commission. Negotiations with the United States authorities were progressing to the satisfaction of both parties concerned. He referred to the executive agreement signed on 24 August, which he considered a basic agreement. Mr. Rhee and General Hodge had exchanged notes some time ago on other questions connected with the transfer of authority, leading to the withdrawal of the United States forces and the termination of the United States occupation of South Korea. The agreement which had just been signed had been very carefully negotiated and it was hoped that its provision would be completed without much delay.

Those were the most important facts on which he wanted the Committee to be informed.

The CHAIRMAN thanked Mr. Chang Myun. He was glad to hear that talks between the Korean Government and the United States authorities were proceeding satisfactorily and he hoped that the spirit of good-will and co-operation would prevail during the entire course of negotiations.

He further said that although some members were leaving Korea on 26 August and others on 2 September, the official and legal seat of the Commission remained in Seoul. The Main Committee would be ready for consultation when requested by the Korean Government. The Drafting Committee only was proceeding to New York in order to complete, in time, the report to the General Assembly.

Mr. CHANG MYUN thanked the Chairman for that information which he would transmit to his Government. He himself and Mr. Chang Ki Yung intended to leave Seoul for Paris in order to attend the session of the General Assembly. Mr. Koh Chang Il would remain in Seoul and would maintain a close contact with the Main Committee.

* A/AC.19. SC.4 SR.19 (excerpt, pages 2 to 3).

ANNEX III

Texts of agreement and exchange of communications concerning the transfer of governmental functions

1. LETTER FROM THE PRESIDENT OF THE REPUBLIC OF KOREA TO THE CHAIRMAN OF THE TEMPORARY COMMISSION, TRANSMITTING A COPY OF HIS LETTER TO THE COMMANDING GENERAL, UNITED STATES ARMY FORCES IN KOREA, REGARDING THE TRANSFER OF GOVERNMENTAL AUTHORITY¹

Republic of Korea
Office of the President

Seoul, 10 August 1948

I have the honour to transmit, for your information, a copy of a letter which I sent on behalf of the Korean Government to Lieutenant General John R. Hodge, Commanding General, United States Army Forces in Korea, on 9 August 1948.

The text of this letter will not be made public at this time, although its contents were described in a Press release yesterday afternoon, a copy of which also is enclosed. It is contemplated that at an early date the text will be published, but it is requested that in the interim you will consider this letter as a secret document.

(Signed) Syngman RHEE
President

(Enclosure 1)

Republic of Korea
Office of the President

Seoul, 9 August 1948

Sir,

I have the honour to inform you that, in consequence of the deliberations and acts of the Korean National Assembly, which was constituted as a result of the election held on 10 May 1948, under the observation of the United Nations Temporary Commission on Korea, there was formed, as of 5 August 1948, the Government of the Republic of Korea. In accordance with paragraph 3 of resolution III of the United Nations General Assembly resolutions on Korea of 14 November 1947, the United Nations Temporary Commission on Korea was notified, on 6 August 1948, of the formation of this Government.

In furtherance of the United Nations General Assembly resolutions on Korea, particularly paragraph 4 of resolution II, I have the honour further to inform you that the Government of the Republic of Korea, after consultation with the United Nations Temporary Commission on Korea, will be prepared to take over the functions of government. To that end, your co-operation and assistance are requested in transferring to the Government of the Republic of Korea all such functions now exercised by you as Commanding General, United States Army Forces in Korea, including the direction of all police, coast guard and

constabulary units now in being. The Government of the Republic of Korea recognizes that it will be necessary for you to retain control over areas and facilities of vital importance to you (such as ports, camps, railways, lines of communication, airfields, etc.) as you may deem necessary in order to accomplish the transfer of authority to the Government of the Republic of Korea and the withdrawal of United States occupation forces from Korea in accordance with the United Nations General Assembly resolutions on Korea. During this period, the personnel of your Command, both military and civilian, including their dependents, shall remain under your exclusive jurisdiction.

In the interest of providing a progressive and orderly transfer of full governmental responsibility and authority from the United States Army Forces in Korea to the Government of the Republic of Korea and to accomplish the purposes set forth above, I am prepared to name Mr. Lee Bum Suk, Mr. Yun Tchi Young and Mr. T. S. Chang to consult with representatives of your Command.

(Signed) Syngman RHEE
President

Lieutenant General John R. Hodge,
Commanding General,
United States Army Forces in Korea,
Seoul
(Enclosure 2)

Press release No. 2

Republic of Korea
Office of the President

9 August 1948

The President transmitted a letter to Lieutenant General John R. Hodge, CG, USAFIK, on 9 August, informing him of the formation of the Government of the Republic of Korea on 5 August, and of his previous notification to the Temporary Commission with request for consultation.

The President stated that the Korean Government is prepared to take over the functions of government, including direction of all police, constabulary and coast guard units, and requested initiation of negotiations to effectuate that transfer.

The President named the Prime Minister Lee Bum Suk, the Home Minister Yun Tchi Yung, and the Foreign Minister Chang Taik Sang as Korean representatives to consult with representatives of the Commanding General, United States Army Forces in Korea, to provide for the transfer of governmental responsibility and authority from the United States authorities in Korea to the Government of the Republic of Korea.

The President realizes the transfer of authority is a step of such magnitude as to

¹ A/AG.19/89/Add.1.

require a transition period to effect that transfer in an efficient and orderly manner. The President expects the transfer to commence on 15 August, Liberation Day. During the transition period, until the foreign troops can be withdrawn in accordance with the United Nations resolution of 14 November 1947, the President recognizes that the Commanding General, United States Army Forces in Korea, necessarily will retain control over all United States troops as well as over those facilities essential to their maintenance.

2. LETTER FROM THE COMMANDING GENERAL, UNITED STATES ARMY FORCES IN KOREA, TO THE CHAIRMAN OF THE TEMPORARY COMMISSION TRANSMITTING A COPY OF HIS LETTER TO THE PRESIDENT OF THE REPUBLIC OF KOREA CONCERNING THE TRANSFER OF GOVERNMENTAL AUTHORITY²

11 August 1948

The enclosed copy of a letter is transmitted for your information. The original, addressed to Dr. Syngman Rhee, President of the Republic of Korea, was dispatched this date.

Although it is expected that this letter eventually will be made public, you are requested to treat it as a privileged communication until that time. Meanwhile, the contents of this letter have been described in a Press statement released simultaneously with transmittal of the letter. A copy of this Press Statement also is enclosed.

(Signed) John R. HODGE
Lieutenant General, U. S. Army,
Commanding

(Enclosure 1)

11 August 1948

Sir,

I have the honour to acknowledge Your Excellency's Note of 9 August 1948, in which you informed me of the fact that, in accordance with the United Nations General Assembly resolution II of 14 November 1947, the United Nations Temporary Commission on Korea was notified on 6 August 1948 of the formation of the Government of the Republic of Korea, and in which you requested my co-operation and assistance in transferring to that Government the functions of government now exercised by me as Commanding General of the United States Army Forces in Korea.

I am pleased to note that the Government of the Republic of Korea recognizes that it will be necessary for me to retain control over areas and facilities of vital importance (such as ports, camps, railways, lines of communication, airfields, etc.) as I deem necessary in order to accomplish the transfer of authority to the Government of the Republic of Korea and the withdrawal of United States occupation forces from Korea in accordance with the United Nations General Assembly resolutions on Korea.

Furthermore, I note that the Government of the Republic of Korea recognizes my exclusive jurisdiction over the personnel of my Command, both military and civilian, including their dependents.

I shall be pleased to co-operate with you in arranging a progressive and orderly transfer of governmental functions, including the assumption of responsibilities for the direction of all police, coast guard and constabulary units now in being, leading to the withdrawal of United States forces from Korea and the termination of the United States occupation. To this end, and for the purpose of facilitating arrangements for the withdrawal of the forces under my Command, I have appointed Major General C. G. Helmick and Mr. Everett F. Drumright to consult with Your Excellency's representatives: Mr. Lee Bum Suk, Mr. Yun Tchi Young and Mr. T. S. Chang.

(Signed) John R. HODGE
Lieutenant General, U. S. Army,
Commanding

His Excellency Syngman Rhee,
President of the Republic of Korea, Seoul

Press release : PIO USAFIK

11 August 1948

In response to a letter dated 9 August 1948 from Dr. Syngman Rhee, President of the Republic of Korea, Lieutenant General John R. Hodge, Commanding General, United States Army Forces in Korea, replied this date. The President had stated that the Korean Government was prepared to take over the functions of government, including direction of all police, constabulary and coast guard units, and requesting initiation of negotiations to effectuate that transfer. The President had named the Prime Minister, the Home Minister, and the Foreign Minister as his representatives to consult with representatives of the Commanding General, United States Army Forces in Korea, to provide for the transfer of governmental responsibility and authority from the United States authorities in Korea to the Government of the Republic of Korea.

General Hodge designated Major General C. G. Helmick and Mr. Everett F. Drumright as his representatives to confer with the representatives of the President.

General Hodge took note of a statement by the President that the latter recognized that the Commanding General, United States Army Forces in Korea, necessarily would retain control over all United States forces as well as over those facilities essential to their maintenance.

These negotiations will cover subjects referred to in resolution II, paragraph 4, United Nations General Assembly resolution on Korea, 14 November 1947. It is expected that the new Korean Government will be inaugurated on 15 August and that the formal negotiations for transfer of authority will commence the following day.

3. INTERIM AGREEMENT BETWEEN THE PRESIDENT OF THE REPUBLIC OF KOREA AND THE COMMANDING GENERAL, UNITED STATES ARMY FORCES IN KOREA, REGARDING THE TRANSFER OF AUTHORITY OF THE KOREAN SECURITY FORCES TO THE GOVERNMENT OF THE REPUBLIC OF KOREA¹

Republic of Korea
Office of the President

Seoul, 24 August 1948

Sir,

The enclosure is a copy of the interim agreement between the President of the Republic of Korea and the Commanding General, United States Army Forces in Korea, regarding the transfer of authority of the Korean security forces to the Government of the Republic of Korea, signed on 24 August 1948.

It has been agreed between the parties concerned that this agreement will be kept confidential until the transfer of authority of other departments of the Government has been completed.

May I ask you to present it to other members of your august Body, the United Nations Temporary Commission on Korea.

Please let me know if the Commission desires any further information regarding the content of it.

(Signed) Syngman RHEE

The Honourable Rufino Luna,
Chairman,
United Nations Temporary Commission on
Korea,
Duk Soo Palace

Headquarters XXIV Corps,
Office of the Commanding General,
APO 235

Seoul, 24 August 1948

Sir,

I am enclosing herewith for the information of the United Nations Temporary Commission on Korea a copy of an interim agreement in connexion with paragraph 4 of General Assembly resolution II, of 14 November 1947, between the President of the Republic of Korea and the Commanding General, United States Army Forces in Korea, covering the transfer of responsibility for the existing Korean security forces to the Government of Korea and the training and equipping of those forces. It will be noted that this agreement pertains only to the period that United States Army Forces stay in Korea.

It is requested that this agreement be held in classified status and not become available to the public until such time as it is published as agreed upon between authorized representatives of the Korean and United States Governments

If additional information concerning this agreement is desired by the Commission, I or any of my representatives will be happy to supply it.

