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**REPORT OF THE  
UNITED NATIONS  
COMMISSION ON KOREA  
Volume I**

**GENERAL ASSEMBLY**  
**OFFICIAL RECORDS : FOURTH SESSION**  
**SUPPLEMENT No. 9 (A/936)**

**LAKE SUCCESS**

**New York**

**1949**

*This document constitutes volume I of the Report of the United Nations Commission on Korea. A second volume containing the annexes is also being published.*

*Only a certain number of the documents issued by the United Nations Commission on Korea (series A/AC.26/1 et seq.) to which reference is made in the footnotes to the present report have been included in the annexes published in volume II. In each case the number of the annex has been given in the footnote. The remaining documents are available for consultation in the Archives Section of the Secretariat at Headquarters.*

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## NOTE

All United Nations documents are designated by symbols, i.e., capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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## INTRODUCTION

The United Nations Commission on Korea was created by General Assembly resolution 195 (III) of 12 December 1948. It held its first meeting on 2 February 1949 in Seoul, Korea. Between that date and 28 July 1949, the Commission held fifty meetings, all in Seoul.

The present report covers the period from the arrival of members of the Commission in Seoul on 30 January 1949 to 28 July 1949. The report is divided into two parts. Part II consists of annexes of relevant documents. Part I is divided into four chapters.

Chapter I (paragraphs 1 to 24) deals with the creation and organization of the Commission and its terms of reference.

Chapter II (paragraphs 1 to 92) summarizes the

main activities of the Commission and its subsidiary bodies.

Chapter III (paragraphs 1 to 104) presents an account of the political, economic and social developments and factors affecting the problem of the independence and unification of Korea.

Chapter IV (paragraphs 1 to 35) contains a summary and analysis of the efforts of the Commission to implement the General Assembly resolution of 12 December 1948; the factors affecting the implementation of that resolution; an analysis of the present status of the Korean problem; and the conclusions reached by the Commission.

The complete report was adopted unanimously on 28 July 1949. The representative of Syria was not present when the report was drafted nor when it was adopted.

## Chapter I

# CREATION OF THE UNITED NATIONS COMMISSION ON KOREA: ITS TERMS OF REFERENCE, COMPOSITION AND ORGANIZATION

### A. Creation

#### 1. REPORT OF THE TEMPORARY COMMISSION TO THE GENERAL ASSEMBLY AND INCLUSION OF THE PROBLEM OF KOREA IN THE AGENDA OF THE THIRD REGULAR SESSION

1. The United Nations Temporary Commission on Korea submitted its report to the General Assembly at its third regular session, as provided in General Assembly resolution 112 (II) A and B of 14 November 1947, on the problem of the independence of Korea. The report<sup>1</sup> of the Temporary Commission was made in two parts: the first part of the report, concerned with the observation of elections and covering the Commission's work from 12 January 1948 to 24 May 1948, was transmitted to the Secretary-General on 21 July 1948 from Korea; and the second part, dealing with developments following the 10 May elections, was completed at Lake Success and dispatched to the Secretary-General in Paris on 15 October 1948.

2. At meetings held on 22 and 23 September 1948, the General Committee considered the provisional agenda of the third regular session of the General Assembly and decided to recommend the inclusion of the problem of the independence of Korea as item 16 on the agenda.<sup>2</sup> At its 142nd plenary meeting, on 24 September 1948, the General Assembly considered the recommendations of the General Committee regarding the agenda. The delegation of the Union of Soviet Socialist Republics, supported by the delegation of Poland, proposed that item 16 should be deleted from the agenda, on the ground that the Temporary Commission established by the General Assembly was an "illegal body". The proposal of the Union of Soviet Socialist Republics was rejected by 47 votes to 6, with no abstentions.<sup>3</sup> The problem of the independence of Korea was then referred to the First Committee for consideration and report.

#### 2. DISCUSSION IN THE FIRST COMMITTEE

3. Before the First Committee took up the question of Korea, the representatives of the Government of the Republic of Korea and of the "Government of the Democratic People's Republic of Korea" requested participation in the discussion of the problem of Korea at the meetings of the General Assembly. By a letter<sup>4</sup> dated 1 October 1948 to the Secretary-General, the chief of the delegation of the Government of the Republic of Korea further stated that the presence of his delegation at the third regular session of the General Assembly was responsive to the reso-

lution adopted on 14 November 1947 while, in a cable<sup>5</sup> to the Secretary-General dated 8 October 1948, the Minister of Foreign Affairs of the "Democratic People's Republic of Korea" asserted that, following general elections held in August 1948 throughout North and South Korea, the "Supreme People's Assembly" and the "United Government of the Democratic People's Republic of Korea" had been established and that the problem of Korea must be considered and settled with the "participation of lawful representatives". The Secretary-General replied that these communications would be circulated to the members of the First Committee at the time when the Korean question came up for discussion in that Committee.

4. On 4 November 1948, the delegation of Czechoslovakia submitted a draft resolution<sup>6</sup> to the Chairman of the First Committee proposing that the First Committee should consider the request of the "Government of the Democratic People's Republic of Korea" and invite its delegation to participate in the debate on the Korean question. At its 200th meeting, on 15 November 1948, the First Committee considered the question proposed by the Czechoslovak delegation. The delegations of the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and Poland supported the draft resolution, while the delegations of China, El Salvador, Haiti and the United States of America expressed the view that it was inappropriate to discuss the procedural question of issuing an invitation before the report of the Temporary Commission had been examined and the legal status of the Government of the Republic of Korea had been decided. By 38 votes to 6, with 6 abstentions, the First Committee postponed consideration of the Czechoslovak draft resolution.

5. At its 229th and 230th meetings, on 6 December 1948, the First Committee resumed discussion of the Czechoslovak draft resolution, together with a draft resolution<sup>7</sup> presented by China proposing to invite the delegation of Korea, under the chairmanship of Mr. John M. Chang, to participate, without the right to vote, in the debate in the First Committee on the Korean problem. The delegations of the USSR, the Byelorussian SSR, Poland, the Ukrainian SSR and Yugoslavia supported the Czechoslovak resolution and the delegations of Canada, Egypt, El Salvador, New Zealand, Norway, the Philippines, Syria, the United Kingdom and Uruguay supported the Chinese draft resolution. After considerable debate the First Committee, at its 230th meeting, rejected the Czechoslovak draft resolution by 30 votes to 6, with 8 abstentions. Before the Chinese draft resolution was put to a vote, the representa-

<sup>1</sup> A/575 and A/575/Add.1 to Add.4, *Official Records of the third regular session of the General Assembly, Supplement No. 9.*

<sup>2</sup> A/653.

<sup>3</sup> *Official Records of the third regular session of the General Assembly, plenary meetings*, pages 92 to 94, 104 to 105.

<sup>4</sup> A/C.1/365.

<sup>5</sup> A/C.1/366.

<sup>6</sup> A/C.1/367.

<sup>7</sup> A/C.1/395.

tive of Australia suggested, and the representative of China accepted, an amendment inserting the words "of the Government of the Republic" between "the delegation" and "of Korea". The amended Chinese proposal was adopted by 39 votes to 6, with 1 abstention. The First Committee also decided to invite the Rapporteur of the Temporary Commission to submit his report at the next meeting.

6. After hearing the statement of the Rapporteur at the 231st meeting of the First Committee, and the statement of the representative of the Government of the Republic of Korea at the 232nd meeting, on 7 December 1948, a general debate took place in which the representatives of Australia, Brazil, Burma, the Byelorussian SSR, Canada, China, Czechoslovakia, the Dominican Republic, El Salvador, France, India, Iraq, the Netherlands, New Zealand, the Philippines, Poland, Syria, the Ukrainian SSR, the United Kingdom, the United States of America, the USSR and Yugoslavia participated. The Committee had before it two draft resolutions:

(a) A draft resolution submitted jointly by Australia, China and the United States of America (A/C.1/426), approving the conclusions of the report of the Temporary Commission on Korea and establishing a new Commission on Korea;

(b) A draft resolution presented by the USSR (A/C.1/474/Corr.1) proposing the termination of the Temporary Commission on Korea.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR, the USSR and Yugoslavia stated that their delegations could not approve the report of the Temporary Commission, on the ground that it did not reflect the wishes of the Korean people, and that they could not accept the joint draft resolution of Australia, China and the United States of America, on the ground that it was contrary to the decision of the Korean people. They stated further that the Temporary Commission had put new obstacles in the way of the restoration of Korea's independence and should therefore be abolished. The representatives of all other delegations who took part in the debate accepted the conclusions of the report of the Temporary Commission and supported the joint draft resolution. Toward the end of the general debate, the representative of Canada proposed the closure of the debate under rule 106 of the Assembly's rules of procedure. The Canadian proposal was adopted at the 235th meeting of the First Committee, by 30 votes to 6, with 3 abstentions.

7. At the 236th meeting, on 8 December 1948, the joint draft resolution and the draft resolution of the USSR were put to a vote. The joint draft resolution was adopted by 41 votes to 6, with 2 abstentions. To fill the blank in paragraph 4 of the joint draft resolution concerning the membership of the Commission, the representative of the United States of America proposed the insertion of the words "the same Member States which composed the United Nations Temporary Commission on Korea". The proposal was adopted by 41 votes to none, with 1 abstention. The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR, the USSR and Yugoslavia did not take part in the voting on this proposal. The representative of the Ukrainian

SSR declared that his Government would take no part in any activities of any Korean Commission which might be set up.

8. By 42 votes to 6, with 3 abstentions, the First Committee rejected the draft resolution submitted by the delegation of the USSR.

### 3. DISCUSSION IN THE GENERAL ASSEMBLY

9. At its 186th plenary meeting on 11 December 1948, the General Assembly began its consideration of the report of the First Committee on the problem of the independence of Korea, which recommended adoption of the resolution voted by the First Committee.<sup>8</sup> The General Assembly also considered the USSR draft resolution, which was re-presented in the plenary meeting.<sup>9</sup> Following the statement of the Rapporteur of the First Committee, a general debate took place at the 186th and 187th meetings in which only the representatives of Australia, the Byelorussian SSR, Canada, China, Czechoslovakia, Poland, the Ukrainian SSR, the USSR and Yugoslavia participated. The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR, the USSR and Yugoslavia reiterated the position expressed by them in the First Committee.

In supporting the resolution recommended by the First Committee, the representative of China stated that the work of the Temporary Commission remained half done and it was necessary to establish a new Commission to carry out the objectives of the General Assembly resolution of 1947. Urging the adoption of the resolution, the representative of Australia remarked "even if it does not immediately bring about unity, it can perform a valuable service in increasing the contacts between south and north". Also speaking in favour of the resolution, the delegation of Canada submitted an amendment which read as follows: "In paragraph 4, delete words consisting of 'the same Member States which composed the United Nations Temporary Commission on Korea' and substitute therefore words 'consisting of the following States: Australia, China, El Salvador, France, India, the Philippines and Syria'". Before the Canadian amendment was put to a vote, the representative of the USSR stated that his delegation would not take part in voting on any amendment bearing upon membership or other aspects of a new commission. The amendment was adopted by 40 votes to none, with 3 abstentions. By a roll-call vote, the General Assembly, at the 187th plenary meeting on 12 December 1948, adopted the resolution, as amended, by 48 votes to 6, with 1 abstention.

At the request of the representative of the USSR, the President of the General Assembly put to the vote the USSR draft resolution, which proposed the termination of the United Nations Temporary Commission on Korea; it was rejected by 46 votes to 6, with no abstentions.

### B. Terms of reference

10. The terms of reference of the United Nations Commission on Korea are contained in General Assembly resolution 195 (III) of 12 December 1948, the text of which follows:

<sup>8</sup> A/788.

<sup>9</sup> A/790.

*"The General Assembly,*

*"Having regard to its resolution 112 (II) of 14 November 1947 concerning the problem of the independence of Korea,*

*"Having considered the report of the United Nations Temporary Commission on Korea (hereinafter referred to as the 'Temporary Commission'), and the report of the Interim Committee of the General Assembly regarding its consultation with the Temporary Commission,*

*"Mindful of the fact that, due to difficulties referred to in the report of the Temporary Commission, the objectives set forth in the resolution of 14 November 1947 have not been fully accomplished, and in particular that unification of Korea has not yet been achieved,*

*"1. Approves the conclusions of the reports of the Temporary Commission;*

*"2. Declares that there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult and in which the great majority of the people of all Korea reside; that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea;*

*"3. Recommends that the occupying Powers should withdraw their occupation forces from Korea as early as practicable;*

*"4. Resolves that, as a means to the full accomplishment of the objectives set forth in the resolution of 14 November 1947, a Commission on Korea, consisting of Australia, China, El Salvador, France, India, the Philippines and Syria should be established to continue the work of the Temporary Commission and carry out the provisions of the present resolution, having in mind the status of the Government of Korea as herein defined, and in particular to:*

*"(a) Lend its good offices to bring about the unification of Korea and the integration of all Korean security forces in accordance with the principles laid down by the General Assembly in the resolution of 14 November 1947;*

*"(b) Seek to facilitate the removal of barriers to economic, social and other friendly intercourse caused by the division of Korea;*

*"(c) Be available for observation and consultation in the further development of representative government based on the freely-expressed will of the people;*

*"(d) Observe the actual withdrawal of the occupying forces and verify the fact of withdrawal when such has occurred; and for this purpose, if it so desires, request the assistance of military experts of the two occupying Powers;*

*"5. Decides that the Commission:*

*"(a) Shall, within thirty days of the adoption of the present resolution, proceed to Korea, where it shall maintain its seat;*

*"(b) Shall be regarded as having superseded the Temporary Commission established by the resolution of 14 November 1947;*

*"(c) Is authorized to travel, consult and observe throughout Korea;*

*"(d) Shall determine its own procedures;*

*"(e) May consult with the Interim Committee with respect to the discharge of its duties in the light of developments, and within the terms of the present resolution;*

*"(f) Shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject-matter of the present resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for distribution to Members;*

*"6. Requests that the Secretary-General shall provide the Commission with adequate staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay the expenses and *per diem* of a representative and an alternate from each of the States members of the Commission;*

*"7. Calls upon the Member States concerned, the Government of the Republic of Korea, and all Koreans to afford every assistance and facility to the Commission in the fulfilment of its responsibilities;*

*"8. Calls upon Member States to refrain from any acts derogatory to the results achieved and to be achieved by the United Nations in bringing about the complete independence and unity of Korea;*

*"9. Recommends that Member States and other nations, in establishing their relations with the Government of the Republic of Korea, take into consideration the facts set out in paragraph 2 of the present resolution."*

## **C. Letters and telegrams from the Secretary-General**

11. In a letter, dated 6 January 1949, to the Governments of the seven members composing the United Nations Commission on Korea, the Secretary-General requested that the names of their representatives on the Commission be communicated to him as soon as possible. All the Governments concerned except El Salvador announced the appointment of their representatives to the Commission in the latter part of January. In a telegram dated 17 January 1949, the Secretary-General informed the Governments represented on the Commission that it was scheduled to meet in Seoul on 31 January 1949.