Signed, John R. HODGE
Lieutenant General, U. S. Army,
Commanding

The Honourable Rufino Luna,
Chairman,
United Nations Temporary Commission on
Korea,
Duk Soo Palace

EXECUTIVE AGREEMENT BETWEEN THE PRESIDENT OF THE REPUBLIC OF KOREA AND THE COMMANDING GENERAL, UNITED STATES ARMY FORCES IN KOREA, CONCERNING INTERIM MILITARY AND SECURITY MATTERS DURING THE TRANSITIONAL PERIOD

Preamble

Whereas, the President of the Republic of Korea and the Commanding General, United States Army Forces in Korea, exchanged notes on 9 August 1948, respectively, concerning the progressive and orderly transfer of governmental functions from the Commanding General of United States Army Forces in Korea to the Government of the Republic of Korea leading to the withdrawal of United States forces from Korea and the termination of the United States occupation ;

Whereas, the President of the Republic of Korea and the Commanding General, United States Army Forces in Korea, have appointed representatives to consult for the purposes of facilitating the progressive and orderly transfer of governmental responsibility, and of facilitating arrangements for the withdrawal of forces under the command of the Commanding General, United States Army Forces in Korea ;

Whereas, the consultations between the representatives of the President of the Republic of Korea and of the Commanding General, United States Army Forces in Korea, have revealed the common interest of the Government of the Republic of Korea and the Commanding General, United States Army Forces in Korea, in maintaining the security of Korea, and in continuing the organization, training and equipping of security forces of the Republic of Korea now in being, until the completion of the withdrawal of United States forces ;

Whereas, it is desirable to establish an agreed basis for accomplishing the common military and security requirements which were revealed by the consultations between the representatives of the President of the Republic of Korea and of the Commanding General, United States Army Forces in Korea ; and

Whereas, article 61 of the Constitution of Korea provides that the President of the Republic of Korea shall be the Commander-in-Chief of the National Military Forces

and that the organization and formation of the military forces shall be determined in accordance with law ;

Therefore, the President of the Republic of Korea, in his dual capacity of Chief Executive of the Republic of Korea and Commander-in-Chief of the National Military Forces, and the Commanding General, United States Army Forces in Korea, agree upon the following military and security measures to be effective until the completion of the withdrawal of United States forces from Korea ;

Article I

The Commanding General, United States Army Forces in Korea, agrees that, pursuant to directives from his Government and within his capabilities, he will continue to organize, train and equip the security forces of the Republic of Korea now in being, provided that his obligation shall cease upon the completion of withdrawal from Korea of forces under his command.

Article II

The Commanding General, United States Army Forces in Korea, agrees to transfer to the Government of the Republic of Korea progressively, and as rapidly as he deem compatible with common security, responsibility for the direction of the security forces of the Republic of Korea, consisting of all police, coast guard and constabulary units now in being, and the President of the Republic of Korea agrees to accept progressively, for the Government of the Republic of Korea, responsibility for the direction of these forces. It is further agreed that the Commanding General, United States Army Forces in Korea, shall retain, until completion of withdrawal of United States Army Forces as contemplated in paragraph 4 (c) of resolution II passed by the United Nations General Assembly, 14 November 1947 (which reads as follows : "(c) arrange with the occupying Powers for the complete withdrawal from Korea of their armed forces as early as practicable and if possible within 90 days"), the authority to exercise such over-all operational control of security forces of the Republic of Korea (including the constabulary and coast guard and such national police detachments as may be stationed in critical areas) as he deems necessary in the interests of common security, or to facilitate the organization, training the equipping of the security forces of the Republic of Korea. The provisions of this article shall not interfere with the sovereign rights of the Government of the Republic of Korea in the administration of the Korean security forces, the screening of their personnel to eliminate enemies of the Government of the Republic of Korea, the selection of recruits to fill the ranks of existing or future units and the formation of such additional Korean security forces as may be provided by law in accordance with the provisions of article 61 of the Constitution of the Republic of Korea.

Article III

Pursuant to the provisions of the note transmitted by the President of the Republic of Korea to the Commanding General, United States Army Forces in Korea, on 9 August 1948, the President of the Republic of Korea agrees that the Commanding General, United States Army Forces in Korea, shall retain control over areas and facilities of vital importance (such as ports, camps, railways, lines of communications, airfields, etc.) which he deems necessary in order to accomplish the transfer of authority to the Government of the Republic of Korea and the withdrawal of United States occupation forces from Korea in accordance with the United Nations General Assembly resolution on Korea. The Commanding General, United States Army Forces in Korea agrees to list, for the Government of the Republic of Korea, as soon as practicable, those areas and facilities as described above currently in use by his forces, and to keep that Government informed of all changes therein. It is further agreed that the Commanding General, United States Army Forces in Korea, shall retain exclusive jurisdiction over the personnel of his command, both military and civilian, including their dependents, whose conduct as individuals shall be in keeping with pertinent laws of the Republic of Korea. It is further agreed that any individuals under the jurisdiction of the Commanding General, United States Army Forces in Korea, as described above, who may be apprehended by law enforcement agencies of the Government of the Republic of Korea shall be immediately turned over to the custody and control of the Commanding General, United States Army Forces in Korea, and that any individuals not under the jurisdiction of the Commanding General, United States Army Forces in Korea, who may be apprehended in acts detrimental to the security of personnel or property under his jurisdiction, shall be immediately turned over to the custody and control of the Government of the Republic of Korea.

Article IV

It is agreed between the President of the Republic of Korea and the Commanding General, United States Army Forces in Korea, that the details for accomplishing the progressive and orderly transfer of responsibility for all Korean security forces to the Government of the Republic of Korea, in accordance with the principles herein set forth in this interim agreement, shall be determined between appropriate officials of the Government of the Republic of Korea and of the United States Army Forces in Korea and the transfer of responsibility for the Korean security forces to the Government of the Republic of Korea shall begin at the earliest practicable time.

Article V

This agreement shall be registered with the Government of the United States of

America and with the Government of the Republic of Korea, in duplicate in the English and Korean languages, at Seoul, Korea, this twenty-fourth day of August 1948. The English text and the Korean text shall have equal force, but in case of divergence the English text shall prevail.

*President of the Republic of Korea
Commanding General, United States
Army Forces in Korea*

4. INITIAL FINANCIAL AND PROPERTY SETTLEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF KOREA ON 11 SEPTEMBER 1948⁴

Preamble

The Government of the United States of America and the Government of the Republic of Korea, in view of the note of 9 August 1948, from the President of the Republic of Korea to the Commanding General, United States Army Forces in Korea, the note of 11 August 1948, from the Commanding General, United States Army Forces in Korea, to the President of the Government of the Republic of Korea, and in view of the desirability of concluding an initial financial and property settlement between the Government of the United States of America and the Government of the Republic of Korea, the undersigned, being duly authorized by their respective Governments for that purpose, agree as follows :

Article I

The Government of the United States of America hereby transfers to the Government of the Republic of Korea all right, title and interest held by the United States of America to all property classified as national property in the land and buildings ledgers, and map books of the district tax offices and the land and buildings registers of the courts, together with all improvements on and additions to such property, all cash and bank deposits of the United States Army Military Government in Korea and of the South Korean Interim Government, all equipment, supplies and other property held by the departments, offices and agencies of the United States Army Military Government in Korea and of the South Korean Interim Government, including all relief and rehabilitation supplies heretofore furnished to the Korean economy by the Government of the United States of America. Military property of the Government of the United States of America furnished to the Korean constabulary, police, or coast guard will be transferred to the Government of the Republic of Korea from time to time as authority for such transfer is given by the Government of the United States of America to its representative in Korea. Such transfers of military property shall be accomplished through the Office

of the Foreign Liquidation Commissioner of the United States Department of State and in accordance with separate agreements to be entered into between said Foreign Liquidation Commissioner and the Government of the Republic of Korea. The Government of the Republic of Korea agrees that property retained for use by or under control of the United States Army Forces in Korea during the period of troop withdrawal shall be made available for the use of the Government of the United States of America and maintained without charge to the Government of the United States of America during the period of troop withdrawal. The Government of the Republic of Korea agrees that properties specified in exhibit A shall be made available for the temporary use of the Government of the United States under free leaseholds, and further agrees that it will bear all costs in Korean currency for the repair and maintenance of such properties. The Government of the Republic of Korea hereby assumes and relieves the Government of the United States of America of all liability for the South Korean Interim Government overdraft account at the Bank of Chosen, commitments under loans guaranteed by the United States Army Military Government in Korea, its agencies and instrumentalities, and by the South Korean Interim Government, and all other obligations incurred by the United States Army Military Government in Korea and by the South Korean Interim Government, including present and future claims of every kind and description.

This section shall be effective until an agreement comes into effect between the Government of the United States of America and the Government of the Republic of Korea. To the extent that relief and rehabilitation supplies still on hand or hereafter received are transferred to the Government of the Republic of Korea by the Government of the United States of America, such transfer shall be made in a progressive and orderly manner, and the Government of the Republic of Korea shall assume responsibility for the receipt, allocation, distribution and accounting for American-financed supplies. Net *won* proceeds and accounts receivable derived from the sales of relief and rehabilitation supplies by the United States Military Government in Korea or by the South Korean Interim Government, shall be turned over to the Government of the Republic of Korea. The Government of the Republic of Korea agrees to deposit these proceeds in a special account in its name in the Bank of Chosen. The Government of the Republic of Korea further agrees to deposit in this special account the proceeds of all sales of relief and rehabilitation supplies which have been or may be transferred by the Government of the United States of America to the Government of the Republic of Korea. Disbursement from this special account will be made only for such purposes as are

⁴ A/AC.19/94.

agreed upon between the senior representative of the Government of the United States of America and the Government of the Republic of Korea.

Net proceeds in Korean currency and accounts receivable derived from sales of certain property declared surplus to the Office of the Foreign Liquidation Commissioner of the United States Department of State and heretofore furnished to the Korean economy are hereby transferred to the Government of the Republic of Korea.

Article II

The Government of the United States of America agrees to effect settlement for all imports from Japan for the Korean economy delivered between 9 September 1945, and the effective date of this agreement, less the value of Korean exports shipped to Japan during such period.

Article III

The Government of the United States of America hereby transfers from its custody to the custody of the Government of the Republic of Korea any property in Korea which may have been owned or controlled, directly or indirectly, in whole or in part, on or since 9 August 1945, by Germany, or by any German nationals, corporations, societies, associations, or any other German organization. The Government of the Republic of Korea agrees to take all necessary measures to facilitate such transfers of German assets in Korea as may be determined by the United States of America in consultation with the Republic of France and the United Kingdom of Great Britain and Northern Ireland.

Article IV

The Government of the United States of America hereby transfers to the Government of the Republic of Korea the Korean Foreign Exchange Bank shares presently owned and held by the United States Army Military Government in Korea, together with all the assets and liabilities of said bank. The Government of the United States of America hereby transfers to the Government of the Republic of Korea the net residual balances of foreign exchange now standing to the credit of the South Korean Interim Government in said bank, subject to allocation and use only after consultation with and concurrence of the senior representative in Korea of the Government of the United States of America. Pending further agreement between the Government of the United States of America and the Government of the Republic of Korea, existing foreign exchange controls shall be retained by the Government of the Republic of Korea.

Article V

The Government of the Republic of Korea recognizes and ratifies such disposition of former Japanese public and private pro-

perty vested under Ordinance No. 33 of the United States Army Military Government in Korea as has already been effected by the United States Army Military Government in Korea. Except for the reservations in respect to the acquisition and use of property by the Government of the United States of America contained in articles I and IX of this agreement, the remaining vested but unsold property, the next unexpended proceeds from rentals and sales of vested property together with all accounts receivable and sales contracts, shall be transferred to the Government of the Republic of Korea in the following way:

(a) All cash, bank deposits or other liquid assets are hereby transferred as of the effective date of this agreement;

(b) All other vested property that is to be transferred, together with all available inventories, maps, deeds, or other evidences of ownership, will be turned over progressively to the Government of the Republic of Korea, supported by balance sheets, operating statements and other financial records relating to vested property, as rapidly as an orderly transfer can be effected. The Government of the Republic of Korea agrees to establish a separate governmental agency to receive and administer for the benefit of the Korean people the property, heretofore vested under Ordinance No. 33, which is or will be transferred to the Government of the Republic of Korea under the provisions of this article.

The Government of the Republic of Korea will respect, preserve and protect the rights and interests, direct or indirect, of nationals of countries at war with Japan, in former Japanese property in Korea acquired by the Government of the Republic of Korea in accordance with this article provided such rights and interests were legally acquired by *bona fide* transfer prior to the effective date of Ordinance No. 33.

The Government of the Republic of Korea hereby relieves the United States of America of all liability, including all current and future claims arising out of the vesting, administration and disposal of the property referred to in this article.

Article VI

Property in Korea of United States nationals, which was seized, confiscated or sequestered by the Imperial Japanese Government under its wartime regulations, together with property in Korea of other persons which was treated by the Imperial Japanese Government as enemy property, and which is transferred to the Government of the Republic of Korea under the provisions of article V, will be protected and preserved by the Government of the Republic of Korea pending its return to its rightful owners, provided such owners request the return of the property within a reasonable period. The Government of the

Republic of Korea undertakes to return all such identifiable property, if not otherwise provided for by mutual agreement between the owner and the Government of the Republic of Korea. Continuing the policy initiated by the United States Army Military Government in Korea, the Government of the Republic of Korea undertakes to compensate the owners for damage or loss to such property during the period that it was not under the control of such owners, to the same degree as compensation is paid by the Government of the Republic of Korea for loss or damage to Korean property seized, confiscated or sequestered for war purposes by the Imperial Japanese Government, its agencies, instrumentalities, or its nationals. The Government of the Republic of Korea hereby relieves the Government of the United States of America from liability for any claim arising out of the administration of property referred to in this article prior to the effective date of this agreement.

Article VII

The Government of the United States of America and the Government of the Republic of Korea agree to collaborate in arranging a satisfactory settlement of any unpaid debt owing to the Soviet authorities in Korea for power furnished for the Korean economy from 9 September 1945 to the effective date of this agreement. The Government of the United States of America further agrees to liquidate this debt, whenever a fair value of the unpaid debt has been agreed upon by the representatives of the Soviet and United States authorities.

Article VIII

The Government of the United States of America, through the United States Army Military Government in Korea, has reimbursed Korea at a fair dollar value for all goods, services and facilities provided for and to the United States Army Forces in Korea from the Korean economy for the period from 9 September 1945 through 30 June 1948, inclusive, and for all claims of every kind and description against the Government of the United States of America, its officials, employees, or agencies and instrumentalities, raised or which may be raised by the Government of the Republic of Korea, its nationals, or other individuals and organizations, as a result of the occupation of Korea by the United States Army Forces in Korea during such period.

The Government of the Republic of Korea agrees that this payment constitutes full, final and complete settlement for all goods and services used by or provided to the United States Army Forces in Korea during the aforementioned period, and for all claims of every kind and description against the Government of the United States of America, its officials, employees, or agencies and instrumentalities, raised or which may be raised by the Government of

the Republic of Korea, its instrumentalities, nationals, or other individuals or organizations as a result of the occupation of Korea by the United States Army Forces for the period from 9 September 1945 through 30 June 1948. The Government of the Republic of Korea further discharges and agrees to save harmless: the Government of the United States of America, its officials, employees, or agencies and instrumentalities, its nationals or other individuals and organizations, from all claims of every kind and description arising as a result of the occupation of Korea by the United States Army Forces in Korea during the period prior to 1 July 1948. The Government of the Republic of Korea hereby recognizes and ratifies the agreement under which the above-mentioned payment to Korea was effected.

The Government of the Republic of Korea also assumes and relieves the Government of the United States of America of all liability for funds used from the overdraft account at the Bank of Chosen entitled "United States Army Military Government in Korea Funding Account". The Government of the Republic of Korea agrees that the Commanding General, United States Army Forces in Korea, shall continue to draw *won* from the overdraft account at the Bank of Chosen presently entitled "United States Army Military Government in Korea Funding Account No. 2" and the Government of the United States of America hereby agrees to pay to the Government of the Republic of Korea in dollars or other United States assets, the fair dollar value of all goods and services procured in the Korean economy with *won* drawn from such account.

Article IX

(a) In consideration for certain property heretofore furnished to the Korean economy by the Government of the United States of America through the Office of the Foreign Liquidation Commissioner of the United States Department of State and the United States Army Military Government in Korea, including the net proceeds in Korean currency arising from the sale of such property, the Government of the Republic of Korea agrees to pay to the Government of the United States of America in the manner provided in the terms of this article, the fair value of said property, no to exceed the equivalent of \$25,000,000 as shown on the records of said Foreign Liquidation Commissioner, covering the transfer of such property to the United States Army Military Government in Korea. Interest shall accrue at the rate of 2% per centum per annum from 1 July 1948, on the unpaid balance of the total fair value of said property, and shall be due and payable in Korean currency on 1 July of each year, the first payment to be made on 1 July 1949.

(b) At such times and in such amounts as shall be specified by the Government of

the United States of America, the Government of the Republic of Korea shall pay in Korean currency all or part of the balance then due under the indebtedness set forth in this article, including interest due and unpaid, if any, less any credits made for property as provided in paragraph (d) of this article, and the Government of the United States of America shall credit the balance due under such indebtedness with the United States dollar equivalent of such currency. Any currency so received by the Government of the United States of America shall be used in accordance with the provisions set forth in paragraph (c) of this article.

(c) The Government of the United States of America and the Government of the Republic of Korea agree that the Korean currency to be received by the Government of the United States of America as provided in paragraph (b) of this article, as well as the Korean currency to be received by the Government of the United States of America as interest provided in paragraph (a) of this article, shall be expended in Korea and may be used for the payment of any or all expenditures in Korea of the Government of the United States of America, including expenditures for :

(1) Such educational programmes as may be mutually agreed upon by the two Governments, and

(2) The acquisition of property located in Korea, either real or personal, tangible or intangible, including improvements to any property in which the Government of the United States of America has an interest. Such property shall include initially the property listed in the supplement to this agreement.

(d) At the request of the Government of the United States of America the Government of the Republic of Korea shall deliver title to such property as may, by mutual agreement, be acquired by the Government of the United States of America in accordance with the terms of this article. Upon the delivery of title to such property by the Government of the Republic of Korea to the Government of the United States of America, the Government of the United States of America shall credit the account of the Government of the Republic of Korea under this article with the agreed-upon fair dollar value of such property.

(e) Except as may be provided by special agreement between the two Governments, the Government of the United States of America shall not request the Government of the Republic of Korea to make payment in Korean currency or to deliver title to property located in Korea, as provided in paragraphs (b) and (d) of this article, the combined total amount of which exceeds in any single fiscal year beginning 1 July the equivalent value of \$5,000,000 plus interest due and payable as provided in paragraph (a) of this article.

(f) The *won* equivalent of the dollar obligations assumed by the Government of the Republic of Korea under the terms of this agreement shall be calculated by mutual agreement between the Government of the Republic of Korea and the Government of the United States of America, such calculations to be made immediately prior to each payment. The *won* equivalent in any case shall be no less favourable to the Government of the United States of America than the conversion rate legally available to any third party at the time of each transaction.

Article X

The Government of the Republic of Korea hereby agrees that it will not permit the re-export or diversion of equipment, supplies and other property furnished to it by the Government of the United States of America under the terms of this Agreement unless such re-export or diversion is approved by a duly authorized representative of the Government of the United States of America.

Article XI

The Government of the Republic of Korea agrees to continue in full force and effect all existing laws, ordinances, public acts, and regulations of the United States Army Military Government in Korea and or of the South Korean Interim Government until repealed or amended by the Government of the Republic of Korea.

Article XII

Pending negotiation of mutually satisfactory treaties of amity and commerce, it is agreed by the contracting parties that the rights and privileges now enjoyed by the United States nationals and firms engaged in lawful pursuits in Korea shall be respected and affirmed.

Article XIII

Administrative control over the accounts, properties and operating facilities transferred to the Government of the Republic of Korea under the terms of this Agreement shall be turned over in a progressive and orderly manner to the authorized officials of the Government of the Republic of Korea within thirty days from the effective date of this Agreement, or as rapidly as the Government of the Republic of Korea is prepared to assume such operations and responsibilities, except that administrative control over vested properties and over relief and rehabilitation supplies shall be turned over not later than ninety days from the effective date of this Agreement, or as rapidly as the Government of the Republic of Korea is prepared to assume such operations and responsibilities.

Article XIV

Until such time as the United States Army Forces in Korea are withdrawn from Korea,

the Government of the United States of America and the Government of the Republic of Korea agree that they shall be bound by, and shall respect all agreements previously made between the United States Army Forces in Korea and the several departments of the United States Army Military Government in Korea concerning the use of certain transportation, communication, and other facilities and services by the United States Army Forces in Korea.

The present Agreement shall become effective with the formal notification to the Government of the United States of America that the Korean National Assembly has consented to this Agreement.

Done in duplicate, in the English and Korean languages, at Seoul, Korea, this eleventh day of September 1948. The English and Korean texts shall have equal force, but in the case of divergence, the English text shall prevail.

*For the Government of the
United States of America*
(Signed) JOHN MUCCIO

*For the Government of the
Republic of Korea*
(Signed) LEE BUM SUK
T. S. CHANG

*Supplement to the initial financial
and property settlement*

This Agreement between the Government of the United States of America, hereinafter called "United States", and the Government of the Republic of Korea, hereinafter called "Korea" is supplemental to the "Initial Financial and Property Settlement", article IX, this date, and covers the transfer of real property in return for surplus property furnished Korea.

Witnesseth :

Whereas, the "Initial Financial and Property Settlement" between Korea and the United States provides in article IX that, at the request of the United States, Korea shall deliver title to such property located in Korea in which the United States has an interest, and

Whereas, Korea has agreed in section (d) of the article of the Agreement above referred to, to make available property desired by the United States at prices to be agreed upon by the Governments, and

Whereas, the United States has already selected certain properties which it desires to receive under the terms of the Agreement referred to above,

Now, therefore, it is agreed :

1. That Korea transfer, on or about the sixtieth day from the effective date of this Agreement, to the United States, at prices to be specified in dollars and to be determined by three recognized appraisers, one of whom shall be nominated by Korea, one by the United States, and the Chairman by the

two appraisers first chosen, properties including but not limited to the following :

(A) Dependent House and Lot No. 10, 1-39 Chong Dong, 1,362 Pyung.

(B) Russian No. 1, 1-39 Chong-Dong, 720 Pyung.

(C) Vacant lot west of present U. S. Consulate, 1-9 Chong Dong, 1,114 Pyung.

(D) Vacant lots south of present U. S. Consulate; part of the road now running beside the U. S. Consulate leading to the property of the Seoul Club, 8-1, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 8-10, and 8-17 Chong Dong, 535.40 Pyung.

(E) Triangular lot directly east of DH No. 10 and Russian No. 1, together with one warehouse, three houses and other buildings thereon, 1-39 Chong Dong, Sawdai Moon Koo, 1,675 Pyung.

(F) All of former Military Government Area No. 2, consisting of approximately 43 houses, miscellaneous other buildings, and the land on which situated. This is intended to include all property owned by the Siksau Bank in this area, all of 49-1 Song Hyun Dong, and all of 96, 97-2, 98, 99, 102, 103-1, 144-1 and 104-2 of Sakan Dong together with all buildings thereon, 9,915 Pyung, more or less.

(G) Banto Hotel and adjacent parking lot to East 180-2 Ulchi-Ro, Chongno Koo, 1,944 Pyung.

In witness whereof the undersigned, duly authorized by their respective Governments, have signed the present agreement in the English and Korean languages at Seoul, Korea, on the eleventh day of September 1948.

The English and Korean texts shall have equal force, but in case of divergence, the English text shall prevail.

*For the Government of the United States
of America*
(Signed) JOHN MUCCIO

*For the Government of the Republic
of Korea*
(Signed) LEE BUM SUK
T. S. CHANG

EXHIBIT A

Properties, to be made available by the Government of the Republic of Korea for the temporary use of the Government of the United States under free leaseholds, will include but will not be limited to the following :

(A) Specified 51 houses and lots in the three military areas Nos. 1, 2 and 7.

(B) DH No. 9, DH No. 109, DH No. 143, DH No. 218, DH No. 221, Billet No. 5, Billet No. 10 and Billet No. 11 in scattered areas.