## **D. Composition of the Commission**

12. According to the resolution of the General Assembly, the Commission was to consist of the representatives of Australia, China, El Salvador, France, India, the Philippines and Syria. At the end of January 1949, the representative and alternate representative of China, Mr. Liu Yu-Wan and Mr. T. T. Ssutu, and the temporary representative of France, Mr. Henri Costilhes, were present in Seoul. The representative of Syria, Mr. Yasin Mughir, arrived in Seoul on 30 January 1949 and the representative of India, Mr. Anup Singh, and the representative of the Philippines, Mr. Rufino Luna, arrived on 1 February 1949. The representatives of Australia, Mr. Patrick Shaw and Mr. A. B. Jamieson, then alternate, together with the main body of the secretariat, arrived in Seoul on 5 February. Mr. Patrick Shaw returned to his post in Tokyo on 23 February and was succeeded by Mr. A. B. Jamieson. The for-

mer returned to Seoul on 2 July 1949 and departed for Tokyo again on 12 July. The notification of the appointment to the Commission of Mr. Miguel Angel Magaña as representative of El Salvador was received on 11 March 1949, and Mr. Magaña arrived in Seoul on 26 March 1949, the same day that the representative of Syria, Mr. Yasin Mughir, left Seoul. On April 29, it was announced that an alternate representative of El Salvador, Captain Sánchez Hernández, had been appointed; he arrived in Seoul on 14 May. Upon the instructions of its Government, the delegation of El Salvador withdrew from the Commission on 20 July, but rejoined it on 26 July.

13. The secretariat of the Commission, totalling twenty-seven members including ten locally recruited personnel, was headed by a principal secretary. In addition, the secretariat included a deputy principal secretary, three assistant secretaries, an administrative officer, an assistant administrative officer, two interpreters, two précis-writers and six secretary-typists.

14. At its 49th meeting on 27 July 1949, the Commission unanimously decided to add, at the end of section D of chapter I of the present report, the following paragraph expressing appreciation of the work of the secretariat:

"The Commission wishes to pay tribute to the untiring work and devotion to duty shown by all the members of the Secretariat under the able guidance and leadership of the principal secretary, Mr. Egon Ranshofen-Wertheimer. Very few in number and working under difficult material conditions, they have performed their required tasks with distinction."

15. Mr. Costilhes (France) regretted that the documents of the Commission had not been available in French, due to the lack of translators, and pointed out that this fact should in no way constitute a precedent.

## E. Organization

16. During the period 2 February to 28 July 1949, the Commission held one public meeting and fifty closed meetings, all in Seoul.

### 1. OFFICE OF CHAIRMAN

17. At the first meeting of the Commission the following representatives were present: Mr. Liu Yu-Wan (China), Mr. Henri Costilhes (France), Mr. Anup Singh (India), Mr. Rufino Luna (Philippines) and Mr. Yasin Mughir (Syria). Due to the absence of the delegations of Australia and El Salvador, it was decided to elect a temporary Chairman for a fifteen-day period, to be succeeded by the representatives in rotation in the English alphabetical order of the countries represented until such time as the Commission decided upon a permanent system of chairmanship. Mr. Liu Yu-Wan was elected temporary Chairman. At the 6th meeting, the Commission formally adopted the system of rotation of Chairmen. It was decided that the chairmanship should rotate every thirty days in the English alphabetical order of the countries represented, and that the Chairman should assume office immediately. Accordingly, Mr. Patrick Shaw (Australia) became the first Chairman of the Commission.

18. In accordance with the decision of the Commission, the following representatives have

assumed the chairmanship for periods of thirty days each:

Mr. Patrick Shaw, succeeded by Mr. A. B. Jamieson after 23 February (Australia), 10 February-11 March 1949;

Mr. Liu Yu-Wan, alternate Mr. T. T. Ssutu acting during his absence (China), 12 March-10 April 1949;

Mr. Miguel A. Magaña (El Salvador), 11 April-10 May 1949;

Mr. Henri Costilhes (France), 11 May-9 June 1949;

Mr. Anup Singh (India), 10 June-9 July 1949;

Mr. Rufino Luna (Philippines), 10 July-9 August 1949.

### 2. OFFICE OF RAPPORTEUR

19. At its 6th meeting the Commission adopted, with some amendments, the rules of procedure formerly employed by the Temporary Commission and Mr. Liu Yu-Wan (China), was unanimously elected Rapporteur.

### 3. SUB-COMMITTEES AND *ad hoc* COMMITTEES

20. To implement its terms of reference as provided in the General Assembly resolution of 12 December 1948, the Commission at various times established three standing sub-committees and two *ad hoc* committees.

#### (a) *Sub-committees*

21. Sub-Committee I, composed of the representatives of Australia, India and Syria, was established by a resolution adopted at the 5th meeting of the Commission, on 9 February 1949, to study the nature and extent of the existing economic and social barriers caused by the division of Korea, and to promote economic and social co-operation and political unification between north and south. Mr. Anup Singh, representative of India, was elected Chairman at the 2nd meeting of the Sub-Committee. At its 24th meeting, on 5 April 1949, the Commission unanimously elected Mr. Miguel A. Magaña, representative of El Salvador, to Sub-Committee I.

22. Sub-Committee II, composed of the representatives of China, France and the Philippines, was established by a resolution adopted at the 5th meeting of the Commission, to study the development of representative government and to gather views and opinions from experts and organizations on the problem of representative government, and to be available for consultation with governmental authorities on the problem. Mr. Henri Costilhes, temporary representative of France, was elected Chairman at the 1st meeting of the Sub-Committee, and Mr. Rufino Luna, representative of the Philippines, agreed to preside over the hearings of the Sub-Committee.

23. Sub-Committee III, composed of the representatives of Australia, China, El Salvador and India, was established by a resolution adopted at the 34th meeting of the Commission on 10 June 1949. At the 35th meeting of the Commission on 20 June 1949, the powers of the Sub-Committee were increased from authority to study and report on procedures to be employed in the observation and verification of the withdrawal of American occupation forces from Korea, to authority actually to observe and verify the withdrawal of occupation forces from all Korea. Mr.

Jamieson, representative of Australia, was elected Chairman at the 1st meeting of the Sub-Committee.

(b) *Ad hoc committees*

24. In the course of its work, the Commission established two *ad hoc* committees. At the 13th meeting on 21 February 1949, the Commission appointed an *Ad Hoc* Committee composed of

the representatives of Australia and Syria, to investigate and report on the technical aspect of the question of the access of Koreans to the Commission. The *Ad Hoc* Committee of the Whole on the question of observer teams was established at the 31st meeting of the Commission on 26 May 1949. These two *Ad Hoc* Committees held only one meeting each and, following their reports to the Commission, adjourned *sine die*.

## Chapter II

### SUMMARY OF THE MAIN ACTIVITIES OF THE COMMISSION AND OF ITS SUBSIDIARY BODIES

#### A. Activities and decisions of the Commission

##### 1. ESTABLISHMENT OF SUB-COMMITTEES I AND II

1. During the initial stages of its proceedings, the Commission devoted itself to organizing the work of carrying out the tasks outlined in paragraph 4 of the General Assembly resolution of 12 December 1948.

2. Sub-Committees I and II were established by a resolution<sup>10</sup> adopted at the 5th meeting of the Commission on 9 February 1949.

Under this resolution, Sub-Committee I was to:

"1. . . . impress upon the people throughout Korea the Commission's . . . desire to extend its good offices to remove existing barriers in Korea with a view to promoting unification;

"2. Study the . . . existing . . . barriers . . . ; obtain . . . information . . . concerning efforts to remove such barriers; and recommend methods for further improvement;

"3. Explore means for promoting social and cultural relations among the people throughout Korea; and . . .

"4. Make immediate contact with North Korea . . ."

In entrusting these tasks to Sub-Committee I, the Commission sought to initiate the implementation of paragraphs 4 (a) and 4 (b) of the General Assembly resolution.

3. Sub-Committee II, established with a view to carrying out paragraph 4 (c) of the General Assembly resolution, was directed to study the development of representative government in Korea, to be ready for consultation with governmental authorities, and to gather from experts and organizations opinions and views bearing on the further development of representative government.

4. The provisions of paragraph 4 (d) of the General Assembly resolution pertaining to the observation and verification of the withdrawal of occupation forces were left to be dealt with at a later stage.

##### 2. RELATIONS WITH THE GOVERNMENT, THE PUBLIC AND THE PRESS

###### (a) *The Government*

5. The main channels of communication used in the relations between the Commission and the Government were the following:

(i) Direct contacts between the President of the Republic of Korea and members of the Commission, which took place from time to time.

(ii) The Liaison Committee appointed by the Government had its first interview with members of the Commission on 16 February 1949. It was composed originally of Mr. Chough Pyong Ok, Chairman, Mr. Chang Kee Yung, alternate representative, and Mr. Lee Choon Ho, liaison officer. Subsequently, Mr. Chang, and then Miss Moh Youn Sook, became Chairman. Contacts between this Committee and the Commission were continuous.

(iii) Hearings of members and officials of the Government were held by Sub-Committees I and II for the purpose of eliciting views and information bearing on the tasks of the Commission. They are dealt with below in the present chapter under "B. Sub-Committees".

(iv) There was a frequent exchange of written communications.

6. As the Commission and its Sub-Committees proceeded with the development of their working programmes, certain problems concerning the relation of the Government with the Commission, and affecting the latter's work, emerged. These problems turned on the questions of contact with the north and consultation with individuals and organizations. As stated in a report of Sub-Committee I<sup>11</sup> adopted by the Commission at its 17th meeting on 2 March 1949, the respective positions were as follows:

"In respect to contact with North Korea, the Government of Korea has declared that it disapproved of any approach except through the Soviet Union, and it would adopt a non-co-operative attitude in any efforts which the Commission might make in seeking to establish direct contact with the Government or leaders of the north. However, in the course of the Chairman's discussion with the President, the latter stated that

<sup>10</sup> A/822, annex I.

<sup>11</sup> A/AC.26/SC.1/4/Rev.1.

he would guarantee the receipt, by leaders in the north, of a communication from the Commission.

"The Government has further indicated that, in its opinion, economic and social intercourse between the north and the south does not exist, and the Government does not intend that there should be any. Assuming that a contact were to be made with the north, the Government of Korea might be unwilling to co-operate in efforts of the Commission to remove existing barriers.

"The Commission has declared, in its resolution of 9 February 1949, and in the report of Sub-Committee I adopted on 18 February 1949, that it sought to make immediate contact with North Korea as a means of seeking to remove economic, social and other barriers, and that it would continue to explore practical means of travelling to North Korea.

"The Commission, in requesting the USSR Government to lend its good offices to establish contact with leading personalities in North Korea, has taken this as a first step, and in the meantime will explore other avenues of approach to the north.

"The Commission has been unanimous in its agreement that it does not propose to communicate with a government in North Korea, recognizing that the Government of the Republic of Korea is the only lawful government in the country.

"In respect to consultation with individuals and organizations, the Korean Government has made it clear that it disapproved of the Commission consulting personalities outside the Government without its consent. The Government, through its Liaison Committee, has suggested that if any person desired to approach the Commission for purposes of consultation, his references should be cleared with the Liaison Committee.

"The President and the Liaison Committee have indicated that consultation with certain personalities such as Mr. Kim Koo and Mr. Kimm Kiusic would throw the public into confusion and would result in grave consequences. However, the President offered to arrange contacts for the Commission with members of the National Assembly.

"By its resolution of 16 February 1949, the Commission has declared that reputable Koreans wishing to approach the Commission or its members for *bona fide* purposes should be freely permitted to do so.

"The Chairman informed President Rhee that the Commission was disturbed by the implied desire of the Korean Government to restrict its work, and regarded as an unjustifiable limitation the Government's attitude of disapproval of interviews with unofficial persons. In order to carry out its work effectively, the Commission required freedom of operation, even involving consulting people whose views were not acceptable to the Government.

"The Commission is, however, cognizant of the status of the Government of the Republic of Korea as defined in the General Assembly's resolution.