(C) Mitsui Building and lot opposite Banto Hotel.

(D) OCI Information Centre and lot (former Metropolitan Police building).

- (E) Special Troops area.
- (F) 216th Quartermaster concrete warehouse in area near South Gate.
- (G) Fifty-six houses and lots in 7th Division area (Camp Sobingo).
- (H) Fifty-seven housing units in Capitol grounds area.

- (I) Billet No. 32 (Kockje Hotel) and Billet No. 21 (Sude Hotel).
- (J) Billet No. 23 (Nai Ja Apartments) comprising three buildings.
- (K) Billet No. 38 (Plaza Hotel).
- (L) Yong Dong Pe dependent housing area No. 1, consisting of eight usable houses and 15 apartments.

ANNEX IV

Texts of related documents concerning elections in North Korea

1. Memorandum from the United States Liaison Officer concerning elections in North Korea.

2 August 1948

Memorandum for Mr. Coert Binnerts,
Principal Secretary,
United Nations Temporary Commission on
Korea

Subject : Communist "Elections" in South Korea.

(1) The Pyongyang radio has spoken recently of an "election" to be held in South Korea on 25 August, the object being apparently to parallel all steps taken in this area toward the "election of representatives of the Korean people" minus, of course, the observation of the United Nations Temporary Commission on Korea and the usually accepted procedures of a democratic election such as multi-party lists of candidates and secret balloting.

(2) The Communists have initiated a plan to include 360 South Korean delegates to a "General Unity Conference" preparatory to the elections announced for 25 August. Of these 360 delegates, it is planned that 40 per cent will be from the Democratic People's Front, 20 per cent from the "intermediate" parties such as those in the NIF, 20 per cent from rightist elements and 20 per cent from non-partisan individuals. Each group is supposed to send three men for each delegate allotted, and after they reach Pyongyang, a "South Korea Election Committee" composed of Pak Heun Yung, Hong Myong Hi (still in North Korea), and Lee Yung (of the New Progressive Party) will determine which of the three will be the actual delegate.

(3) In Kyongsang Pukto the South Korea Labour Party has chosen nine candidates to be "elected" to the North Korean National Assembly on 25 August. The selected candidates have allegedly already gone to North Korea. In the meantime the party officials in Taegu are canvassing the public, showing them the list of candidates and asking them to sign a certificate to the effect that they will accept the candidates as the "true representatives of the Korean people"

in the establishment of a National Government. Even though the people have but one list of names from which to choose, the aim of the South Korea Labour Party is to collect as many signatures as possible so they will have impressive "statistics" when they begin the "free" Korean election propaganda campaign.

(4) In Seoul a widespread campaign is being conducted on the issue "do you prefer a united or a divided Korea?" Of course, the answer is obvious and the Communists are collecting numbers of signatures on this basis to support the theory of a "National election to elect true representatives of the Korean people." The same technique was employed in Germany recently.

(Signed) John WECKERLING
Brigadier General, U.S.A.

2. Memorandum from the United States Liaison Officer concerning plans and operations of the South Korean Labour Party.

4 August 1948

Memorandum for Mr. Coert Binnerts,
Principal Secretary,
United Nations Temporary Commission on
Korea.

Subject : Plans and Operations of the South Korea Labour Party.

I am reliably informed that certain units of the South Korea Labour Party have received oral instructions as follows :

Cell chiefs will inform the members of their cells that there will be a general election in North Korea on 25 August 1948, and the Leftists in South Korea must participate.

Ballots will be prepared on pieces of very thin paper, such as tracing paper, and will be about the size of 100 won note. These ballots will be issued to the cell chiefs, who will obtain ten hand marks (or signatures) on each one. The ballots will then be turned in to the Chief of Branch of the SKLP. Cell members are told that these ballots will elect one representative. The name of the candidate will not appear on the ballot as his identity must be kept secret. His name

(that of the representative) will be inserted after the ballots are back in the hands of the Chief of Branch.

(Signed) JOHN WECKERLING
Brigadier General, U.S.A.

3. Joint statement of twenty-five political and social organizations in South Korea denouncing the activities in North Korea.²

The independence of Korea which was promised by the Allied Powers—the United States, the Soviet Union, China and Great Britain—appears to become more remote with the passage of time. The division of the nation is intensified by the occupation of American and Soviet troops.

Motivated by the belief that our unification and national independence should be accomplished in accordance with the principle of self-determination we advocated a joint conference of the leaders of North and South Korea. This conference was held in Pyongyang in April 1948. The political leaders of North and South Korea reached complete accord regarding the establishment of a central government and national unification. The following joint communiqué was declared on 30 April :

(a) A nation-wide political conference shall be held following the withdrawal of Soviet and American troops;

(b) A unified provisional central government shall be formed;

(c) A nation-wide election shall be held;

(d) The Constitution shall be enacted;

(e) A formal central government shall be formed.

The North Korean leaders, however, have convoked the so-called second joint conference of North and South Korean political leaders, in contradiction to the firm and solemn agreement previously made, in order to establish a People's Republic in North Korea, and adopted a resolution which is contrary to the joint communiqué issued at Pyongyang on 30 April 1948. The so-called Constitution of the People's Republic has been promulgated and the North Koreans are trying to enforce an election in order to establish a government.

The undersigned political parties declare :

(i) That the so-called Second Joint Conference of North and South Korean Political Leaders is illegal;

(ii) We have dispatched no representatives to the so-called second joint conference of North and South Korean political leaders;

(iii) We denounce all the other activities and trend of events that have taken place in North Korea which are contrary to the provisions of the joint communiqué formulated on 30 April. We, hereby, make this firm and solemn declaration at home and abroad.

The following parties signed the joint communiqué :

- (1) National Independence Federation
- (2) Korean Independence Party
- (3) Democratic Independence Party
- (4) New Progressive Party
- (5) Korean Farmers' Party
- (6) Sam Il Colleagues' Society
- (7) Independent Women's League
- (8) Patriotic Youths Colleagues' Group
- (9) Youth Society for Founding a Nation
- (10) Repatriates' Association
- (11) Korean Students' Federation
- (12) National Construction Students' Federation
- (13) North West Students' Federation
- (14) North West Union of Christian Endeavor Society
- (15) Patriotic Colleagues' Society
- (16) Patriotic Old Men's Society
- (17) League of Patriots for the Independence
- (18) First Ewanghae Province Youth Corps
- (19) Korean New Civilization Party
- (20) Revolutionary Colleagues' Youth Society
- (21) Korean Inventors' Association
- (22) Canton and Hongkong Society
- (23) Christian New Democratic Society
- (24) Industrial Rehabilitation Association
- (25) South Korea Chun Do Kyu Youth Friends' Party.

ANNEX V

Text of the Constitution of the Republic of Korea

Constitution of the Republic of Korea adopted by the Korean National Assembly on 12 July 1948.¹

CONSTITUTION OF THE DEMOCRATIC REPUBLIC OF KOREA

PREAMBLE

We, the people of Korea, with a glorious tradition and history from time imme-

morial, following the indomitable spirit of independence, as manifested in the establishment of Tai Han Republic in the course of the Sam-El independence movement,

Now at this time engaged in reconstructing a democratic, independent country, are determined :

To consolidate national unity by justice, humanity, brotherly love and the elimination of all kinds of social evils,

To offer equal opportunities to every person,

² A/AG.19/W.57/Add.2.

¹ A/AG.19/W.55/Add.1.

To provide for the fullest development of the equality of each individual in all fields of political, economic, social and cultural life,

To permit every person to discharge his duties and responsibilities,

To promote the welfare of the people, to maintain permanent international peace, and thereby to assure the Security, Liberty and Happiness of ourselves and our posterity,

Do hereby ordain and establish this Constitution on the 12th day of July in the year one thousand nine hundred and forty-eight in the National Assembly composed of our freely and duly elected representatives.

CHAPTER I

GENERAL PROVISIONS

Article 1

Korea shall be a democratic republic.

Article 2

The sovereignty of the Korean Republic shall reside in the people as a whole. All State authority shall emanate from the people.

Article 3

The requirements for Korean citizenship shall be determined by law.

Article 4

The territory of Korea shall consist of the Korean Peninsula and its accessory islands.

Article 5

The democratic Republic of Korea shall guarantee liberty and equality and the initiative of each individual in the fields of political, social and economic life. It shall be responsible for their protection and adjustment for the promotion of the public welfare.

Article 6

The democratic Republic of Korea shall denounce all aggressive wars. The mission of the national military forces shall be to perform the sacred duty of protecting the national territory.

Article 7

The duly ratified and published treaties and the generally recognized rules of international law shall be valid as a binding constituent part of the law of Korea. The status of aliens shall be guaranteed within the scope of international law and international treaties.

CHAPTER II

RIGHTS AND DUTIES OF CITIZENS

Article 8

All citizens shall be equal before the law. No discrimination, in any field of political,

economic and social life, derived from sex, religion, or social position shall exist. Privileged status shall not be recognized, nor shall ever be established in the future. The bestowment of badges, medals and other decorations shall confer to its bearer only personal honours and no privileged status shall be established.

Article 9

All citizens shall have personal freedom and no citizen shall be arrested, detained, searched, tried, punished, or subject to compulsory labour unless according to law. No citizen shall be arrested, detained or searched except by warrant of a judge. In case a person its apprehended *flagrante delicto* or in case of danger that a person under suspicion may escape or destroy evidence, the detecting authority may ask for an *ex post facto* warrant of arrest in accordance with the provisions of law. The right to receive assistance from counsel and the right to request the court for examination of the legality of an apprehension shall be guaranteed.

Article 10

All citizens shall be free from "limited residence", restrictions on domicile or restrictions on change of domicile, trespasses upon and the searching of private premises other than specified by law.

Article 11

The privacy of correspondence of all citizens shall remain inviolate and shall not be interfered with except in accordance with law.

Article 12

All citizens shall enjoy freedom of religion and conscience. No State religion shall exist. Religion shall be independent from politics.

Article 13

Citizens shall not be subjected to any restrictions on the freedom of speech, Press, assembly and association except as specified by law.

Article 14

All citizens shall have freedom of science and art. Rights of authors, inventors and artists shall be protected by law.

Article 15

The right or property shall be guaranteed. Its nature and restrictions shall be defined by law. The exercise of property rights shall conform to the public welfare. Expropriation, use or restriction of private property for public purposes shall be accompanied by due compensation in accordance with the provisions of law.

Article 16

All citizens shall be entitled to equal opportunity for education. At least elemen-

tary education shall be compulsory and free of charge. The educational system shall be determined by law and all educational institutions shall be placed under the supervision of the State.

Article 17

All citizens shall have the right and duty to work. The standards of the conditions of labour shall be determined by law. Special protection shall be extended to the labour of women and children.

Article 18

Freedom of association, collective bargaining and collective action of labourers shall be guaranteed within the limits of the law. Workers employed in profit-making private enterprises shall be entitled to share in the profits of such enterprises in accordance with the provisions of law.

Article 19

Citizens who are incapable of making a living because of old age, infirmity or incapacity to work shall be entitled to protection by the State in accordance with the provisions of law.

Article 20

Marriages shall be based on the equality of men and women. The purity of marriage and the health of the family shall receive special protection of the State.

Article 21

All citizens shall have the right to submit written petitions to each Government agency and the Government shall be obliged to examine such petitions.

Article 22

All citizens shall have the right to be tried in accordance with the law by judges whose status has been determined by law.

Article 23

No citizen shall be prosecuted for a criminal act unless such act constituted a crime prescribed by law at the time at which it was committed nor shall he be placed in double jeopardy.

Article 24

All defendants in criminal cases shall have the right to be tried in public without delay unless there is proper reason for not doing so. When a defendant in a criminal case who has been detained is found not guilty he may, in accordance with the provisions of law, request compensation from the Government.

Article 25

All citizens shall have the right to elect Government officials in accordance with the provisions of law.

Article 26

All citizens shall have the right to assume public office in accordance with the provisions of law.