"Having examined the record of the Government's position and the Commission's policy summarized above, Sub-Committee I is of the opinion that no change in the basic policy of the Commission is required unless or until there is

concrete evidence that the Government is restricting it in its work."

7. The dual principle of maintaining its freedom of operation while remaining mindful of the status of the Government of the Republic of Korea as defined in the General Assembly resolution was adhered to by the Commission throughout its work. No occasion for the Commission to reconsider its basic policy arose.

8. In a letter,<sup>12</sup> dated 30 June 1949, the Minister of Foreign Affairs of the Republic of Korea, Mr. B. C. Limb, informed the Commission that the people and the Government were deeply appreciative of its efforts, and acknowledged the goodwill and prestige of the United Nations. He expressed the hope that the Commission would remain in Korea, where its tasks were not yet completed, for at least another year, and requested it to "communicate this matter to the United Nations General Assembly and obtain its concurrences".

At the 41st meeting, on 20 July, the Commission decided to inform the Foreign Minister that his communication would be recorded in its report to the General Assembly. The letter to be addressed to him, however, was not to commit the Commission to any recommendations in this connexion.

#### (b) *The public*

9. Having placed on record, in its resolution of 16 February 1949,<sup>13</sup> its desire that any reputable Korean citizen be freely permitted to approach it for *bona fide* purposes, the Commission, at its 13th meeting on 21 February 1949, instructed an *Ad Hoc* Committee to investigate the possibility of opening a Commission pass office to which Koreans could apply as an alternative to the screening by the Government's Liaison Committee.

The report of the *Ad Hoc* Committee, recommending the establishment of a pass office, came before the Commission at its 14th meeting on 23 February 1949. It was agreed that no decision on technical arrangements should be made until an understanding with the Government on the basic issue of the Commission's relations with the Government was reached, and the question was not re-opened during the subsequent period of the Commission's activities.

10. While the Commission took no other steps to enable Koreans to communicate with it, it took the initiative itself in approaching certain personalities outside the Government. With the approval of the Commission, Sub-Committees I and II invited various representative Koreans to appear for hearings before them. The invitations were accepted by most of the individuals so chosen and no objection was made by the Government. A system of passes for distribution by members of the Commission and secretariat was instituted with the approval of the Commission and has been useful.

11. Among the persons heard were such controversial figures as Mr. Kim Koo<sup>14</sup> and Mr. Kimm Kiusic. The practice followed by the Commission in such cases was to sound out, prior to the scheduling of a hearing, the opinion of the Government concerning the possible effects of the

<sup>12</sup> A/AC.26/36 (see volume II, annex IV, A.3).

<sup>13</sup> A/AC.26/3.

<sup>14</sup> Mr. Kim Koo was assassinated on 26 June 1949.

hearing on public security, that opinion being considered along with other factors in determining whether to invite persons to appear before it. In no case did the Commission reject any of the names proposed by the Sub-Committees.

12. An invitation to the public to communicate with an organ of the Commission was reiterated in Press release No. 21 on 13 June 1949, authorized by the Commission at its 34th meeting on the same date.<sup>15</sup> The release announced that Sub-Committee I had decided to call a halt to its formal hearings, but that it was not "closing its doors or shutting its ears". It was stated that the Chairman of Sub-Committee I welcomed communications or calls from Koreans who felt that they had suggestions for the unification of Korea.

13. As a means of communicating with the public of South and North Korea, the Commission approved, at its 38th meeting on 4 July, a programme of broadcasts to be made by its members over the Seoul radio station of the Republic of Korea. An invitation to make such broadcasts had been extended by the Director of the Office of Public Information on the occasion of the Commission's broadcast to North Korea (see paragraph 24 below). The programme, however, was abandoned before the first broadcast had been made. At the 41st meeting, on 20 July, the Commission noted that a disagreement which had arisen over the text of a proposed broadcast constituted an attempt at censorship on the part of the Office of Public Information, and decided not to carry out the programme.<sup>16</sup>

14. During the period covered by this report, the Commission received many written communications, although the number of these was not so great as those addressed to the Temporary Commission during the corresponding period of the preceding year. However, there were many communications from mass meetings, each of which bore many signatures. Messages from unknown individuals were not given specific individual consideration. Several petitions dealt with basic issues under consideration by the Commission and emanated from organizations or groups of members of the National Assembly.

15. The author of one petition, Mr. Kim Yak Soo, and five National Assemblymen who accompanied him when he presented the petition, were later arrested on charges of violation of the National Security Law. Mr. Kim Yak Soo, a Vice-President of the National Assembly, and Mr. Kim Pyung Hoi, a member of the latter, had previously appeared at hearings of Sub-Committee I. The Commission, at its 40th meeting on 12 July, took cognizance of these arrests. The published charges against the Assembly members were that they had acted as instruments of the South Korea Labour Party in the National Assembly and that their petition to the Commission had been presented in the discharge of orders received from that party. It was decided not to pursue this matter for the time being as there was no evidence that the charge was to be construed as meaning that the act of addressing a petition to the Commission was regarded as a crime.

### (c) *The Press*

16. The Press relations of the Commission were governed by rule 20 of its rules of procedure

adopted at the 6th meeting on 10 February 1949, as follows:

"Official Press communiqués shall be previously approved by the Chairman of the Commission. Press releases and verbal briefings may be issued by the secretariat, unless instructions to the contrary are given by the Commission."

As a result of distorted accounts concerning the Commission which had appeared in the local Press, a discussion of Press relations took place at the 18th meeting of the Commission. It was decided that briefings concerned with the policy of the Commission should first be cleared by it. Precautions were also taken to assure the correct translation into Korean of Press releases, while a record of the briefings was also kept. Regular contact with the Press was maintained by the Press officer of the Secretariat. Statements to the Press were made from time to time by the Chairman of the Commission and by individual representatives in their own behalf.

17. On 31 March 1949, the Korean Press group assigned to the Commission submitted twenty questions pertaining to the mission, attitudes and policies of the Commission. A draft memorandum of suggested replies submitted to the Commission at its 25th meeting on 12 April 1949 was referred to a drafting group.

At its 26th meeting on 22 April, the Commission considered the drafting group's recommended replies to the Press questionnaire. The recommendations as amended were unanimously adopted by the Commission.<sup>17</sup> At the same meeting, the Commission discussed a letter addressed to the Chairman of the Commission by the Korean Press group on 21 April 1949, withdrawing the questionnaire and casting doubt upon the "interest and sincerity" of the Commission. The Commission, in a Press release (No. 11, dated 23 April) rejected the implications contained in the letter, and stated that it would continue to co-operate with the Press as it had sought to do in the past.

18. At its 41st and 42nd meetings, on 20 and 22 July, the Commission considered information which had become available on the arrest, on charges of being members of a subversive party, of five of the Korean journalists who had been attending its Press conferences. The Commission decided, at its 42nd meeting, to meet this development with a modification of its Press relations practices, and issued the following Press release (No. 33 of 22 July):

"The Commission, having taken note of the recent arrest of five of the newspapermen assigned to it, and being anxious to avoid any further repercussions which might affect correspondents assigned to cover activities of the Commission, has decided to suspend all Press conferences until further notice. For the time being only Press releases will be issued."

### 3. CONTACT WITH NORTH KOREA

19. After an exchange of views at its 7th and 9th meetings concerning methods of approach to North Korea, the Commission agreed that one such approach should be made through the Government of the Union of Soviet Socialist Republics. Sub-Committee I was requested to draft a communication to that Government for consideration at the 10th meeting of the Commission.

<sup>15</sup> A/931, annex 4, appendix II.

<sup>16</sup> A/AC.26/W.16/Rev.1/Add.1.

<sup>17</sup> A/905, annex 2.

20. At the 10th and 11th meetings of the Commission, the recommendations of Sub-Committee I concerning contact with North Korea, which included the text of a proposed telegram to the Government of the USSR, were discussed. The Commission adopted the Sub-Committee's recommendations, with amendments to the text and, on 18 February 1949, requested the Secretary-General of the United Nations to transmit the following message to the Government of the USSR:

"The United Nations Commission on Korea, established by resolution of the General Assembly of 12 December 1948 to lend its good offices to bring about the unification and complete independence of Korea, is now meeting at Seoul. On 9 February 1949 the Commission established a Sub-Committee specifically charged with the task of making immediate contact with North Korea to arrange visits there for the Commission, its subsidiary bodies or individual members with a view to breaking down existing barriers between North and South Korea. The Commission wishes to ensure transmission of its aims and purposes by every possible means. Owing to the lack of normal communication between North and South Korea, the Sub-Committee is exploring various means of making contact with leading personalities in North Korea and as one such means requests the Government of the USSR to lend its good offices to establishment of the desired contact for the purpose stated above. — SHAW, Chairman UNCOK"

21. At its 19th meeting on 10 March 1949, the Commission began consideration of a report of Sub-Committee I recommending that a letter be forwarded to a leading personality in North Korea at the earliest possible date with the request that a visit of the Commission be facilitated. The Chairman of Sub-Committee I informed the Commission that, as a result of enquiries in Hong Kong, a channel of communication and transportation had been found to be available via ship between that port and North Korea.

22. At its 21st meeting on 18 March 1949, the Commission considered a new report of Sub-Committee I analysing the problems confronting the Commission in respect to making contact with North Korea. A secretariat report on technical enquiries at Seoul, Shanghai and Hong Kong concerning possible communication and transportation links with North Korea was annexed to the Sub-Committee's report.

Following a discussion of the recommendations of Sub-Committee I, the Commission, by a roll-call vote of 5 to 1,<sup>18</sup> instructed the principal secretary to dispatch, over his signature, the following letter to General Kim Il Sung, it being understood that the channel of communication suggested by the Sub-Committee was to be utilized in forwarding the letter:

"As you are aware, the United Nations Commission on Korea established by the General Assembly of the United Nations under a resolution adopted on 12 December 1948 (copy attached), has been desirous since its inception of making contact with the north. It gave expression to this desire in a resolution adopted on 9 February 1949 establishing two Sub-Committees (copy attached). Having been charged to lend its good offices in bringing about the unification of Korea

and to seek to facilitate the removal of barriers to economic, social and other friendly intercourse caused by the division of Korea, as well as to be available for observation and consultation in the further development of representative government based on the freely expressed will of the people, and to observe the actual withdrawal of the occupying forces and verify the fact of withdrawal when such has occurred, etc., the Commission felt that it could not implement these instructions without being in a position to inform itself of the situation north of the 38th parallel. As a first step in the implementation of the instructions received from the General Assembly, the Commission, on 18 February 1949, through the Secretary-General of the United Nations, requested the Government of the USSR to lend its good offices for the establishment of the desired contact.

"In view of the lack of normal communications, including the impossibility of getting in touch with you directly by mail or cable, I am choosing rather reluctantly this way of approaching you with the request to facilitate such a visit. This visit should take place at the earliest possible date. The Commission is informed that there are practical means of travel to North Korea via ship from Hong Kong without undue delay. However, it feels that you might suggest a more direct means of access.

"For your information, I am attaching a list of the Commission, with indications of the membership of Sub-Committees I and II, as well as a list of names of the members of the secretariat who might accompany them. The latter are international officials who have sworn their allegiance exclusively to the United Nations and who are not allowed to accept any instructions from their own or from any other Government.

"In view of the absence of normal means of communication, your reply may be sent through the same channels as this letter is forwarded in its original. The necessary arrangements have been made in Hong Kong for any message of yours to be transmitted to me without delay. I shall, however, be glad to receive any authentic reply from you in any other manner you might prefer."

23. At the time of dispatch, that fact and the contents of the letter were withheld from publication pending receipt of a reply or until a reasonable lapse of time should have justified the assumption that no answer was to be forthcoming.

At its 28th and 29th meetings, on 18 and 19 May 1949, respectively, the Commission considered the steps to be taken in view of incorrect Press comments and speculations occasioned by the journeys of a member of the secretariat to Hong Kong, which in turn had provoked some concern in the minds of members of the Government of the Republic of Korea. To avoid further misinterpretation, the Commission issued a Press release giving the full text of the letter and explaining the manner in which it had been transmitted.

24. At its 28th meeting on 18 May 1949, the Commission adopted the recommendation of Sub-Committee I that, pending receipt of a reply to the letter, the Sub-Committee should look into other possible means of communication with the north, including the use of broadcasting facilities.

<sup>18</sup> In favour: Australia, China, France, India, Syria; opposed: Philippines.

On 11 June 1949, a cable was received from Hong Kong stating that the letter to General Kim Il Sung had not been delivered.

The text of a broadcast to North Korea was approved by the Commission at its 34th meeting on 13 June 1949.<sup>19</sup> The broadcast was made on 29 June 1949 by Mr. Anup Singh, the Chairman, in English and translated into Korean. The broadcast was repeated several times. The radio facilities were provided by the Government of the Republic of Korea.

25. At its 40th meeting on 12 July the Commission took note of the fact that copies of a "Manifesto" of the Democratic Front for the attainment of unification for the Fatherland had been received by regular mail from North Korea by members of the Commission and the secretariat. The practicability of the mail channel having thus been demonstrated, the Commission decided to use it and to mail to General Kim Il Sung a copy of the letter previously sent via Hong Kong. A covering note was attached to explain the technical reason for this step and to make clear that the letter was not a reply or acknowledgment of the "Manifesto".

26. At its 39th meeting on 8 July the Commission adopted the final report of Sub-Committee I (see paragraphs of chapter II below). It was decided that the following recommendations contained in the report should be made public at once (Press release No. 30):

"... That the Commission should:

"1. Make known its willingness and readiness to assist in any discussions between representatives of the north and the south to consider plans and possibilities for the unification of Korea;

*Note:* This recommendation was adopted in the presence of five members of the Commission by 3 votes to 1, with 1 abstention.

"2. Offer its assistance for the purpose of resumption of legitimate trade between north and south on a trial basis;

"3. Recommend the cessation of all propaganda—emanating from within or outside of Korea—designed to inflame ill-feeling between the two zones of Korea, as being highly detrimental to the prospects of unification.

"In connexion with the first of the decisions quoted above, the Commission would be prepared to assist in discussions and deliberations between leaders of the north and south. The Commission would lend its assistance only if there was a reasonable prospect of both sections allowing the participation of representatives of all shades of opinions. There must be a sincere desire for conciliation and understanding. The initiative must come from the Koreans themselves. The Commission will help in any constructive negotiations between the north and the south."

The first of the recommendations quoted above provoked adverse criticism on the part of certain members of the National Assembly which necessitated the issuance of a Press release by the Commission.

#### 4. DEVELOPMENT OF REPRESENTATIVE GOVERNMENT

27. When drafting the terms of reference of Sub-Committee II, the Commission interpreted the directions concerning "further development

of representative government" contained in paragraph 4 (c) of the General Assembly resolution 195 (III) to apply to both South and North Korea.

28. In his statement of policy, read at the public meeting on 13 February 1949, the Chairman defined the attitude of the Commission in the following terms:

"After the long interval between the suppression of Korean independence and its rebirth, Korea stands in need of help in the further development of representative institutions. The tasks of modern government are difficult and complex, its practical problem of democracy is that they should be carried out through institutions truly representative of the popular will so as to ensure both freedom and efficiency. The experience of Members of the United Nations may be invaluable to a newly liberated people. The Commission has been charged by the United Nations to make such experience available. It stands ready to consult with governmental authorities in Korea and to provide such information and advice as they may ask for. The Commission will observe with keen interest and active solicitude the efforts of the people of Korea to improve the representative institutions so happily established on the basis of their will freely expressed in the elections observed last year by the Commission's predecessor."

29. The position taken by the Commission was at variance with that of the Government of the Republic of Korea as expressed by its representative at the third regular session of the General Assembly. The Government construed paragraph 4 (c) of the resolution of 12 December 1948 as requiring to be implemented only north of the 38th parallel.

30. At its 37th meeting on 28 June 1949 the Commission, by 4 votes to 2, adopted the final report of Sub-Committee II<sup>20</sup> which had been submitted to the Commission on 22 June 1949 (see section B, 2, paragraphs 70 to 75 below).

31. The activities of the Commission in respect of "the further development of representative government" are set forth in the part of this report dealing with Sub-Committee II.

#### 5. WITHDRAWAL OF OCCUPATION FORCES

32. At its 23rd meeting on 25 March 1949, the Commission considered a petition submitted by Mr. Kim Yak Soo, a Vice-President of the National Assembly, and signed by himself and sixty-one members of the Assembly. The petition requested the Commission to assist the Republic of Korea in unifying the country by supervising the withdrawal of foreign troops.<sup>21</sup>

Since the question of troop withdrawals had not yet been formally considered, it was agreed at that meeting that the Vice-President of the Assembly should be informed that the subject would be placed on the Commission's agenda at an early date.

33. At its 26th meeting on 22 April, the Commission began consideration of a communication dated 14 April 1949 from the United States Ambassador in Korea to the Chairman of the Commission.<sup>22</sup> The communication referred to a

<sup>19</sup> A/AC.26/34 (see volume II, annex II, A.1)

<sup>20</sup> A/AC.26/NC.2 (*ibid.*, annex III, C, 1).

<sup>21</sup> A/AC.26/14 (*ibid.*, annex III, B, 1).

<sup>22</sup> A/931, annex 4.

letter<sup>23</sup> from the Ambassador, a copy of which was attached thereto, addressed to the President of the Republic of Korea, paragraph 4 of which stated, *inter alia*, that United States forces "will be withdrawn 'as early as practicable', hopefully in a matter of months, subject to consultation with the United Nations Commission". In his communication to the Chairman, the Ambassador stated that it was the policy of his Government to keep the Commission fully informed of all steps taken that might affect its activities, and that he would therefore keep the Commission currently informed of developments relating to the subject.

Following a discussion, the Commission decided that its members would consult informally with the United States Ambassador at an early date.

On 2 May 1949, the United States Ambassador transmitted to the Chairman of the Commission a copy of a letter addressed to the President of the Republic of Korea regarding the establishment by the United States of a Korean military advisory group.<sup>24</sup>

34. At its 29th meeting on 19 May 1949, the representative of the Philippines introduced a draft resolution to the effect that, as long as the Commission had been unable to observe the withdrawal of USSR occupation forces, and while the problem of troop withdrawals "remains a problem of the United Nations, the United States may not withdraw unilaterally its troops in South Korea without previous consultation with the General Assembly or its Interim Committee". In the discussions which followed, the question was raised whether, under the General Assembly resolution of 12 December 1948, the Commission had any responsibility for either the timing or the facilitating of the withdrawal of troops, and both positive and negative views found expression.

35. The debate was continued at the 30th meeting on 23 May 1949, when the representative of the Philippines presented a revised draft resolution designed to meet the views stated by other members of the Commission. The resolution was adopted, with some changes offered by the representatives of China and El Salvador, and accepted by the representative of the Philippines, by 3 votes to 1 with 2 abstentions. Members who abstained felt that there was no need for such a resolution, while the dissenting member did not agree that the Commission could be absolved of all responsibility in the matter of withdrawal or non-withdrawal of troops. The text of the resolution<sup>25</sup> follows:

*"The United Nations Commission on Korea,*

*"Having in mind the provisions of section 3 of the resolution of the General Assembly of 12 December 1948, recommending to the occupying Powers to withdraw their occupation forces from Korea as early as practicable;*

*"Mindful of the fact that this Commission has not as yet been able to observe the actual withdrawal of the USSR occupation force from its zone as announced to the world by radio from*

Moscow and Pyongyang and by the USSR delegation in the General Assembly,

*"Considering that said section 3 of the resolution of the General Assembly contemplates the withdrawal by both Powers of their occupation forces from Korea and thus bring about the unification of Korea as a natural sequel of the abandonment of the 38th parallel by the occupation forces, and*

*"Considering that the problem of the independence of Korea has been a problem of the United Nations since 1947, when the United States referred this international question to the United Nations,*

*"Resolves that, while this problem remains a problem of the United Nations, it is the opinion of this Commission that under the General Assembly resolution of 12 December 1948 this Commission assumes no responsibility regarding either the timing or the facilitating of the withdrawal of the forces of the occupying Powers."*

36. The question of troop withdrawal was again discussed at the 32nd meeting on 2 June, in connexion with unofficial reports of withdrawals of United States forces. It was agreed that a meeting between the Commission and the Ambassador of the United States of America was desirable.

A hearing of Ambassador Muccio of the United States, accompanied by Brigadier-General Roberts, then commanding the United States Army Forces in Korea, was held at the 33rd meeting on 9 June 1949. The following were the main points regarding the withdrawal of American troops made by the Ambassador:

(1) Gradual withdrawal had been proceeding for some time and completion of the withdrawal was expected by the end of June 1949.

(2) The major portion of the supplies and equipment of the United States occupation forces would be turned over to the Government of the Republic of Korea prior to completion of withdrawal.

(3) A Korean military advisory group, with an authorized strength of five hundred United States officers and men, would remain after completion of the withdrawal.

(4) There was a meeting of minds between the Governments of the United States and of the Republic of Korea concerning the withdrawal.

(5) The United States would not object to the Commission's obtaining the assistance of military experts of the Union of Soviet Socialist Republics in the observation and verification of the withdrawal of United States forces, subject to reciprocal rights being granted American experts in North Korea. Moreover, the Government of the Republic of Korea would have to be consulted.

(6) The United States would co-operate fully with the Commission in respect of its observation duties and extend all facilities to it.

The latter assurance was confirmed in a letter from the Ambassador to the Chairman of the Commission on 11 June 1949 stating that "The Commanding General USAFIK will be glad to furnish the Commission with the services of any US military experts which the Commission may feel that it requires and, in addition, will make available full details of the troop withdrawal operation".

<sup>23</sup> A copy of this letter was also sent to the Commission for its information by the Government of the Republic of Korea.

<sup>24</sup> A/AC.26/14/Add.1 (see volume II, annex III, B, 2).

<sup>25</sup> A/AC.26/25 (A/928, annex 4).

37. At its 34th meeting on 13 June 1949, the Commission adopted the following resolution:<sup>29</sup>

*"The Commission*

*"Mindful of the duty entrusted to it by paragraph 4 (c) of the General Assembly resolution of 12 December 1948 to observe the withdrawal from Korea of the forces of the occupying Powers and to verify the fact of withdrawal when such has occurred,*

*"Decides:*

*"1. To observe the withdrawal of the remaining occupation forces of the United States of America and to verify the fact of withdrawal when such has occurred;*

*"2. To establish a Sub-Committee, composed of the representatives of Australia, China, El Salvador and India, to examine and report to the Commission on the procedures to be employed in observing the withdrawal of the occupation forces of the United States."*

38. A report of Sub-Committee III<sup>27</sup> was approved by the Commission at its 35th meeting on 20 June 1949, when the following resolution was adopted:

*"The Commission,*

*"Consequent on its resolution of 13 June 1949,*

*"1. Approves the report of the Sub-Committee established by that resolution;*

*"2. Empowers the said Sub-Committee, hereafter to be known as Sub-Committee III, to observe and verify the withdrawal of occupation forces from Korea;*

*"3. Directs Sub-Committee III to report to the Commission from time to time on the progress of its work."*

In approving the report of the Sub-Committee, the Commission agreed:

1. To notify the Governments of the United States of America and of the Republic of Korea of the decisions taken by the Commission in its resolution of 13 June 1949.

2. To ask those Governments for certain information required to implement paragraph 4 (d) of the General Assembly resolution of 12 December 1948, which it interpreted as requiring observation and verification of the withdrawal of occupation forces in respect of both personnel and matériel.

3. To ask no assistance of military experts, which it was authorized to request under paragraph 4 (d) of the General Assembly resolution.

39. At the 48th meeting on 27 July, the second progress report of Sub-Committee III was submitted to the Commission and approved. At the same meeting the Commission adopted the following resolution:

*"The Commission,*

*"Having been charged by the General Assembly resolution of 12 December 1948 with the task of observing the actual withdrawal of occupying forces and of verifying the fact of withdrawal when such has occurred, and having been able to discharge this task in that part of Korea south of the 38th parallel,*

*"Declares that:*

*"(a) The withdrawal of the United States occupation forces in Korea was completed on 29*

June 1949, with the exception of not more than 50 Air Force personnel stationed temporarily at Kimpo Airport pending completion of arrangements for civilian administration;

*"(b) With the lapse on 30 June of the executive agreement relating to interim and security matters between the President of the Republic of Korea and the Commanding General, USAFIK, of 24 August 1948, the right of the Government of the United States and the authority of the Commanding General, USAFIK, to assume control of the Korean security forces lapsed and no such right or authority now exists in the Government of the United States or the Chief of the Korean Military Advisory Group;*

*"(c) The United States Government no longer possesses or controls any military equipment in Korea except the side-arms and motor vehicles remaining in the possession of the Korean Military Advisory Group. As of the date of completion of United States troop withdrawal, the United States had transferred all its military matériel in Korea to the Korean security forces, except for such matériel as had been withdrawn with the troops."<sup>28</sup>*

The activities of the Commission in observing and verifying the withdrawal of United States forces are treated in the part of this report dealing with Sub-Committee III (see section B, 3, paragraphs 76 to 86 below).

40. During the period of the Commission's deliberations concerning the withdrawal of United States forces, the latter was the subject of political agitation throughout the territory of the Republic of Korea. A mass meeting at the Seoul Stadium, sponsored by the National Federation of Patriotic Organizations, on 11 June 1949, after adopting a resolution requesting, *inter alia*, that the United States fulfil its obligation in respect of the protection of Korea prior to withdrawing its troops, addressed a message to the United Nations General Assembly. In it the Assembly was requested to grant "more extensive authority and strong power" to the Commission and to take new measures to ensure the security of the Republic of Korea.

After the meeting, the Chairman of the Commission was presented with a "memorial" by a group of demonstrators before Duk Soo Palace, and was requested to address the group. The "memorial" called on the Commission to enter North Korea, disband the "puppet armed forces" and hold general elections there. Members of the Commission met informally with some Koreans, who wished to impress such desires upon the Commission, on 13 June 1949.

41. Several similar mass meetings were held during the weeks which followed. On two occasions, on 30 June and 16 July 1949, mass demonstrations held at the Seoul Stadium wound up at the entrance to the grounds of Duk Soo Palace (the headquarters of the Commission) in order to present petitions to the Commission.<sup>29</sup>

42. On 17 June 1949, a Vice-President of the National Assembly, Mr. Kim Yak Soo, accompanied by five members of the Assembly, called on the principal secretary of the Commission. They submitted a petition,<sup>30</sup> signed by Mr. Kim Yak Soo, criticizing the Commission for its reso-

<sup>29</sup> A/AC.26/29 (A/931, annex 2).

<sup>27</sup> A/AC.26/SC.4/1.

<sup>28</sup> A/AC.26/29/Add.1 (A/931, annex 3).

<sup>29</sup> A/AC.26/NC.11 and A/AC.26/NC.13.