Article 27

Public officials shall be the trustees of the sovereign people and shall at all times be responsible to the people. All citizens shall have the right to petition for the removal of public officials who acted unlawfully. Citizens who suffered damages by unlawful acts of public officials in the exercise of their official duties may request compensation from the Government or the public corporate bodies concerned, provided that the civil or criminal liability of the public officials concerned shall not be exempted thereby.

Article 28

Liberties and rights of the people shall not be ignored for the reason that they are not enumerated in this Constitution. A law imposing restrictions upon the liberties and rights of citizens shall be enacted only where such law is deemed necessary for the maintenance of public order and welfare of the community.

Article 29

All citizens shall have the duty to pay taxes in accordance with the provisions of law.

Article 30

All citizens have the duty to defend the national territory in accordance with the provisions of law.

CHAPTER III

NATIONAL ASSEMBLY

Article 31

The legislative power shall be exercised by the National Assembly.

Article 32

The National Assembly shall be composed of members elected by universal, direct, equal and secret votes. The details for the election of the members of the National Assembly shall be determined by law.

Article 33

The term of the members of the National Assembly shall be four years.

Article 34

The National Assembly shall convene each year on the twentieth day of December. Should that day fall on a public holiday, the National Assembly shall assemble on the following day.

Article 35

In case of an extraordinary necessity the Speaker of the National Assembly shall summon a special session of the National Assembly upon the request of the President or upon the request of not less than one-fourth of the members of the National Assembly. The National Assembly shall convene immediately if there should arise a cause requiring the election of the President or Vice-President during a recess of the National Assembly.

Article 36

The National Assembly shall elect its Speaker and two Vice-Speakers.

Article 37

Unless otherwise provided in this Constitution or the rules of the National Assembly attendance of a majority of the members duly qualified and seated and the vote of a majority of the members present shall be necessary for acts of the National Assembly. The Speaker shall have the right to participate in voting and to break a tie vote.

Article 38

The proceedings of the National Assembly shall be open to the public but a closed session may be held by a resolution of the National Assembly.

Article 39

Bills may be introduced by the members of the National Assembly or the Government.

Article 40

Bills passed by the National Assembly shall be sent to the Government, and the President shall, within fifteen days, promulgate the law. In case of objection the President shall return the bill to the National Assembly for re-consideration with a statement of the reasons of his objections. If, in the presence of two-thirds of the members duly elected and seated, the bill is confirmed on re-consideration by two-thirds of the members present, such bill shall be determined to be a law. If a bill is not returned within fifteen days after it has been presented to the Government, the same shall become law. The President shall have the duty to proclaim without delay a law which has been determined under the foregoing paragraph. A law shall be effective twenty days after the date of proclamation unless otherwise stipulated.

Article 41

The National Assembly shall consider and decide upon budgets.

Article 42

The National Assembly shall have the right to consent to treaties concerning international organizations, peace treaties,

treaties pertaining to mutual aid, commercial treaties, treaties financially incumbent on the state of the people, treaties related to legislative affairs, and declare war against a foreign State.

Article 43

The National Assembly shall demand, if necessary, documents, subpoena witnesses and receive testimonies or opinions for purposes of supervision and inspection.

Article 44

The Prime Minister, Ministers and their representatives shall be authorized to attend, state their opinion, and answer questions at the meetings of the National Assembly. Whenever requested by the National Assembly, the Prime Minister, Ministers and their representatives are obliged to attend a meeting of the National Assembly and to answer questions.

Article 45

The National Assembly shall investigate the qualifications of its members, establish its own rules of procedure and decide on disciplinary punishments of its members. The concurrence of two-thirds of the members duly qualified and seated shall be necessary for the expulsion of a member of the National Assembly.

Article 46

In the event the President, Vice-President, Ministers, the head of the Board of Audit, judges and other public officials as determined by law violate, in the exercise of their official duties, provisions of this Constitution or other laws, the National Assembly may resolve to impeach them. A motion for impeachment shall be signed by no less than fifty members of the National Assembly. Attendance of two-thirds of the members of the National Assembly duly elected and seated and the vote of two-thirds or more of the members present shall be necessary to institute impeachment.

Article 47

An Impeachment Court shall be established by law for the purpose of hearing impeachment cases. The Impeachment Court shall be presided over by the Vice-President and five justices of the Supreme Court, and five members of the National Assembly shall serve as associate judges. When the President or Vice-President is tried the Chief Justice shall preside. The concurrence of two-thirds of the judges is required for impeachment. A judgment in case of impeachment shall not extend further than removal from office; but the party convicted shall not be exempted from civil or criminal responsibility.

Article 48

No member of the National Assembly can be a member of any provincial council.

Article 49

When the National Assembly is in session no member of the National Assembly shall be arrested or detained without the consent of the National Assembly except when apprehended *flagrante delicto*. In case the apprehension of a member has been made before the convocation of the National Assembly, such member shall be released during the session in case the National Assembly so requests.

Article 50

No member of the National Assembly shall be held responsible to anyone outside of the Assembly for any statement or vote occurring within the Assembly.

CHAPTER IV GOVERNMENT

Section I—President

Article 51

The President of the Republic shall be the head of the executive branch of the Government and shall represent the Republic vis-a-vis foreign Powers.

Article 52

In case the President is unable to execute his office for any reason, the Vice-President shall act for him and in case both the President and Vice-President are unable to perform their duties, the Prime Minister shall act for the President.

Article 53

The President and Vice-President shall be elected by the National Assembly by secret ballot. The election of the President and Vice-President shall be determined by the concurring vote of two-thirds of the members of the National Assembly in the presence of two-thirds of the members duly elected and seated. In case no candidate receives two-thirds of the votes a second ballot shall be taken. In case no candidate receives two-thirds of the votes in the second ballot a run-off balloting shall be conducted between the two candidates who received the highest number of votes, and the candidates who received the plurality of the votes in the run-off balloting shall be elected.

Article 54

Before the President assumes his office he shall take the following oath :

“ I do solemnly swear before the nation that I shall observe the Constitution, promote the welfare of the people, defend the State and shall faithfully execute the office of President.”

Article 55

The President and Vice-President shall hold office for four years. Consecutive re-election shall be permissible for one time only. The term of office of the Vice-President shall begin and end simultaneously with that of the President.

Article 56

The election for the President and Vice-President shall be held not later than thirty days before the expiration of the term of the preceding President and Vice-President. The vacancy of the President or Vice-President shall be filled without delay by election in the National Assembly.

Article 57

When in time of civil war, or in a dangerous situation arising from foreign relations, or in case of a natural calamity, or on account of a grave economic or financial crisis it is necessary to take urgent measures for the maintenance of public order and security, the President shall have the right to issue orders having the effect of law or to make necessary financial dispositions; provided, however, that the President shall exercise such powers exclusively if time is lacking for the convocation of the National Assembly.

Such orders or dispositions shall be reported without delay to the National Assembly for confirmation. If confirmation of the National Assembly is not obtained, such orders or dispositions shall lose their effect, thereupon, and the President shall announce it without delay.

Article 58

The President may issue orders within the framework of the powers delegated to him and orders necessary for the enforcement of laws.

Article 59

The President shall conclude and ratify treaties, declare war, make peace, and receive and accredit diplomatic representatives of foreign countries.

Article 60

The President may address the National Assembly or express his opinion on important national affairs by written messages.

Article 61

The President shall be the Commander-in-Chief of the National Military Forces.

The organization and formation of the National Military Force shall be determined by law.

Article 62

The President shall appoint and remove Government officials in accordance with the Constitution and the law.

Article 63

The President shall have the power to grant pardons, mitigation of punishment and restoration of rights, in accordance with the provisions of law.

Article 64

The President shall proclaim a state of siege in accordance with the provisions of law.

Article 65

The President shall confer decorations and extend other honours or awards.

Article 66

The acts of the President pertaining to State affairs shall be executed in written documents and all such documents shall be countersigned by the Prime Minister and the Minister concerned.

The foregoing paragraph applies equally to acts of the President pertaining to military affairs.

Article 67

The President shall not be charged with criminal offense during his tenure of office except in case of treason.

Section II—State Council

Article 68

The State Council shall act as a collegiate body. It shall be composed of the President, the Prime Minister and other Ministers and shall decide on important national policies which come within the scope of the powers of the President.

Article 69

The President shall appoint the Prime Minister with the consent of the National Assembly. When the National Assembly convenes after a general election the appointment of the Prime Minister shall be confirmed by the National Assembly. The Ministers shall be appointed by the President. The total number of Ministers shall not be more than fifteen and not less than eight. No military personnel shall be appointed Prime Minister or Minister unless he has resigned from active service.

Article 70

The meetings of the State Council shall be presided over by the President.

The Prime Minister shall assist the President and shall be the vice-chairman of the State Council.

Article 71

The decisions in the meetings of the State Council shall be by majority vote. The President shall have the right to vote and to break a tie vote.

Article 72

The following matters shall be referred to the State Council for decision :

1. Fundamental plans and policies concerning national affairs;

2. Proposed treaties, declaration of war, conclusion of peace, and other important foreign policy;

3. Proposed amendments to the Constitution, bills and orders of the President;

4. Proposed budgets, reports to the Board of Audit, urgent financial dispositions, and the defrayment of the reserve fund;

5. Matters pertaining to the request of convening the National Assembly for an extraordinary session;

6. Proposed proclamation and termination of a state of siege;

7. Important military affairs;

8. Conferment of honours and grant of pardon, mitigation of punishment or restoration of rights;

9. Matters referring to the liaison between departments of the executive branch and determination of their jurisdiction;

10. Examination of petitions submitted or referred to the Government;

11. Appointment and removal of justices of the Supreme Court, Procurator General, the Head of the Board of Audit, the President of the National University, Ambassadors, Ministers, the highest ranking officer of the National Military Force, the Chief of Staff and other public officials and the managers of important national enterprises designated by law;

12. Establishment and operation of important policies of the various branches of the executive branch of the Government; and

13. Other matters presented by the Prime Minister or the Ministers.

Section III—Executive Departments

Article 73

The heads of the departments of the executive branch shall be appointed by the President from among the Ministers.

The Prime Minister shall, under the orders of the President, control and supervise the heads of the departments; he shall take charge of administrative affairs not assigned to any particular department.

Article 74

The Prime Minister and the head of each executive department may, by virtue of their implied authority or by special delegation, issue "Orders of the Prime Minister" or Department Orders respectively, concerning affairs in their agencies.

Article 75

The organization and function of each department of the executive branch shall be determined by law.

CHAPTER V

COURTS

Article 76

The judicial power shall be vested in the courts composed of judges. The organization of the Supreme Court and the lower courts shall be determined by law. The qualification of judges shall be determined by law.

Article 77

The judges of the court shall judge independently in accordance with the Constitution and the law.

Article 78

The Chief Justice of the Supreme Court shall be appointed by the President with the consent of the National Assembly.

Article 79

The tenure of the judges shall be ten years and the judges may be reappointed in accordance with the law.

Article 80

Judges shall not be dismissed, suspended from office or have their salaries reduced except by impeachment or criminal or disciplinary punishment.

Article 81

The Supreme Court shall have jurisdiction to decide finally whether administrative orders and regulations, and dispositions, are consistent with the Constitution and the law.

Whenever the decision of the case depends on the determination of the constitutionality of a law, the court shall proceed in accordance with the decision of the Constitution Committee.

The Vice-President shall be the Chairman of the Constitution Committee and five justices of the Supreme Court and five members of the National Assembly shall serve as members of the Constitution Committee. A decision holding that a law is unconstitutional requires a two-thirds majority of the Constitution Committee. The organization and the rules of procedure of the Constitution Committee shall be determined by law.

Article 82

The Supreme Court may establish internal regulations of the court and rules pertaining to routine matters.

Article 83

The trial and the announcement of judgment shall be open to the public but

may be closed to the public by a decision of the court when it is considered to disturb public peace and order or to be dangerous to public morals.