<sup>30</sup> A/931, annex 6 A.

lution of 24 May 1949 on the withdrawal of occupation forces, and requesting it to abolish military missions of the United States and of the Union of Soviet Socialist Republics in Korea.

43. On 20 June 1949, a Joint Declaration for United States Military Aid to Korea<sup>31</sup> welcoming the establishment of the United States military mission, was submitted by Mr. Kim Dong Won, a Vice-President of the Assembly, over the signature of 141 members.

#### 6. OBSERVER TEAMS

44. At the 27th meeting, on 29 April 1949, the representative of El Salvador read a statement<sup>32</sup> to the Commission proposing that it study the question of the establishment of observer teams as a means of contributing to the peace and security of the Republic of Korea and of facilitating the discharge of the Commission's responsibility in connexion with the withdrawal of occupation forces. Discussion of the proposal was begun at that meeting and was resumed at the 31st meeting on 26 May. It was decided to establish an *Ad Hoc* Committee of the Whole, under the chairmanship of the representative of El Salvador, to study and report to the Commission within two weeks whether observer teams were authorized under the resolution of 12 December 1948, and what their functions and usefulness would be.

45. At its 32nd meeting on 2 June, the Commission adopted the report of the *Ad Hoc* Committee of the Whole on the question of observer teams<sup>33</sup> which expressed the view that "it would not be useful at the present time to continue the consideration of the question".

46. In a letter, dated 11 July 1949,<sup>34</sup> the Foreign Minister of the Republic of Korea drew the Commission's attention to "a record of some of the more flagrant examples of attack by the so-called 'People's Army' of North Korea upon the communities and security forces south of the 38th parallel". Believing that these attacks were likely "to produce conditions which will be dangerous to the peace of the Orient", the Foreign Minister suggested that if a unit of United Nations military observers were stationed in Korea it could "retard and stop these unlawful attacks". He requested the Commission to transmit the suggestion to the General Assembly and to recommend favourable action.

At its 41st meeting on 20 July, the Commission decided, as in the case of a previous letter (*cf.* paragraph 8 of chapter II above), not to commit itself to making any recommendations, but to assure the Foreign Minister that his suggestion would be recorded in the Commission's report to the General Assembly.

#### 7. OBSERVATION TRIPS AND VISITS

47. The following observation trips and visits were undertaken by the Commission during the period covered by this report, the most extensive being one to Cholla Namdo Province and one to Cheju Do:

(i) Kaesong and along the 38th parallel, 19 February 1949, 9 March 1949 (Chunchon) 15 June 1949 (Ongjin) 26-27 June 1949.

(ii) Korean National Assembly, 23 February 1949, 21 May 1949.

(iii) Public mass meetings at Seoul Stadium, in honour of the Commission, 12 February 1949, commemorating Rebellion of 1919, 1 March 1949, Kim Koo funeral ceremony, 5 July 1949.

(iv) American Army installations in Seoul and Ascom City, 24 February 1949.

(v) Korean Military Academy, 3 March 1949.

(vi) Korean military installations in and around Seoul, 7 March 1949.

(vii) Ceremony at Capitol Buildings, first anniversary of elections and open-air mass meeting, 10 May 1949.

(viii) Cholla Namdo Province, 25-28 April 1949.

(ix) Cheju Do, 8-13 May 1949.

(x) Chonan (by-elections), 6 June 1949.

Other visits and trips were undertaken by the Sub-Committees of the Commission and are reported on separately.

### B. Activities and decisions of Sub-Committees

#### 1. SUB-COMMITTEE I

(a) *Terms of reference, organization and chronology*

48. In establishing Sub-Committee I by a resolution<sup>35</sup> adopted on 9 February 1949, the Commission instructed it to:

"1. Utilize every available medium such as the Press, radio, public meetings and personal contact in order to impress upon the people throughout Korea the Commission's earnest desire to extend its good offices to remove existing barriers in Korea with a view to promoting unification;

"2. Study the nature and extent of existing economic, social and other barriers in Korea; obtain full information from official as well as from unofficial sources concerning efforts to remove such barriers; and recommend methods for further improvement;

"3. Explore means for promoting social and cultural relations among the people throughout Korea;

"And, as a means of discharging the tasks enumerated in paragraphs 1, 2 and 3,

"4. Make immediate contact with North Korea with a view to arranging visits there for the Commission, its subsidiary bodies or individual members;"

49. The Sub-Committee consisted at first of the representatives of Australia, India and Syria. The Syrian representative left Korea on 26 March. At the 24th meeting of the Commission on 5 April 1949, the representative of El Salvador was appointed to the Sub-Committee. The permanent Chairman was the representative of India, who was elected at the 2nd meeting.

50. The Sub-Committee held thirty-six meetings, of which fourteen were hearings and twenty-two business meetings, between 9 February and 24 June 1949. In addition, it made visits to various industrial and commercial centres in Seoul and in the provinces and made several trips to inspect conditions along the 38th parallel.

<sup>31</sup> A/931, annex 6 B.

<sup>32</sup> A/906, annex 1.

<sup>33</sup> A/928, annex 5.

<sup>34</sup> A/AC.26/40 (see volume II, annex IV, A, 4).

<sup>35</sup> A/822, annex 1.

(i) *Contact with the north*

51. Work was begun on 10 February with a consideration of means of establishing contact with North Korea. As a first step, the views of officials, political leaders and other personalities were to be sought, and for this purpose a visit was made to the President of the Republic and members of his Cabinet. A recommendation was also presented to the Commission to send a letter to a leading political figure in the north, proposing a meeting with important personalities there. At its 3rd meeting, on 15 February, the Sub-Committee instructed the Secretariat to make enquiries regarding means of transportation to and communication with North Korea.

52. The result of the interview with the President was reported to the Commission at its 9th meeting, on 15 February, when it was decided to make the first approach to North Korea through the Union of Soviet Socialist Republics. Pursuant to that decision, Sub-Committee I, at its 4th and 5th meetings on 16 and 17 February, drafted a telegram requesting the USSR to lend its good offices in establishing contact with the north, which was adopted by the Commission at the 11th meeting on 18 February 1949. The Sub-Committee was also instructed to continue its exploration of practical means of travel to North Korea by air, sea, rail or road, independently of the results of the telegram addressed to the USSR.

53. At the 14th meeting on 12 March, agreement was reached to recommend transmission of a letter to General Kim Il Sung via Hong Kong. A revised version of this letter was approved by the Commission at its 21st meeting on 18 March, for transmission over the signature of the principal secretary. At its 25th meeting, on 12 April, the Commission was informed that the letter had been entrusted by a member of the secretariat to the captain of a vessel in Hong Kong on 8 April for delivery to the addressee.

54. Pending the receipt of a reply to the letter to Kim Il Sung, the Sub-Committee was authorized to explore other means of contact with North Korea, including radio broadcasts. A Sub-Committee draft of a radio broadcast, which included the text of the letter to General Kim Il Sung,<sup>55</sup> was approved by the Commission, with minor changes, at its 34th meeting on 13 June. The radio message to North Korea was broadcast on 29 June from Station HLKA in English and Korean, and was re-broadcast several times during the following days.

(ii) *Removal of economic barriers*

55. At the 21st meeting of the Sub-Committee, on 11 April, plans were made to visit industrial and commercial centres in Seoul and in the provinces, in May, as a preliminary step in the study of the problem of economic barriers. After approval of these plans by the Commission at its 25th meeting, on 12 April, seventeen industrial plants and other facilities were visited from 2 to 5 May.

56. At the Sub-Committee's 33rd meeting, on 8 June, it authorized requests to official and non-official sources for information concerning the exact situation regarding trade between North and South Korea. A secretariat report on these enquiries was submitted at the 34th meeting, on

17 June, but action was deferred pending receipt of a reply from the Ministry of Commerce.

(iii) *Other activities*

57. At its 38th and 39th meetings, on 15 and 18 July, the Sub-Committee discussed a "Manifesto" of the Democratic Front for the Attainment of Unification for the Fatherland received by members of the Commission and of the secretariat individually by mail from North Korea.<sup>57</sup> Addressed to "countrymen" and "members of political parties and social organizations", it announced a programme of "simultaneous elections throughout Korea for a unified legislative organ" in September 1949. Together with attacks against the Republic of Korea and the United States of America, it contained a demand that the Commission withdraw from Korea.

Sub-Committee I decided to recommend that a radio broadcast explaining the programme and the objectives of the Commission should be beamed to the north. The text of the broadcast was submitted to the Commission at its 41st meeting on 20 July, but it was decided to defer action as difficulties had arisen in connexion with the use of radio facilities of the Government of the Republic of Korea (see chapter II, paragraph 13 above).

(b) *Survey of information and opinions*

58. The policy to be followed in selecting personalities to be heard by Sub-Committee I was discussed at its 7th and 9th meetings on 24 February and 1 March; at the latter a tentative list of personalities to be heard and a statement of the chief topics to be discussed were drawn up. While taking the view that changes in either of these respects did not require the approval of the Commission, the Sub-Committee undertook to submit them to Commission members for comment. This position was approved by the Commission at its 17th meeting on 2 March. In practice, however, all lists have been submitted in the form of reports which the Commission has approved.

59. It was decided not to obtain prior clearance from the Government of the Republic of Korea of persons selected, and to convey this position officially to the Government. A statement on the position of the Commission *vis-à-vis* the Government bearing on this and other questions was prepared at the 8th meeting of the Sub-Committee, on 28 February, and approved by the Commission at its 17th meeting on 2 March (see chapter II, paragraph 6 above).

60. In the course of the hearings, which began on 9 March 1949 and concluded on 2 June, the Sub-Committee heard fourteen persons. Of these, five were Government spokesmen holding high office, three were members of the National Assembly, three were influential political personalities, one was the head of the United States Economic Co-operation Administration in Korea, and the others were a newspaper publisher and a Protestant religious leader.

61. The following questions constituted the general framework for enquiries addressed to persons appearing before Sub-Committee I:

"(i) What are your views concerning the problem of unification?

"(ii) What steps, if any, have been taken to promote unification since the establishment of the

<sup>55</sup> Sub-Committee I was informed on 11 June that the letter addressed to Kim Il Sung had not been delivered. No reasons were given.

<sup>57</sup> A/AC.26/W.17 (see volume II, annex IV, C).

Government of the Republic of Korea, and what steps should be taken in this direction?

"(iii) To what extent is it possible to remove economic, social and other barriers in Korea?"

62. The following is a résumé of opinions expressed at the hearings of Sub-Committee I:<sup>38</sup>

#### *Conditions for unification*

*The Government view.* Government spokesmen expressed the view that any negotiations required to unify Korea by peaceful means could be conducted only with the Union of Soviet Socialist Republics and not with the North Korean régime, which they considered to be illegal. They held the view that all international agreements and administrative policies adopted by that régime were to be regarded as null and void unless approved by the Government of the Republic of Korea. They also opposed any suggestion of a conference between leaders of north and south. It was urged that the Commission should persuade the USSR to dissolve the North Korean "puppet" government as well as all North Korean political parties. Demand was made for the release of all political prisoners held in the north and safe-conducts to enable them to cross the 38th parallel. It was proposed that the Commission should take steps to obtain the immediate withdrawal, under its supervision, of the Soviet Union's army, Chinese communist forces, guerrilla troops and other military groups and the dissolution of the People's Army and security forces. A wish was expressed for American arms, as a means of resisting any aggression from the north, and for a continued stay of United States troops until the security forces of the Republic were strong. It was held that once the foregoing conditions had been satisfied the Government of the Republic of Korea would be able to hold general elections in the north under United Nations observation.

*Non-governmental views.* There was no uniformity of view among members of the National Assembly or persons unconnected with the Government. The following are ideas expressed by one or more of them:

Two members of the National Assembly took the view that the withdrawal of all foreign troops from Korea was a prerequisite to unification.<sup>39</sup> Most persons in this group, including two members of the National Assembly, held that an understanding between the USSR and the United States of America was a prerequisite to a solution of the Korean problem.

The view was expressed by some that efforts should be made to convene a north-south conference. There was a difference within this group over whether this should be unofficial, with officials limited to participation as observers, or whether it should be an official conference.

One member of the National Assembly, who felt that there was no likelihood that the north and south would agree to a conference, urged the Commission to negotiate directly with each

side. Another member of the National Assembly proposed that the Commission should formulate a plan to make Korea a neutral Asiatic Switzerland.

A proposal was also made that a meeting should be arranged between a non-official or semi-official representative of the Commission and a personal representative of Kim Il Sung.

It was felt by some that the creation of vested political interests in the north and south had prejudiced the chances of unification.

Criticism of the Government's policies in the light of their effect on the prospects of unification was also heard. The Government was reproached with passivity in the matter of unification. It was viewed by one witness as too pro-American. Suggestions were made by some persons for improvements in the Government's policy in the matter of respect for freedom of speech, protection of human rights and equality in economic, educational and cultural fields. Expression was also given to a desire for political reforms and for a broadening of the Government with a view to obtaining greater popular support.

Some persons thought that the elections of 10 May 1948 were the necessary point of departure for efforts of unification. They proposed that elections be held in the north with a view to filling the 100 seats to which the people of the north were entitled under the Constitution and the Election Law.

Others proposed nation-wide elections, to be held at the expiration of the term of the present Assembly in 1950 without regard to the legal situation created as a consequence of the May 1948 elections and post-election events.

#### *Removal of economic, social and cultural barriers*

*The Government view.* Spokesmen for the Government insisted that barriers to exchange of any kind between north and south must be maintained while an unco-operative and illegal régime existed in the north.

*Non-governmental views.* There was some difference of view on this matter. Two members of the National Assembly maintained that existing economic exchange should be legalized and increased. This view was shared by some others. One political leader expressed the opinion that unification must precede a removal of barriers.

On the other hand, a member of the National Assembly, and a religious leader, thought a removal of economic barriers inadvisable. The chief of ECA thought it unlikely.

Re-establishment of cultural intercourse was thought by one member of the National Assembly to be difficult because of its political implications.

#### *General suggestions*

A proposal was made by one political leader that the Commission should name a group of Koreans to constitute an advisory body with whom to consult on all problems affecting the Commission's work.

63. At its 32nd meeting, on 3 June, the Sub-Committee decided to close its formal hearings, to prepare a general survey of the results of the hearings, and to recommend that the Commission issue a Press release regarding these decisions, informing the public at the same time that Sub-Committee I was open to receive further constructive suggestions for the unification of Korea.

<sup>38</sup> A complete survey of opinions expressed is contained in annex I to the present report (see volume II, annex I, A, 2 (b)).

<sup>39</sup> A petition taking the same view and bearing the signature of sixty-three members of the National Assembly was presented to the Commission on 18 March 1949. In this connexion it should be noted, however, that a proposal to demand the withdrawal of United States troops was defeated in the National Assembly on 20 November 1948 by 88 votes to 3 out of 113.

This was approved by the Commission at its 34th meeting on 13 June.

64. In addition to the information gathered at its hearings and at the hearings of Sub-Committee II, the Sub-Committee made several trips to inspect conditions in various fighting areas along the 38th parallel. It visited Kaesong and Paekchong on 19 February and Tang Ham Ni on 25 May. Refugee camps and a military installation were inspected on 15 June near Chunchon where, on arriving at the parallel, the party came under fire from the north. Visits were also made to Korean Army headquarters in Seoul on 23 June and to the Ongjin Peninsula on 26 and 27 June.

(c) *Findings and recommendations*

65. The 35th and 36th meetings, on 22 and 24 June, were devoted to drafting the final report together with findings and recommendations to be made to the Commission.

66. On the basis of its formal hearings and general observations, the Sub-Committee made the following findings in its final report to the Commission:<sup>40</sup>

(1) "There is an overwhelming desire for unification among Koreans.

(2) "The division of the nation has generated a feeling of political frustration, bitterness and restlessness. Despite isolated and indirect references to the possibility of unification by the use of force, the desire for unification by peaceful means remains preponderant. Many Koreans in the south look to the United Nations Commission for the solution of their problems. Tension, however, has been exacerbated by the violence of propaganda.

(3) "Despite the failure of the north-south conference of April 1948, the idea of a renewed attempt in this direction still persists and remains the subject of strong disagreement between the Government on the one hand and some members of the National Assembly and other political leaders on the other hand.

(4) "The division of Korea has resulted in adverse economic consequences for the south, where the Committee observed the economic conditions. The existing ban on normal trade between the two zones is a serious impediment in the way of the unification of the country.

(5) "The divergence of views between the Government and leaders outside it on the problem of unification has caused a deterioration of mutual confidence between them which may prejudice the prospects of unification. This increase in political tension is evidenced by the recent arrest of eleven members of the National Assembly and the assassination of Mr. Kim Koo, a leading political figure and eminent patriot, on 26 June 1949. Improvement in the political atmosphere would enhance the possibilities of unification.

(6) "The political relationship between the United States of America and the Union of Soviet Socialist Republics has a direct and vital bearing upon the fundamental problems of Korea."

67. In submitting these findings, the Sub-Committee made the following preliminary statement:

"The difficulty in establishing direct contact with North Korea constituted a major obstacle

for the Committee in its attempt to implement its terms of reference. In view of the existing tension at the 38th parallel, and the persistently hostile attitude of North Korea towards the Commission as reflected in the Pyongyang broadcasts, the Committee discounted the possibility of direct physical penetration into the northern zone without prior clearance from the authorities."

68. On the basis of the foregoing findings, the Sub-Committee recommended that the Commission should:

(1) "*Authorize* the Committee to continue exploring all possible means of effecting unification;

(2) "*Report* to the General Assembly its view that an important means of contributing to the prospect of unification would be the achievement of a broader basis of popular support for the Government of the Republic;

(3) "*Make known* its willingness and readiness to assist in any discussions between representatives of the north and the south to consider plans and possibilities for the unification of Korea;

(4) "*Offer* its assistance for the purpose of a resumption of legitimate trade between north and south on a trial basis;

(5) "*Recommend* the cessation of all propaganda—emanating from within or outside of Korea—designed to inflame ill-feeling between the two zones of Korea as being highly detrimental to the prospects of unification;

(6) "*Bring* to the attention of the Governments of the United States and the Union of Soviet Socialist Republics through the General Assembly, their original responsibility for the present division of Korea and urgently exhort them continually to use their good offices in furthering the unification of Korea on the basis of independence and the principles approved by the United Nations."

69. The report of the Sub-Committee, including its findings and recommendations, was adopted by the Commission at the 39th meeting on 8 July 1949.<sup>41</sup>

## 2. SUB-COMMITTEE II

### (a) *Terms of reference, organization and chronology*

70. To implement paragraph 4 (c) of General Assembly resolution 195 (III), the Commission, at its 5th meeting on 9 February 1949, established Sub-Committee II, composed of the representatives of China, France and the Philippines, with the following terms of reference:

(1) To study the development of representative government in Korea;

(2) To be available for consultation with Government authorities and to provide such information and advice as may be requested;

(3) To gather from experts and organizations opinions and views which have a bearing on the further development of representative government in Korea.

71. The Sub-Committee held twenty-five meetings altogether during the period 11 February–24 June 1949. At the 1st meeting, Mr. Henri Costilhes, temporary representative of France, was elected Chairman, and Mr. Rufino Luna, representative of the Philippines, agreed to pre-

<sup>40</sup> A/AC.26/37 (see volume II, annex I, A, 1).

<sup>41</sup> The third recommendation was adopted by 3 votes to 1, with 1 abstention.

side at the hearings of the Sub-Committee. At the 2nd meeting, the Sub-Committee appointed a working group, consisting of the representatives of China and France, together with the Secretary, to prepare a chronology of events since the establishment of the Government of the Republic of Korea, for the purposes of information and reference by the Commission.<sup>42</sup> The other major activities of the Sub-Committee were: (1) hearings of Korean officials and personalities; (2) trips to Cholla Namdo and Cheju Do.

72. The Sub-Committee, having heard a number of officials, personalities and representatives of religious and social organizations, decided, at its 11th meeting, to supplement its study of the development of representative government by making extensive observation trips to Cheju Do and Cholla Namdo, the two important areas affected by recent revolts. At its 14th meeting, the Sub-Committee decided upon the dates of 18-21 April for the Cheju Do trip, and of 25-28 April for the Cholla Namdo trip. The report and the recommendations of the Sub-Committee on making these trips were adopted by the Commission at its 22nd meeting. Because of bad weather, the trip to Cheju Do was postponed and re-scheduled to 8 May in connexion with the decision of the Commission to be present during the election of 10 May 1949 in North Cheju Gun. The trip to Cholla Namdo took place according to the original schedule. A detailed report of these trips and their evaluation is included in annex II of the final report of the Sub-Committee to the Commission.<sup>43</sup>

The Sub-Committee completed its final report on 17 June 1949 and submitted it to the Commission at its 35th meeting on 22 June. Up to that time, the Sub-Committee had not received any requests from governmental authorities either for consultation or for information and advice. The report, with some amendment, was adopted at the 37th meeting of the Commission on 28 June 1949.<sup>44</sup>

#### (b) *Survey of information and opinion*

73. The Sub-Committee conducted eleven hearings from 20 February to 14 April 1949. The persons who appeared before the Sub-Committee included three officials of ministerial rank, two members of the National Assembly, two political leaders and four leaders of social, educational and religious organizations. Although spokesmen of the Government had expressed the view that the phrase "further development of representative government" in paragraph 4 (c) of the General Assembly resolution of 12 December 1948, applied only to North Korea, the three officials who were invited to give their views answered the questions asked concerning representative government in the south.

74. The questionnaire dealt with two broad aspects of the problem of representative government: A. the development of representative government in Korea since the establishment of the Government of the Republic of Korea; B. its relation to the problem of unification. The detailed views of these eleven officials and personalities were recorded in the summary records of the Sub-Committee and a summary of these views is contained in annex I of the final report of the

Sub-Committee to the Commission.<sup>45</sup> The following is a résumé of the views on the development of representative government in Korea expressed in the hearings of the Sub-Committee:

#### A. *Development of representative government in Korea*

##### (i) *Steps taken in the development of representative government since the establishment of the Republic of Korea*

All those heard maintained that concrete steps had been taken toward the development of representative government. Generally speaking, those steps were preservation of peace and order; establishment and reorganization of administrative machinery; and enactment of laws and regulations. However, one person thought that the Government had not fully implemented its pledges to democratize its policy and to guarantee civil rights. He also expressed a pessimistic view regarding the further development of representative government.

##### (ii) *Problems confronting the Government and the people in their efforts for the development of representative government*

The consensus of opinion was that the geographic, political and ideological division of Korea and the resulting economic and social conditions and unrest were the main obstacles to the development of representative government. In addition, one person stressed the gulf between the Government and the people as a major factor which hampered the development of representative government. Still another believed that the failure to adopt a cabinet system of government had slowed the development of representative government. Friction between the Executive and the National Assembly, however, was regarded as an encouraging mark of such growth.

##### (iii) *Specific views and proposals on the further development of representative government*

All eleven persons had concrete suggestions to offer. The wide range of such suggestions reflected differences in political outlook. They included removal of the 38th parallel; strengthening the Government by increasing the strength of the security forces; adoption of a cabinet system of government; creation of an upper house and of a supreme advisory council to the President; appointment of the most competent persons to important offices and purge of corrupt officials; repeal of laws and regulations inherited from the Japanese régime; establishment of a planned economy to solve the present economic difficulties; increase in production; moral and spiritual training; educational reforms to raise the intellectual and cultural level of the people.

#### B. *Development of representative government in relation to the problem of unification*

##### (i) *Political bases for unification*

All eleven stressed the importance of the racial, cultural and linguistic homogeneity and geographic and economic unity of Korea. All of them took the Government of the Republic of Korea as a basis or starting-point for bringing about unification, and most of them urged that the United Nations Commission should observe general elections in North Korea for the purpose of filling the 100 seats in the National Assembly left vacant for the representatives of North Korea.

<sup>42</sup> A/AC.26/SC.2/5.

<sup>43</sup> See volume II, annex II, A, 2 (b).

<sup>44</sup> A/AC.26/34 (*ibid.*, annex II, A, 1).

<sup>45</sup> See volume II, annex II, A, 2 (a).

(ii) *Comments on the structure of government and conditions in North Korea*

All of them looked on the régime in North Korea as a communist dictatorship under the control of the North Korean Labour Party.

(iii) *Possibilities of extending representative government within North Korea*

Doubt or pessimism concerning the chances of a growth of representative government within North Korea was expressed by all except two persons, who counted on a strong loyalty of northern Koreans to the Government of the Republic of Korea and felt that the democratic elements in North Korea, though hidden, were not inconsiderable.

(iv) *Representation and participation of all Koreans in a unified Korea*

Most of the eleven persons heard were vague in their statements on this question. However, several of them believed that a general election in North Korea, under the observation of the United Nations Commission on Korea, would help solve this problem. Two of the eleven emphasized that the problem of unification should be solved before the question of participation or representation could be considered.

(c) *Conclusions and recommendations*

75. On the basis of the opinions expressed at its hearings and the impressions gathered by the Sub-Committee in the course of its observations, the Sub-Committee arrived at the following conclusions:

"Since the establishment of the Government of the Republic of Korea, many concrete steps have been taken and progress has been made in the development of representative government, particularly in view of the short period of time which has elapsed and the tremendous problems confronting the young Republic. However, the growth of representative government has been frequently hampered by disturbances in several areas, notably in Cholla Namdo and Cheju Do. Although sporadic guerrilla activities continue in some mountain areas, the Government, which was faced with the necessity of declaring martial law in some areas for a short time and curfew hours in almost all cities, towns and villages, seems to have succeeded in crushing the main rebellion and in restoring peace and order. The divergences of view continue between the Executive and the National Assembly regarding the implementation of the Constitution and the enactment of such important bills as the Anti-Traitors Law, Land Reform Bill and Local Administration Bill. This is, however, a wholesome sign for the growth of democracy in Korea.

"It is believed that, once the security of the Republic is completely assured and law and order established throughout the country, greater strides can be made toward the further development of representative government."<sup>45</sup>

### 3. SUB-COMMITTEE III

(a) *Terms of reference, organization*

76. To implement paragraph 4 (d) of the General Assembly resolution of 12 December 1948 concerning observation and verification of the withdrawal of occupation forces from Korea, a sub-committee, composed of the representatives of Australia, China, El Salvador and India, was

established by the Commission at the 34th meeting on 13 June 1949 under the terms of the following resolution:

"The Commission,

"Mindful of the duty entrusted to it by paragraph 4 (d) of the General Assembly resolution of 12 December 1948 to observe the withdrawal from Korea of the forces of the occupying Powers and to verify the fact of withdrawal when such has occurred,

"Decides:

"1. To observe the withdrawal of the remaining occupation forces of the United States of America and to verify the fact of withdrawal when such has occurred.

"2. To establish a Sub-Committee composed of the representatives of Australia, China, El Salvador and India, to examine and report to the Commission on the procedures to be employed in observing the withdrawal of the occupation forces of the United States."