CHAPTER VI

ECONOMY

Article 84

The principle of the economic order of the Korean Republic shall be to realize social justice, to meet the basic demands of all citizens and to encourage the development of a balanced economy.

Within the limits of the foregoing paragraph the economic freedom of each individual shall be guaranteed.

Article 85

Mines and other important mineral resources, marine resources, water power and natural powers which may be utilized economically shall be owned by the State. In order to utilize and develop such resources, licenses shall, in case of public necessity, be granted for a limited period to private persons in accordance with the provisions of law and shall be cancelled in accordance with the provisions of law.

Article 86

Farmland shall be distributed to self-tilling farmers. The method of distribution, the extent of possession, and the nature and restrictions of ownership shall be determined by law.

Article 87

Important transportation and communication enterprises, financial and insurance institutions, electricity, irrigation, water supply, gas and any enterprises having public character, shall be managed by the Government or by juridical persons of public law. When required by public necessity such enterprises shall be licensed to private individuals in accordance with the provisions of law and licenses shall be cancelled in accordance with the provisions of law.

Foreign trade shall be under the control of the Government.

Article 88

In order to meet urgent necessities of national defense or national life, private enterprises shall be transferred to State or public ownership, or their management shall be placed under control or supervision of the State or juridical persons of public law, when it is deemed urgently necessary in accordance with provisions of law.

Article 89

Article 15, paragraph 2, of this Constitution shall be applicable to the cancellation of a license, the expropriation, use or restriction of property as provided in Articles 85-88.

CHAPTER VII

FINANCE

Article 90

The items and rates of all taxes shall be determined by law.

Article 91

The Government shall submit to the National Assembly at the beginning of each annual meeting for decision a budget covering all revenues and expenditures for the fiscal year.

In case a special disbursement covers a period of more than one year, such disbursement shall be established by the National Assembly as a continual fund.

The National Assembly shall neither increase items of expenditure, nor establish new items of expenditure without the concurrence of the Government.

Article 92

The raising of a national loan or the conclusion of any contract incumbent upon the National Treasury outside the national budget shall be subject to a decision of the National Assembly.

Article 93

The creation of a reserve fund for unforeseen expenditures outside of the budget, or for any disbursement in excess of the budget, shall be decided by the National Assembly in advance; the disbursement of the reserve fund shall be confirmed by the subsequent session of the National Assembly.

Article 94

The National Assembly shall enact the annual budget before the beginning of the fiscal year. In case the budget cannot be enacted in time on account of unavoidable reasons, the National Assembly shall establish a temporary budget for a period not exceeding the first month of the fiscal year and the regular budget shall be enacted within this period.

Article 95

The counts of revenue and disbursement of the State shall be investigated annually by the Board of Audit.

The Government shall submit to the National Assembly, in session the following year, a statement of accounts together with the auditing report of the Board of Audit. The organization and functions of the Board of Audit shall be determined by law.

CHAPTER VIII

LOCAL AUTONOMOUS ORGANIZATIONS

Article 96

Local autonomous organizations shall manage their property and perform their

administration within the framework of laws and orders and shall perform such additional tasks as are delegated to them by law.

Local autonomous organizations may establish self-governing regulations within the framework of laws and orders.

Article 97

The organization and operation of local autonomous organizations shall be determined by law. There shall be a Board or Council set up in each local autonomous organization.

The organization and authority of the local councils and the election of its members shall be determined by law.

CHAPTER IX

AMENDMENT TO THE CONSTITUTION

Article 98

A motion to amend the Constitution shall be introduced either by the President or by one-third or more of the members of the National Assembly duly elected and seated. Proposed amendments to the Constitution shall be announced by the President to the public. The period for an announcement as prescribed in the foregoing paragraph shall not be less than thirty days.

The decision on the amendment to the Constitution requires the concurrence of more than two-thirds of the members of the National Assembly duly elected and seated.

When an amendment to the Constitution has been adopted the President shall promulgate it immediately.

CHAPTER X

SUPPLEMENTARY RULES

Article 99

This Constitution shall be in effect from the date of its promulgation so declared by the Speaker of the National Assembly which enacted this Constitution. However, those provisions which can be made effective only after the enactment of supplementary laws shall become effective from the date at which such a supplementary law becomes effective.

Article 100

Existing laws and ordinances shall be in effect to the extent that they do not conflict with this Constitution.

Article 101

The National Assembly which enacted the Constitution may establish a special law dealing with the punishment of malicious anti-national acts committed prior to 15 August 1945.

The National Assembly which enacted this Constitution shall exercise the powers of the National Assembly as prescribed in this Constitution ; the terms of its members shall be two years from the date of the convocation of the National Assembly.

Government officials who are holding positions at the effective date of this Constitution shall continue their duties until such time as their successors shall be elected or appointed according to this Constitution.

ANNEX VI

List of delegations to the Commission, and secretariat (after 5 June 1948)

DELEGATIONS TO THE COMMISSION

Australia : S. H. Jackson, representative ; A. B. Jamieson, alternate.

Canada : George S. Patterson, representative ; Mabel McFarlane, secretary-typist.

China : Liu Yu-Wan, representative ; Ssutu Ting Teh, first alternate ; Wang Gung-Hsing, second alternate.

El Salvador : Miguel Angel Pena Valle, representative.

France : Jean Paul-Boncour, representative ; Olivier Manet, alternate ;¹ Henri Costilhes, adviser ; Marcel Barthélemy, secretary ; Irène Michaux, secretary ; Charles Martel, secretary.

India : B. Singh, representative.

¹Left Seoul on 24 June 1948. During Mr. Jackson's absence from Seoul, Mr. Jamieson represented Australia until 15 August 1948, when he was recalled by his Government. Mr. Jackson rejoined the Commission in New York on 13 September 1948.

²Returned to Paris, France, 21 July 1948. Subsequently Mr. Costilhes was appointed alternate.

Philippine Republic : Rufino Luna, representative ; Custodio A. Villalva, adviser.
Syria : Yasin Mughir, representative.³

SECRETARIAT OF THE COMMISSION

Principal secretary : Coert Binnerts ;⁴

Assistant secretary : Hung-ti Chu ;

Administrative and finance officer : Alfred F. Katz ;

Interpreters : Alexandre Blokh, Harry Liao ;

Precis-writer : Anthony Balinski ;

Secretary-stenographers : Magdeleine Al-lard, Colette Coppée, Christiane Faure.

Locally recruited staff

Interpreter-translator : Hyun Hurh ;

Correspondent-secretary : Unja Lee ;

Messenger : Chong Dea Lee.

³Returned to Washington, D.C., 3 June 1948, rejoined the Commission on 7 September 1948 in New York.

⁴From 7 June to 4 July 1948, Mr. Ian F. G. Milner served as the Principal Secretary, and on 4 July 1948 Mr. Binnerts assumed duties.

ANNEX VII

Complete list of documents of the Temporary Commission issued since 5 June 1948

A. Agendas of the meetings of the Commission

A/AC.19/Agenda 59	Provisional Agenda for the 59th meeting	8 June 1948
A/AC.19/Agenda 60	Provisional Agenda for the 60th meeting	11 June 1948
A/AC.19/Agenda 61	Provisional Agenda for the 61st meeting	13 June 1948
A/AC.19/Agenda 62	Provisional Agenda for the 62nd meeting	15 June 1948
A/AC.19/Agenda 63	Provisional Agenda for the 63rd meeting	16 June 1948
A/AC.19/Agenda 64	Provisional Agenda for the 64th meeting	19 June 1948
A/AC.19/Agenda 65	Provisional Agenda for the 65th meeting	21 June 1948
A/AC.19/Agenda 66	Provisional Agenda for the 66th meeting-	22 June 1948
A/AC.19/Agenda 67		
A/AC.19/Agenda 68	Provisional Agenda for the 68th meeting	23 June 1948
A/AC.19/Agenda 69	Provisional Agenda for the 69th meeting	24 June 1948
A/AC.19/Agenda 70	Provisional Agenda for the 70th meeting	26 June 1948
A/AC.19/Agenda 71	Provisional Agenda for the 71st meeting	28 June 1948
A/AC.19/Agenda 72	Provisional Agenda for the 72nd meeting	29 June 1948
A/AC.19/Agenda 73	Provisional Agenda for the 73rd meeting	30 June 1948
A/AC.19/Agenda 74	Provisional Agenda for the 74th meeting	2 July 1948
A/AC.19/Agenda 75	Provisional Agenda for the 75th meeting	2 July 1948
A/AC.19/Agenda 76	Provisional Agenda for the 76th meeting	3 July 1948
A/AC.19/Agenda 77	Provisional Agenda for the 77th meeting	5 July 1948
A/AC.19/Agenda 78	Provisional Agenda for the 78th meeting	7 July 1948
A/AC.19/Agenda 79	Provisional Agenda for the 79th meeting	8 July 1948
A/AC.19/Agenda 80	Provisional Agenda for the 80th meeting	10 July 1948
A/AC.19/Agenda 81	Provisional Agenda for the 81st meeting	12 July 1948

A/AC.19/Agenda 82	Provisional Agenda for the 82nd meeting	13 July 1948
A/AC.19/Agenda 83	Provisional Agenda for the 83rd meeting	15 July 1948
A/AC.19/Agenda 84	Provisional Agenda for the 84th meeting	16 July 1948
A/AC.19/Agenda 85	Provisional Agenda for the 85th meeting	19 July 1948
A/AC.19/Agenda 86	Provisional Agenda for the 86th meeting	21 July 1948
A/AC.19/Agenda 87	Provisional Agenda for the 87th meeting	22 July 1948
A/AC.19/Agenda 88	Provisional Agenda for the 88th meeting	26 July 1948
A/AC.19/Agenda 89	Provisional Agenda for the 89th meeting	29 July 1948
A/AC.19/Agenda 90	Provisional Agenda for the 90th meeting	4 August 1948
A/AC.19/Agenda 91	Provisional Agenda for the 91st meeting	6 August 1948
A/AC.19/Agenda 92	Provisional Agenda for the 92nd meeting	10 August 1948
A/AC.19/Agenda 93	Provisional Agenda for the 93rd meeting	12 August 1948
A/AC.19/Agenda 94	Provisional Agenda for the 94th meeting	13 August 1948
A/AC.19/Agenda 95	Provisional Agenda for the 95th meeting	17 August 1948
A/AC.19/Agenda 96	Provisional Agenda for the 96th meeting	19 August 1948
A/AC.19/Agenda 97	Provisional Agenda for the 97th meeting	19 August 1948
A/AC.19/Agenda 98	Provisional Agenda for the 98th meeting	23 August 1948
A/AC.19/Agenda 99	Provisional Agenda for the 99th meeting	14 Sept. 1948
A/AC.19/Agenda 100	Provisional Agenda for the 100th meeting	21 Sept. 1948
A/AC.19/Agenda 101	Provisional Agenda for the 101st meeting	1 October 1948
A/AC.19/Agenda 102	Provisional Agenda for the 102nd meeting	11 October 1948
A/AC.19/Agenda 103	Provisional Agenda for the 103rd meeting	13 October 1948