(b) *Observation and verification of withdrawal of United States occupation forces*

77. The Sub-Committee met on 14 and 16 June. On 16 June 1949, it submitted a report to the Commission<sup>47</sup> recommending: (1) notification to the Governments of the United States of America and of the Republic of Korea of the decisions taken by the Commission in its resolution of 13 June 1949 quoted above; (2) that requests should be made of the two Governments for certain information concerning personnel and *matériel* of the United States occupation forces and concerning the status of the Korean Military Advisory Group which was necessary to enable the Commission to discharge its duty under paragraph 4 (d) of the General Assembly resolution of 12 December 1948; and (3) that the assistance of military experts of the two occupying Powers should not be requested by the Commission.

78. The report was approved by the Commission at its 35th meeting on 20 June 1949 when it adopted the following resolution:

"The Commission,

"Consequent on its resolution of 13 June 1949,

"1. Approves the report of the Sub-Committee established by that resolution;

"2. Empowers the said Sub-Committee, hereafter to be known as Sub-Committee III, to observe and verify the withdrawal of occupation forces from Korea;

"3. Directs Sub-Committee III to report to the Commission from time to time on the progress of its work."

79. Sub-Committee III at once began the discharge of the tasks assigned to it. On 21 June and 29 June it witnessed the last scheduled embarkation of United States occupation forces in Korea at Port Inchon.

80. In connexion with the verification of withdrawal, the Sub-Committee had recommended to the Commission in the report approved on 20 June that requests for information be addressed to the Governments of the United States and of the Republic of Korea. Such requests were made of the Governments named on 23 June 1949.

81. On 30 June and 1 July the Sub-Committee made visits to the Camp Sobingo Youngsan area, Ascom City and Inchon, the sites of former

<sup>45</sup> A/AC.26/34 (see volume II, annex II, A, 1).

<sup>47</sup> A/AC.26/SC.4/1.

major United States military establishments, for the purpose of verifying the withdrawal of United States occupation forces. On 9 and 10 July 1949, the Sub-Committee visited Pusan for the same purpose.

82. On 27 July the Sub-Committee submitted its second progress report, which presented for approval the following findings:

"As of 30 June 1949, the only United States troops remaining in Korea were some 50 Air Force personnel, who will be stationed at Kimpo Airport until arrangements for civilian administration can be instituted, and the personnel of the Korean Military Advisory Group, which has an authorized strength of 500 men.

"The Sub-Committee has not been able to verify the disposition made of United States military *matériel* in Korea because the information requested in this connexion has not been supplied to it. The Sub-Committee has not, however, considered that it was essential to press for such information. The Ambassador of the United States has adduced considerations of military security affecting the Republic of Korea which appear to the Sub-Committee to be cogent."

83. The Sub-Committee expressed itself as satisfied, on the basis of its observations and of the information which it had obtained, that the following were the facts concerning the withdrawal of United States occupation forces from Korea:

(a) The withdrawal of the United States occupation forces in Korea was completed on 29 June 1949, with the exception of the fifty-odd Air Force personnel referred to above;

(b) With the lapse on 30 June 1949 of the executive agreement relating to interim military and security matters between the President of the Republic of Korea and the Commanding General, USAFIK, of 24 August 1948, the right of the Government of the United States and the authority of the Commanding General, USAFIK, to assume control of the Korean security forces lapsed and no such right or authority now exists in the Government of the United States or the Chief of the Korean Military Advisory Group;

(c) The United States Government no longer possesses or controls any military equipment in Korea except the side-arms and motor vehicles remaining in the possession of the Korean Military Advisory Group. As of the date of completion of United States troop withdrawal, the United States had transferred all its military *matériel* in Korea to the Korean security forces, except for such *matériel* as had been withdrawn with the troops. Such transfers were made under the provisions of the United States Surplus Property Act of 1944 as amended. Deliveries of *matériel* other than those referred to above would have to be made under legislative authorization in effect at the time.

84. The report<sup>48</sup> was approved by the Commission at its 48th meeting on 27 July 1949.

(c) *Application to the occupation forces of the Union of Soviet Socialist Republics of paragraph 4 (d) of the General Assembly resolution of 12 December 1948*

85. Paragraph 2 of the Commission's resolution of 20 June 1949 (see paragraph 78 above)

had empowered Sub-Committee III to "observe and verify the withdrawal of occupation forces from Korea". Accordingly, the Sub-Committee at its 3rd, 4th and 5th meetings, considered the application of the resolution to the other occupying Powers, the Union of Soviet Socialist Republics. It agreed to recommend to the Commission transmission to the Secretary-General of a request that the Government of the USSR be informed: (1) of the action taken by the Commission in respect of the observation and verification of the withdrawal from Korea of the forces of the occupying Powers; and (2) of the readiness of the Sub-Committee to carry out its duties in respect of the occupation forces of the USSR.

86. The report of the Sub-Committee was approved by the Commission on 4 July 1949, and the request to the Secretary-General was made the same day.

#### 4. *Ad Hoc* COMMITTEE ON THE QUESTION OF ACCESS OF KOREANS TO THE COMMISSION

87. At its 13th meeting on 21 February 1949, the Commission, consequent on its resolution of 16 February 1949,<sup>49</sup> concerning free access to it of reputable Koreans, established an *Ad Hoc* Committee, composed of the representatives of Australia and Syria, to investigate the technical aspects of access of Koreans to the Commission.

88. The *Ad Hoc* Committee met on 22 February 1949. It recommended to the Commission<sup>50</sup> establishment of a Commission pass office, manned by a Secretariat member, to which Koreans could apply for a pass to visit the Commission. The Committee pointed out that it had limited itself to a technical examination of the problem, other aspects of which were for the Commission and the standing sub-committees to consider.

89. At the 14th meeting of the Commission on 23 February 1949, it was agreed to defer action on the Committee's recommendation.

#### 5. *Ad Hoc* COMMITTEE OF THE WHOLE ON OBSERVER TEAMS

90. At the 27th meeting of the Commission on 29 April 1949, the representative of El Salvador read a statement recommending that the Commission study the question of establishing a scheme of observer teams as a means of contributing to the external peace and security of the Republic of Korea.<sup>51</sup> At the 31st meeting of the Commission on 26 May, it was decided to establish an *Ad Hoc* Committee of the Whole, under the chairmanship of the representative of El Salvador, to study and report to the Commission within two weeks: (1) whether the Commission possessed authority to establish such observer teams, and (2) on the functions and usefulness of such observer teams.

91. The *Ad Hoc* Committee of the Whole met on 31 May. After discussion, the Committee decided to adjourn *sine die* and report to the Commission that in the view of the Committee it would not be useful at that time to continue consideration of the question.

92. The report of the Committee<sup>52</sup> was adopted by the Commission at its 32nd meeting on 2 June 1949.

<sup>48</sup> A/AC.26/3.

<sup>49</sup> A/AC.26/SC.3/1 (A/830, annex 7).

<sup>50</sup> A/906, annex 1.

<sup>51</sup> A/928, annex 5.

<sup>48</sup> A/AC.26/SC.4/1.

### Chapter III

## POLITICAL, ECONOMIC AND SOCIAL DEVELOPMENTS AND FACTORS AFFECTING THE PROBLEM OF THE INDEPENDENCE AND UNIFICATION OF KOREA

### A. The Republic of Korea

#### INTRODUCTORY

1. Events in Korea have not waited on the achievement of unification. Into the vacuum created by the disappearance of military government on both sides of the parallel, powerful indigenous political forces have rushed and quickly thrown up new political and socio-economic structures. Unfortunately, it is possible to give here a detailed picture only of developments south of the 38th parallel. What is going on in North Korea could not be seen by the Commission and remains a subject of rumour and unverified reports.

2. In the territory of the Republic of Korea the transfer of jurisdiction and the settlement of financial and property accounts between the former military occupant and the new Government—begun while the Temporary Commission was still on the scene—are substantially complete. The occupation forces of the United States of America have been withdrawn. The Republic is building its own security forces with American help. The structure of government has been further elaborated. Programmes of economic development and economic and social reform are under way. The Republic of Korea is substantially master in its own house and has already been recognized as such by a number of countries.

#### 1. COMPLETION OF TRANSFER OF JURISDICTION

##### (a) *Financial agreement*

3. The Initial Financial and Property Settlement between the Republic of Korea and the United States of America, signed on 11 September 1948 and ratified by the National Assembly on 18 September 1948, became effective with notification of the ratification to the United States on 20 September 1948.<sup>53</sup> Its provisions in respect of transfers of goods and assets to the Republic had been substantially carried out by June 1949.

4. Article VII, under which the two Governments were 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 14 May 1948, could not be carried out. It was replaced by an Electric Power Agreement signed on 10 June 1949, under which the United States would release to the Republic the goods that had been stockpiled under a special United States Army allocation to pay this power bill, while the Republic in return assumed liability for the bill if and when a settlement could be arranged. The goods were to have been transferred upon ratification of the Agreement by the National Assembly. In anticipation of this, they have already been placed in the custody of the Government. They consist principally of heavy electrical equipment valued at \$9,519,859.66,

goods *en route* from the United States valued at \$710,937.08, and goods *en route* from Japan valued at \$29,200. In addition, the United States turned over \$1,372,528 in unobligated funds and \$142,120 in proceeds from sales of materials on hand. Materials worth \$1,044,004.73 had already been delivered to North Korea.

5. An initial payment was made by the United States of \$23 million as the fair dollar value of goods and services procured by United States Army Forces in the period up to 1 July 1948 from the Korean economy with *won* drawn from a Military Government overdraft account at the Bank of Chosen. A later settlement covered the period up to 31 December 1948 and a bill will be due for goods and services used by United States troops until their withdrawal at the end of June 1949.

6. Payment of the first instalment, due on 1 July 1949, of the Korean Government's indebtedness for property furnished through the United States Foreign Liquidation Commissioner and Military Government is awaiting the results of current discussions of the dollar-*won* rate of exchange. The payments received by the United States are to be expended in Korea, partly on educational programmes and partly on the acquisition of property in Korea, principally the buildings which house the American Mission in Korea and its dependent personnel.

##### (b) *Turning over of property*

7. Administrative control over accounts, properties and operating facilities had been assumed by Korean authorities by early December 1948. The transfer of vested<sup>54</sup> property was completed in the same month. Such United States Army control of transportation, communication and other facilities as remained ceased with completion of withdrawal at the end of June 1949.

#### 2. WITHDRAWAL OF UNITED STATES TROOPS

##### (a) *Completion of withdrawal*

8. The withdrawal of the United States occupation forces had been completed, with the exception of some 50 Air Force personnel temporarily required to operate Kimpo Airfield, by midnight of 30 June 1949, when the United States occupation of Korea came to an end. At the same time, the Executive Agreement of 24 August 1948, relating to interim military and security matters, automatically lapsed. The military installations occupied by American troops had been turned over to the Korean Government as the withdrawal progressed over a period of months. The last installations at the port of Inchon were transferred at midnight of 29 June 1949, when American guards were replaced by Korean military personnel. Except for the side-arms and carbines which the withdrawing troops carried and a small quantity of special combat equipment, all weapons and most ordnance equipment were transferred to the Republic of Korea for the use of its security forces. Some civilian engineering equipment

<sup>53</sup> For the text of the settlement, see the second part of the report of the United Nations Temporary Commission on Korea to the General Assembly, A/575, volume II, page 17.

<sup>54</sup> Formerly Japanese-owned.

and vehicles were transferred as logistical support for the large American Mission in Korea.

(b) *Korean Military Advisory Group*

9. A Korean Military Advisory Group with an authorized strength of 500 United States officers and enlisted men, which had been established previously, remains in Korea at the request of the Government of the Republic and is now advising and assisting the Government in the development and training of the Korean security forces. These services are being rendered on the basis of an informal understanding, which is to be replaced by a formal agreement now under negotiation. According to the Chief of the Group, Brigadier General W. L. Roberts, the officer personnel under his command carry only side-arms and the enlisted men 30-calibre carbines and none has combat equipment. While possessing some motor vehicles, they are dependent for transportation to a considerable degree on the Korean security forces. The Group is supplied through the American Mission in Korea.

### 3. EXTERNAL RELATIONS

(a) *Political*

10. To date, the Republic of Korea has been accorded diplomatic recognition by twelve Governments and by the Vatican. It has diplomatic missions in Washington, Paris and Tokyo, as well as consulates in New York, Los Angeles, San Francisco, Honolulu, Shanghai and Hong Kong.

11. On 1 January 1949, China accorded *de jure* recognition to the Republic of Korea. Mr. Liu Yu-Wan was the first diplomatic representative of China with the rank of Ambassador. Subsequently, Mr. Shao Yu Lin was appointed Chinese Ambassador, arriving in Seoul on 25 July.

12. The Government of France announced its decision to establish diplomatic relations with the Republic of Korea on 5 February 1949. Mr. Henri Costilhes, French Consul in Seoul, became *Chargé d'Affaires*. He presented his credentials on 13 April.

13. On 2 March 1949, the Philippine Government extended *de jure* recognition to the Republic of Korea, and on 21 March sent Mr. Manuel Gallego on a brief good-will mission to Seoul, with the rank of Ambassador Extraordinary and Plenipotentiary.

14. Recognition was extended by the United Kingdom on 19 January 1949, on which date Mr. Vyvyan Holt, British Consul-General in Seoul, became *Chargé d'Affaires*. On 17 March, Mr. Holt presented his credentials as Minister Plenipotentiary and Envoy Extraordinary.