B. Summary records of the meetings of the Commission

A/AC.19/SR.49/Corr.1	Corrigendum to Summary Record of the 49th meeting	16 June 1948
A/AC.19/SR.54/Corr.1	Corrigendum to Summary Record of the 54th meeting	26 June 1948
A/AC.19/SR.55/Corr.1	Corrigendum to Summary Record of the 55th meeting	15 June 1948
A/AC.19/SR.56/Corr.1	Corrigendum to Summary Record of the 56th meeting	16 June 1948
A/AC.19/SR.58/Corr.1	Corrigendum to Summary Record of the 58th meeting	26 June 1948
A/AC.19/SR.59	Summary Record of the 59th meeting	9 June 1948
A/AC.19/SR.60	Summary Record of the 60th meeting	10 June 1948
A/AC.19/SR.61	Summary Record of the 61st meeting	14 June 1948
A/AC.19/SR.61/Corr.1	Corrigendum to Summary Record of the 61st meeting	17 June 1948
A/AC.19/SR.62	Summary Record of the 62nd meeting	16 June 1948
A/AC.19/SR.62/Corr.1	Corrigendum to Summary Record of the 62nd meeting	26 June 1948
A/AC.19/SR.63	Summary Record of the 63rd meeting	17 June 1948
A/AC.19/SR.64	Summary Record of the 64th meeting	22 June 1948
A/AC.19/SR.65	Summary Record of the 65th meeting	24 June 1948
A/AC.19/SR.65/Corr.1	Corrigendum to Summary Record of the 65th meeting	1 July 1948
A/AC.19/SR.66	Summary Record of the 66th meeting	25 June 1948
A/AC.19/SR.67	Summary Record of the 67th meeting	24 June 1948
A/AC.19/SR.68	Summary Record of the 68th meeting	25 June 1948
A/AC.19/SR.69	Summary Record of the 69th meeting	26 June 1948
A/AC.19/SR.70	Summary Record of the 70th meeting	29 June 1948
A/AC.19/SR.71	Summary Record of the 71st meeting	1 July 1948
A/AC.19/SR.72	Summary Record of the 72nd meeting	1 July 1948
A/AC.19/SR.73	Summary Record of the 73rd meeting	2 July 1948
A/AC.19/SR.74	Summary Record of the 74th meeting	3 July 1948
A/AC.19/SR.75	Summary Record of the 75th meeting	7 July 1948
A/AC.19/SR.75/Corr.1	Corrigendum to Summary Record of the 75th meeting	12 July 1948
A/AC.19/SR.76	Summary Record of the 76th meeting	8 July 1948
A/AC.19/SR.77	Summary Record of the 77th meeting	9 July 1948
A/AC.19/SR.77/Corr.1	Corrigendum to Summary Record of the 77th meeting	13 July 1948
A/AC.19/SR.78	Summary Record of the 78th meeting	10 July 1948
A/AC.19/SR.78/Corr.1	Corrigendum to Summary Record of the 78th meeting	13 July 1948
A/AC.19/SR.79	Summary Record of the 79th meeting	12 July 1948
A/AC.19/SR.80	Summary Record of the 80th meeting	14 July 1948
A/AC.19/SR.81	Summary Record of the 81st meeting	14 July 1948
A/AC.19/SR.81/Corr.1	Corrigendum to Summary Record of the 81st meeting	23 July 1948

A/AC.19/SR.82	Summary Record of the 82nd meeting	14 July 1948
A/AC.19/SR.83	Summary Record of the 83rd meeting	17 July 1948
A/AC.19/SR.84	Summary Record of the 84th meeting	19 July 1948
A/AC.19/SR.85	Summary Record of the 85th meeting	23 July 1948
A/AC.19/SR.86	Summary Record of the 86th meeting	22 July 1948
A/AC.19/SR.87	Summary Record of the 87th meeting	24 July 1948
A/AC.19/SR.88	Summary Record of the 88th meeting	29 July 1948
A/AC.19/SR.89	Summary Record of the 89th meeting	3 August 1948
A/AC.19/SR.90	Summary Record of the 90th meeting	6 August 1948
A/AC.19/SR.91	Summary Record of the 91st meeting	9 August 1948
A/AC.19/SR.92	Summary Record of the 92nd meeting	11 August 1948
A/AC.19/SR.93	Summary Record of the 93rd meeting	14 August 1948
A/AC.19/SR.94	Summary Record of the 94th meeting	16 August 1948
A/AC.19/SR.94/Corr.1	Corrigendum to Summary Record of the 94th meeting	20 August 1948
A/AC.19/SR.95	Summary Record of the 95th meeting	19 August 1948
A/AC.19/SR.96	Summary Record of the 96th meeting	20 August 1948
A/AC.19/SR.97	Summary Record of the 97th meeting	21 August 1948
A/AC.19/SR.98	Summary Record of the 98th meeting	25 August 1948
A/AC.19/SR.99	Summary Record of the 99th meeting	17 Sept. 1948
A/AC.19/SR.100	Summary Record of the 100th meeting	21 Sept. 1948
A/AC.19/SR.101	Summary Record of the 101st meeting	6 October 1948
A/AC.19/SR.101/Corr.1	Corrigendum to Summary Record of the 101st meeting	12 October 1948
A/AC.19/SR.102	Summary Record of the 102nd meeting	14 October 1948
A/AC.19/SR.103	Summary Record of the 103rd meeting	18 October 1948

C. General documents

A/AC.19/39/Add.3	Fourth list of documents issued by the Temporary Commission	5 June 1948
A/AC.19/39/Add.3/Corr.1	Corrigendum to fourth list of documents issued by the Temporary Commission	7 July 1948
A/AC.19/39/Add.4	Fifth list of documents issued by the Temporary Commission	2 July 1948
A/AC.19/39/Add.5	Sixth list of documents issued by the Temporary Commission	3 August 1948
A/AC.19/39/Add.5/Corr.1	Corrigendum to sixth list of documents issued by the Temporary Commission	8 October 1948
A/AC.19/39/Add.6	Seventh list of documents issued by the Temporary Commission	31 August 1948
A/AC.19/39/Add.7	Eighth list of documents issued by the Temporary Commission	19 October 1948
A/AC.19/66/Add.3	Official registration and election statistics	9 June 1948
A/AC.19/66/Add.4	Official registration statistics; withdrawal of candidates registered	12 June 1948
A/AC.19/66/Add.5	Official registration statistics; political party affiliation of candidates	25 June 1948
A/AC.19/72/Add.1	Letter from the Chairman and Rapporteur transmitting to the Secretary-General the first part of the report of the Temporary Commission to the General Assembly	21 June 1948
A/AC.19/74	Communication from Mr. Rhee Syngman concerning the appointment of a Temporary Liaison Committee	8 June 1948
A/AC.19/74/Add.1	Reply from the Chairman of the Temporary Commission to the communication from Mr. Rhee Syngman concerning the appointment of a Temporary Liaison Committee	11 June 1948
A/AC.19/75	Official results of the election	9 June 1948
A/AC.19/75/Add.1	Official results of the election; postponement of by-election in electoral districts A and B of Cheju-Do	12 June 1948
A/AC.19/75/Add.2	Official result of the election; invalid ballots	22 June 1948
A/AC.19/76	Philippine Republic: draft resolution	9 June 1948
A/AC.19/77	Consultation with elected representatives; resolution adopted at the 60th meeting,	10 June 1948

A/AC.19/78	Establishment of a Korean National Assembly : letter from the Chairman, Korean National Assembly	11 June 1948
A/AC.19/78/Add.1	Establishment of a Korean National Assembly : letter from the Chairman of the Temporary Commission to the Chairman, Korean National Assembly	28 June 1948
A/AC.19/79	Philippine Republic : draft resolution	14 June 1948
A/AC.19/80	United Nations Temporary Commission on Korea : first part of the Report to the General Assembly.	21 July 1948
A/AC.19/80/Add.1	United Nations Temporary Commission on Korea : second part of the Report to the General Assembly	15 October 1948
A/AC.19/80/Add.2	United Nations Temporary Commission on Korea : second part of the Report to the General Assembly; annexes	18 October 1948
A/AC.19/81	Tenth information report on the work of the Commission (period 16 May - 5 June 1948)	14 June 1948
A/AC.19/82	Implementation of the resolutions of the General Assembly of 14 November 1947. China : draft memorandum	22 June 1948
A/AC.19/83	Elections of 10 May 1948. El Salvador : draft resolution	24 June 1948
A/AC.19/84	Elections of 10 May 1948 : resolution adopted at the 69th meeting, 25 June 1948	26 June 1948
A/AC.19/85	Consultation with elected representatives. France : draft resolution	28 June 1948
A/AC.19/86	Consultation with elected representatives : resolution adopted at the 71st meeting, 29 June 1948	30 June 1948
A/AC.19/87	Eleventh information report on the work of the Commission (period 6 June-4 July 1948)	7 July 1948
A/AC.19/88	Twelfth information report on the work of the Commission (period 5 July-31 July 1948)	4 August 1948
A/AC.19/89	Establishment of a Korean Government : letter from the President of the Republic of Korea	6 August 1948
A/AC.19/89/Add.1	Establishment of a Korean Government : letter from the President of the Republic of Korea	12 August 1948
A/AC.19/89/Add.2	Establishment of a Korean Government : letter from the Commanding General, United States Army Forces in Korea	12 August 1948
A/AC.19/89/Add.3	Establishment of a Korean Government : letter from the Commanding General, United States Army Forces in Korea	12 August 1948
A/AC.19/89/Add.4	Establishment of a Korean Government : reply from the Chairman of the Commission to President Rhee Syngman's letter, 6 August 1948	18 August 1948
A/AC.19/89/Add.5	Establishment of a Korean Government : letter from Foreign Minister Chang Taik Sang of the Korean Government to the Chairman of the Commission	18 August 1948
A/AC.19/89/Add.6	Establishment of a Korean Government : letter from the representative of the Minister of Foreign Affairs of the Korean Government	23 August 1948
A/AC.19/90	Completion of the second part of the Report to the General Assembly	23 August 1948
A/AC.19/91	Interim agreement between the President of the Republic of Korea and the Commanding General, United States Army Forces in Korea	25 August 1948
A/AC.19/92	Thirteenth information report on the work of the Commission	14 Sept. 1948
A/AC.19/93	Future activities of the Commission; resolution adopted at the 100th meeting	20 Sept. 1948

A/AC.19/94	Initial financial and property settlement between the Government of the United States of America and the Government of the Republic of Korea	6 October 1948
A/AC.19/95	United Nations Temporary Commission on Korea : statement from the Principal Secretary to the members of the Commission concerning the attitude of the Secretary-General toward the Commission's resolution of 17 September 1948	13 October 1948

D. Working papers

A/AC.19/W.39/Add.6	Attitudes toward the elections : acts of violence against Election Committee Officials (circulated by the Secretariat)	6 May 1948
A/AC.19/W.39/Add.7	Attitudes towards the elections : anti-election activities (circulated by the Secretariat)	15 June 1948
A/AC.19/W.39/Add.8	Attitudes towards the elections : anti-election activities (circulated by the Secretariat)	20 July 1948
A/AC.19/W.50	Proclamation and announcement concerning the first meeting of the elected representatives, Seoul, Korea	8 June 1948
A/AC.19/W.51	Letter from the Commanding General, United States Army Forces in Korea, to the elected candidates	8 June 1948
A/AC.19/W.52	Speeches delivered by Mr. Rhee Syngman, by the Commanding General, United States Army Forces in Korea, and by the Military Governor at the opening ceremony of the meeting of elected representatives, Seoul, Korea, 31 May 1948	8 June 1948
A/AC.19/W.52/Add.1	Address delivered by Mr. Rhee Syngman at the ceremony of inauguration of the first President and Vice-President of the Democratic Republic of Korea, 24 July 1948	27 July 1948
A/AC.19/W.52/Add.2	Public Statement by Lt. General John R. Hodge, Commanding General, United States Army Forces in Korea, on 27 July 1948 (circulated by the Secretariat)	27 July 1948
A/AC.19/W.53	Resolution of the Korean National Assembly concerning North Korea (circulated by the Secretariat)	14 June 1948
A/AC.19/W.53/Add.1	Resolution of the Korean National Assembly concerning North Korea (circulated by the Secretariat)	14 July 1948
A/AC.19/W.53/Add.2	Reply from the Chairman of the Temporary Commission to the communication from the Chairman of the Temporary Liaison Committee, Korean National Assembly (circulated by the Secretariat)	23 July 1948
A/AC.19/W.54	Analysis of official results of the election (prepared by the Secretariat)	18 June 1948
A/AC.19/W.55	Draft constitution of the Democratic Republic of Korea : draft of the Committee for the drafting of the Constitution (circulated by the Secretariat)	1 July 1948
A/AC.19/W.55/Add.1	Constitution of the Democratic Republic of Korea adopted by the Korean National Assembly on 12 July 1948 (circulated by the Secretariat)	27 August 1948
A/AC.19/W.56	South Korean constabulary (circulated by the Secretariat)	23 July 1948
A/AC.19/W.57	Elections in North Korea : memorandum from the United States Liaison Officer (circulated by the Secretariat)	3 August 1948
A/AC.19/W.57/Add.1	Elections in North Korea : memorandum from the United States Liaison Officer (circulated by the Secretariat)	4 August 1948

A/AC.19/W.57/Add.2	Elections in North Korea : joint statement by twenty-five political organizations in South Korea (circulated by the Secretariat)	
A/AC.19/W.58	Speeches delivered by President Rhee Syngman, by General of the Army Douglas MacArthur, by the Commanding General, United States Army Forces in Korea, and by the Chairman of the Commission on the occasion of Korean celebration of formation of Government of the Republic of Korea	31 August 1948
A/AC.19/W.58/Add.1	Statement by Dr. Wang Shih Chieh, Minister of Foreign Affairs of the Chinese Government, issued in connexion with the occasion of Korean celebration of formation of Government of the Republic of Korea, 15 August 1948	16 August 1948
A/AC.19/W.59	Economic position and prospects of Korea: report of the "Johnston Committee" on Korea made public by Secretary of the Army Kenneth C. Royall in Washington, D.C., 19 May 1948 (circulated by the Secretariat)	23 August 1948 23 August 1948

E. Communications received from parties, organizations and individuals

A/AC.19/NC.2/Add.3	List of communications from organizations	8 June 1948
A/AC.19/NC.2/Add.4	List of communications from organizations, received 11 May - 31 July 1948	5 August 1948
A/AC.19/NC.3/Add.3	List of communications from individuals	8 June 1948
A/AC.19/NC.3/Add.1	List of communications from individuals, received 11 May - 31 July 1948	6 August 1948
A/AC.19/NC.42	Communication from the Chairman of the Patriotic Alliance for Freedom and Unity of Korea, 20 June 1948, to the General Assembly of the United Nations	29 June 1948
A/AC.19/NC.43	Communication from the Most Reverend Paul M. Ro, D.D., Vicar Apostolic of Seoul, Korea, 1 July 1948	7 July 1948
A/AC.19/NC.44	Communication from the Society to accelerate unified independence, Seoul, Korea, 15 September 1948 to the Secretary-General of the United Nations	30 Sept. 1948

F. Information papers

A/AC.19/INF.1/Rev.3	Secretariat of the Commission	1 July 1948
A/AC.19/INF.2/Rev.3	List of delegations	23 July 1948

G. Agendas and summary records of meetings of the Sub-Committees

(a) Main Committee

(1) Agendas

A/AC.19/SC.4/Agenda 13	Provisional Agenda for the 13th meeting	17 June 1948
A/AC.19/SC.4/Agenda 14	Provisional Agenda for the 14th meeting	14 July 1948
A/AC.19/SC.4/Agenda 15	Provisional Agenda for the 15th meeting	17 July 1948
A/AC.19/SC.4/Agenda 16	Provisional Agenda for the 16th meeting	20 July 1948
A/AC.19/SC.4/Agenda 17	Provisional Agenda for the 17th meeting	21 July 1948
A/AC.19/SC.4/Agenda 18	Provisional Agenda for the 18th meeting	27 July 1948
A/AC.19/SC.4/Agenda 19	Provisional Agenda for the 19th meeting	25 August 1948

(2) Summary Records

A/AC.19/SC.4/SR.13	Summary Record of the 13th meeting	21 June 1948
A/AC.19/SC.4/SR.14	Summary Record of the 14th meeting	16 July 1948
A/AC.19/SC.4/SR.15	Summary Record of the 15th meeting	20 July 1948
A/AC.19/SC.4/SR.16	Summary Record of the 16th meeting	21 July 1948
A/AC.19/SC.4/SR.17	Summary Record of the 17th meeting	22 July 1948
A/AC.19/SC.4/SR.18	Summary Record of the 18th meeting	29 July 1948
A/AC.19/SC.4/SR.19	Summary Record of the 19th meeting	26 August 1948

(b) *Drafting Committee*(1) *Agendas*

A/AC.19/DC/Agenda 1	Provisional Agenda for the 1st meeting	4 Sept. 1948
A/AC.19/DC/Agenda 2	Provisional Agenda for the 2nd meeting	8 Sept. 1948
A/AC.19/DC/Agenda 3	Provisional Agenda for the 3rd meeting	9 Sept. 1948
A/AC.19/DC/Agenda 4	Provisional Agenda for the 4th meeting	10 Sept. 1948
A/AC.19/DC/Agenda 5	Provisional Agenda for the 5th meeting	13 Sept. 1948
A/AC.19/DC/Agenda 6	Provisional Agenda for the 6th meeting	15 Sept. 1948
A/AC.19/DC/Agenda 7	Provisional Agenda for the 7th meeting	15 Sept. 1948
A/AC.19/DC/Agenda 8	Provisional Agenda for the 8th meeting	16 Sept. 1948
A/AC.19/DC/Agenda 9	Provisional Agenda for the 9th meeting	17 Sept. 1948
A/AC.19/DC/Agenda 10	Provisional Agenda for the 10th meeting	20 Sept. 1948
A/AC.19/DC/Agenda 11	Provisional Agenda for the 11th meeting	21 Sept. 1948
A/AC.19/DC/Agenda 12	Provisional Agenda for the 12th meeting	22 Sept. 1948
A/AC.19/DC/Agenda 13	Provisional Agenda for the 13th meeting	24 Sept. 1948
A/AC.19/DC/Agenda 14	Provisional Agenda for the 14th meeting	24 Sept. 1948
A/AC.19/DC/Agenda 15	Provisional Agenda for the 15th meeting	27 Sept. 1948
A/AC.19/DC/Agenda 16	Provisional Agenda for the 16th meeting	27 Sept. 1948
A/AC.19/DC/Agenda 17	Provisional Agenda for the 17th meeting	28 Sept. 1948
A/AC.19/DC/Agenda 18	Provisional Agenda for the 18th meeting	29 Sept. 1948
A/AC.19/DC/Agenda 19	Provisional Agenda for the 19th meeting	7 October 1948
A/AC.19/DC/Agenda 20	Provisional Agenda for the 20th meeting	8 October 1948

(2) *Summary Records*

A/AC.19/DC/SR.1	Summary Record of the 1st meeting	8 Sept. 1948
A/AC.19/DC/SR.2	Summary Record of the 2nd meeting	9 Sept. 1948
A/AC.19/DC/SR.3	Summary Record of the 3rd meeting	13 Sept. 1948
A/AC.19/DC/SR.4	Summary Record of the 4th meeting	14 Sept. 1948
A/AC.19/DC/SR.5	Summary Record of the 5th meeting	15 Sept. 1948
A/AC.19/DC/SR.6	Summary Record of the 6th meeting	20 Sept. 1948
A/AC.19/DC/SR.6/ Corr.1	Corrigendum to the Summary Record of 6th meeting	23 Sept. 1948
A/AC.19/DC/SR.7	Summary Record of the 7th meeting	16 Sept. 1948
A/AC.19/DC/SR.8	Summary Record of the 8th meeting	22 Sept. 1948
A/AC.19/DC/SR.9	Summary Record of the 9th meeting	22 Sept. 1948
A/AC.19/DC/SR.10	Summary Record of the 10th meeting	24 Sept. 1948
A/AC.19/DC/SR.11	Summary Record of the 11th meeting	22 Sept. 1948
A/AC.19/DC/SR.12	Summary Record of the 12th meeting	27 Sept. 1948
A/AC.19/DC/SR.13	Summary Record of the 13th meeting	27 Sept. 1948
A/AC.19/DC/SR.14	Summary Record of the 14th meeting	26 Sept. 1946
A/AC.19/DC/SR.15	Summary Record of the 15th meeting	30 Sept. 1948
A/AC.19/DC/SR.16	Summary Record of the 16th meeting	30 Sept. 1948
A/AC.19/DC/SR.17	Summary Record of the 17th meeting	1 October 1948
A/AC.19/DC/SR.18	Summary Record of the 18th meeting	4 October 1948
A/AC.19/DC/18/Corr.1	Corrigendum to the Summary Record of 18th meeting	17 October 1948
A/AC.19/DC/SR.19	Summary Record of the 19th meeting	7 October 1948
A/AC.19/DC/SR.20	Summary Record of the 20th meeting	12 October 1948

II. *Sub-Committee Documents*(a) *Main Committee*

A/AC.19/SC.4/15/Add.10	Election in Tong-Dai-Mun A District, Seoul City : exchange of communica- tions with the United States Liaison Offi- cer to the Commission	9 June 1948
A/AC.19/SC.4/15/Add.11	Election in Tong-Dai-Mun A District, Seoul City : statement by Choi Neung- chin concerning investigation of com- plaint against cancellation of candidacy	15 June 1948
A/AC.19/SC.4/15/Add.12	Election in Tong-Dai-Mun A District, Seoul City : communication of the Uni- ted States Liaison Officer to the Com- mission	21 June 1948
A/AC.19/SC.4/23/Add.3	Complaints concerning free atmosphere for elections : submission to the United States authorities	21 June 1948
A/AC.19/SC.4/23/Add.4	Complaints concerning conduct of the elections : submission to the United States authorities	11 June 1948

A/AC.19/SC.4/23/Add.5	Complaints concerning the free atmosphere for elections : submission to the United States authorities	22 June 1948
A/AC.19/SC.4/23/Add.6	Complaints concerning the free atmosphere for elections : Submission to the United States authorities	16 July 1948
A/AC.19/SC.4/25/Add.1/ Corr.1	Complaints concerning the free atmosphere for elections : comment by the United States authorities	18 June 1948
A/AC.19/SC.4/25/Add.2	Complaints concerning the free atmosphere for elections : comment by the United States authorities	9 June 1948
A/AC.19/SC.4/25/Add.3	Complaints concerning the free atmosphere for elections : comment by the United States authorities	10 June 1948
A/AC.19/SC.4/25/Add.4	Complaints concerning the free atmosphere for elections : comment by the United States authorities	14 June 1948
A/AC.19/SC.4/25/Add.5	Complaints concerning the free atmosphere for elections : comment by the United States authorities	16 June 1948
A/AC.19/SC.4/25/Add.6	Complaints concerning the free atmosphere for elections : comment by the United States authorities	16 June 1948
A/AC.19/SC.4/25/Add.7	Complaints concerning the free atmosphere for elections : comment by the United States authorities	24 June 1948
A/AC.19/SC.4/25/Add.8	Complaints concerning the free atmosphere for elections : comment by the United States authorities	29 June 1948
A/AC.19/SC.4/25/Add.9	Complaints concerning the free atmosphere for elections : comment by the United States authorities	29 June 1948
A/AC.19/SC.4/25/Add.10	Complaints concerning the free atmosphere for elections : comment by the United States authorities	16 July 1948
A/AC.19/SC.4/25/Add.11	Complaints concerning the free atmosphere for elections : comment by the United States authorities	9 August 1948
A/AC.19/SC.4/27	Establishment of Election Review Board : communication from the United States Liaison Officer	24 June 1948
A/AC.19/SC.4/28	Consultation with the Temporary Liaison Committee, Korean National Assembly : communication from the Chairman of the Temporary Liaison Committee	23 July 1948
A/AC.19/SC.4/29	Election of President and Vice-President by the Korean National Assembly : communication from the Chairman of the Temporary Liaison Committee, Korean National Assembly	23 July 1948

(b) *Drafting Committee*

A/AC.19/DC.1	Drafting Committee of the United Nations Temporary Commission on Korea : Report of the Commission, second part, chapter I	8 October 1948
A/AC.19/DC.2	Drafting Committee of the United Nations Temporary Commission on Korea : Report of the Commission, second part, chapter II	11 October 1948

I. *Press releases*

Nos. 58—70, in Seoul, covering the period 5 May 1948 to 30 June 1948.

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