The United Kingdom's notice of recognition read in part: "His Majesty's Government in the United Kingdom, having regard to the terms of a resolution adopted by the General Assembly of the United Nations on 12 December 1948, recognize the Republic of Korea as an independent, sovereign State, whose territory is that part of the Korean Peninsula in which free elections were held under the observation of the United Nations Temporary Commission, and recognize the Government, which Your Excellency represents, as being the lawful Government of that State."

15. On 1 January 1949, the Government of the United States announced that, in the light of the General Assembly resolution of 12 December 1948, it had decided to extend full recognition to

the Government of the Republic of Korea. On 20 April 1949, Mr. John J. Muccio, hitherto Special Representative in Seoul, presented his credentials as Ambassador to the Republic of Korea.

16. On 12 April 1949, the Vatican established an apostolic delegation to Korea and appointed Monsignor Patrick Byrne, Apostolic Visitor in Seoul since October 1947, as Apostolic Delegate and titular Bishop Gazerensis. Bishop Byrne presented his credentials on 15 July 1949.

17. Chile accorded *de jure* recognition to the Republic of Korea on 27 May 1949, and New Zealand on 21 June. The Dominican Republic and Cuba extended recognition on 13 and 19 July respectively. Brazil accorded *de jure* recognition on 4 June. On 17 July, the Canadian Ambassador in Washington informed the Korean Ambassador there that Canada regarded its vote for Korean membership on the United Nations as full recognition of the Republic's status as an independent sovereign State. It was announced on 22 July 1949, that the Netherlands had also recognized the Republic.

18. On 2 February 1949, the Republic of Korea named Mr. Chang Myun (John M. Chang), as Ambassador to Washington. He presented his credentials on 25 March. On 10 February, the President of the Republic sent Mr. Pyen Yong Tai to Manila as Special Representative. On 31 May, Mr. Gong Jin Hang was appointed *Chargé d'Affaires* of the Republic of Korea in Paris. The United Kingdom has accepted the Republic's nomination of Mr. Yun Tchi Chang as Minister to London.

19. On 24 December 1948, the Republic inaugurated its own diplomatic mission to the Supreme Commander for the Allied Powers in Tokyo and, on 10 February 1949, named Chung Han Bum as Special Envoy to succeed Henry de Young (Chung Han Kyung), who had represented Korea in Japan during and after the period of the United States Military Government in Korea.

20. Consulates were opened in Los Angeles on 5 January 1949, in Shanghai on 24 January, in New York on 15 March, in Honolulu on 10 April, in Hong Kong on 4 May and in San Francisco on 10 June. A Consulate was to be opened in Taipeh, Formosa in the late summer of 1949.

21. The Republic has been admitted to membership in one specialized agency of the United Nations and has applied for membership in or participated in meetings of several others. The World Health Organization voted to admit the Republic on 30 June 1949 at its Rome meeting, which Dr. Choi Chang Soon attended as an observer. The membership will not become final until the Republic deposits its ratification of the Constitution of WHO with the Secretary-General of the United Nations.

The Republic has applied for membership in the Food and Agriculture Organization and has been invited to join its Rice Committee. It has also applied for membership on the Economic Commission for Asia and the Far East, which is to consider the application at its September meeting in Singapore. Preparations are being made to apply for membership in the United Nations Educational, Scientific and Cultural Organization.

FAO invited the Republic to send an observer to the Indo-Pacific Fisheries Conference at Singa-

pore on 24 March 1949 and Mr. Whang Sung Soo and Mr. Chung Moon Ki attended. Mr. Pak Cho Uk and Mr. Han Duk Bong attended the meeting of the International Telecommunications Union in Geneva on 18 May as observers.

(b) *Economic*

(i) *United States Economic Co-operation Administration in Korea*

22. A Korean relief and rehabilitation programme had been initiated with the beginning of military government. Civilian supplies in a total value of \$191,754,000 were procured by the United States Army under appropriations for the government and relief of occupied areas in the period from November 1945 to March 1949. The appropriation for the fiscal year 1949 was \$95 million. These sums were spent mostly for such essential items as foodstuffs, clothing, shoes and textiles, coal and petroleum products, transportation and communication equipment, utility and industrial repair equipment and supplies, agricultural supplies and equipment, and medical and sanitary supplies.

23. The ECA entered the Korean scene in the fall of 1948 and, on 1 January 1949, officially took over from the Department of the Army responsibility for the administration of the foregoing programme.

24. On 10 December 1948, the United States and the Republic of Korea signed an Agreement on Aid at Seoul,<sup>55</sup> the preamble of which expressed the belief of the parties that the Agreement would "help to achieve the basic objectives of the Charter of the United Nations and the United Nations General Assembly resolution of 14 November 1947". In return for the aid furnished by the United States, the Government of the Republic of Korea promised to make the most advantageous use of all available Korean resources and of the aid furnished by the United States. It was to exercise economy in governmental expenditures and increase governmental revenue in order to balance the budget, seek economic stability through currency and credit controls, ensure a maximum contribution of its foreign exchange resources to Korean recovery and welfare through foreign exchange and trade controls, make every effort for maximum production, collection and equitable distribution of locally-produced supplies, facilitate private foreign investments subject to constitutional and statutory restrictions, develop export industries as rapidly as possible, and further maximum production by its management or disposition of Government-owned productive facilities and properties.

The Government of the United States was to appoint a representative to assist the Government of the Republic to make the most effective use of Korean resources and of the aid furnished by the United States. Mr. Arthur C. Bunce, who had been appointed Chief of the ECA Mission in Korea on 24 September 1948, is the United States representative under the Korean Aid Agreement.

25. The ECA budget request of \$150 million for Korea for the fiscal year 1950, the first such ECA request, marks the change-over from a relief programme to a capital development programme. In explaining the budget request to the United

States Congress, Mr. Paul C. Hoffman expressed the hope that by 1952 the need of the Republic of Korea for outside assistance would have been reduced to approximately \$35 million. He stated further:

"The ECA programme is designed, first, to increase Korea's production of exportable commodities and, second, to reduce the Republic's needs for imports so that it will be able to finance its imports of commodities which it cannot produce itself. Pending the achievement of these objectives, Korea will continue to require United States assistance in financing the imports of essential commodities, such as fertilizer, petroleum products, and industrial raw materials. Thus, approximately \$110 million of the fiscal year 1950 programme represents the cost of fertilizer, feed and industrial raw materials which Korea must have during the next year . . .

"The capital development programme for the fiscal year 1950 is estimated at approximately \$32 million. This is roughly only one-fifth of the programme; but it is the key 20 per cent. It represents the start of a programme which, if carried forward, would give the Republic of Korea greatly increased coal production, increased thermal power generating capacity, fertilizer plants, cement plants, an expanded fishing fleet, and other industries necessary to enable South Korea to approach economic independence.

"The three basic areas of capital development contemplated for South Korea are coal production, electric power and fertilizer. These three fields are closely interconnected. Korea's greatest import need is fertilizer; but it is impracticable to undertake the construction of fertilizer plants in South Korea until adequate electric power is available. Increased electric power is, in turn, dependent chiefly on increased coal production. Therefore, the order of development must be first, coal; second, electric power; and third, fertilizer."

The capital development programme for 1950 includes extensive work on the Korean tungsten mines, rehabilitation and expansion of silk mills, additions of over a hundred small fishing vessels to the South Korean fleet, and a cement plant-building programme. Rehabilitation of the railroad and communication systems and necessary improvements in the road network, together with several irrigation projects, are also part of the 1950 programme.

26. At the end of his presentation of the ECA capital development programme, Mr. Hoffman added:

"I wish to emphasize that new capital installations have been planned with unification as a hoped-for goal, so as not to duplicate facilities in North Korea, except to a minor extent which is unavoidable if we are to progress towards a balanced economy in South Korea. In some instances, the planned installations would supplement these in the north, whereas in other cases they represent normal additions to plants made necessary by the growth of population and by advantages of geographical location."

(ii) *Trade with Japan*

27. In April 1949 the Republic signed a trade agreement with Japan by the terms of which \$29 million of goods, mainly rice and marine products, were to be exported to Japan during the 1950 fiscal year and Korea was to import from Japan approximately \$49 million of goods, consisting

<sup>55</sup> A/AC.26/W.3 (see volume II, annex I, C). The Agreement was ratified by the National Assembly on 13 December 1948.

chiefly of coal, machinery and manufactures. Concerning this Agreement and the problem of Korean foreign trade, Mr. Hoffman, in the statement from which quotation has already been made, said: "Because Korea's historical foreign trade relationships were to a very large degree molded by the Japanese policy of exploiting Korea as a colonial possession, the economies of the two countries are in many respects complementary. This will necessarily cause the continuation of Korea's trade orientation toward Japan. Additional factors contributing to this trend are the present disruption in China and the division of Korea. But, aside from these factors, Korea's economy tends to be competitive with, rather than complementary to, that of most of the Far Eastern countries other than Japan."

"Even assuming future conditions of relative economic and political stability, Far Eastern markets for Korean exports, other than Japan, will be limited. Our plans therefore call for the maximum trade—in so far as such trade is consistent with Korea's independence and sovereignty—between Korea and Japan. Of course, all possible avenues for otherwise expanding Korea's foreign trade will be exploited and Korea will be encouraged in every way to participate in multilateral trade agreements."

#### 4. ORGANIZATION AND FUNCTION OF THE KOREAN SECURITY FORCES

##### (a) *Army, Navy and Reserves*

28. Paragraph 4 (a) of the General Assembly resolution of 12 December 1948 instructs the Commission, among other things, to lend its good offices to facilitate the integration of all Korean security forces. While the Commission has made some enquiries concerning the Korean security forces, and has been shown over several Korean military installations and camps, it has not systematically dealt with the question of integration of the Korean Army, Navy and Police because of its inability to make progress in the discharge of its duties on the level of political unification.

29. Reports from across the parallel indicate that the northern régime is training and equipping men in considerable numbers to carry out the so-called function of national defence. It is reported that agreements of a military character have been concluded with the Union of Soviet Socialist Republics and Chinese communist forces. In the south, the Government of the Republic has likewise stepped up the pace of its armed preparations by continued recruitment and training of its armed forces. It has acquired arms and equipment from the United States occupation forces and is vigorously seeking further supplies of arms and equipment from the United States.

30. The building of the Korean security forces was formally initiated with Military Government Ordinance No. 28 of 13 November 1945, which established the office of the Director of National Defence of the Military Government of Korea and established thereunder a Bureau of Armed Forces, with an Army and Navy Department. The Director of National Defence was also charged with over-all direction of the Bureau of Police. From the date of that Ordinance up to the latter part of 1947 a Korean constabulary was created and transformed into a recognized army. The authorized strength of the Korean constabulary at the end of 1947 was 20,000 men. In addition,

a Coast Guard, 3,000 men strong, was established during that period.

31. The goal of this first programme was the organization of at least one regiment in each of the eight provinces south of the 38th parallel. The Korean command was composed initially of about sixty officers, who had previously been trained in the Chinese or Japanese armies. The training of additional officer personnel was handicapped by language difficulties and the lack of advisers, supplies and equipment. These difficulties were eventually overcome by the institution of English language courses and later of a Korean military academy.

32. The second period in the organization of the Korean security forces began at the end of 1947, at which time there was an influx of United States advisers and an improvement in the organization of training facilities. Between March 1948 and July 1948, arms and equipment for an estimated strength of 50,000 men arrived. A provisional military advisory group, composed of American military personnel, was established in the fall of 1948. Its successor, the Korean Military Advisory Group, under the command of Brigadier General W. L. Roberts, has an authorized strength of 500 officers and enlisted men.

33. Since the Korean Army was almost the last organization to be established by Military Government, it was inevitable that the Police, which carried over from the Japanese régime, should have exercised national defence functions. This duplication was attended by a certain rivalry and friction between the two branches of the armed services. Difficulties were eventually overcome as a result of administrative reorganization, which placed the Police under the direction of the Ministry of Home Affairs and the Army and Navy under the Ministry of Defence. After the establishment of the Republic, the Ministry of Defence was at first directed by the Prime Minister who, however, resigned the post early in the year.

34. The law for the organization of the national armed forces was passed by the National Assembly in November 1948. Building on the constitutional responsibility of the President, as the Commander in Chief of the national armed forces, it provides for a War Council to assist him, and under that Council, for a National Defence Committee with a Central Intelligence Bureau, a National Defence Resources Control Committee and a Military Council. The Ministry of National Defence is charged with duties of military administration. In the Ministry of National Defence are an Army General Staff and a Navy General Staff acting under the direction of the Minister of National Defence. As of March 1949, the Army was composed of six brigades (now renamed divisions), each of which included three infantry regiments and a cavalry battalion, artillery battalion, engineers battalion, transport battalion and one special troops company. Eventually, each division is to number 15,000 men, but the complements are not yet full and the cavalry, engineers, artillery and special troop units are not yet fully organized. In addition to the six infantry divisions already mentioned, the Army includes an armoured regiment, a 105-millimetre howitzer regiment, an anti-tank regiment, an engineers regiment, a transport regiment and four reserve brigades consisting of two infantry battalions each. It is reported that the

reserve brigades were recently re-grouped into two divisions and that two more divisions may soon be organized. The Korean Military Academy is now training about 1,000 officers in various camps.

35. The security forces have until now been recruited on a semi-voluntary basis, but the Government has recently submitted a conscription bill to the Legislature, which passed it on 15 July 1949. The strength of the Army was publicly stated at the end of 1948 to be about 50,000 men. Training has been proceeding rapidly since. The goal at which the Government aims is an army of 200,000 men.<sup>50</sup> There are reports that the Government has asked the United States for arms and equipment for 400,000 men, of whom 200,000 would constitute a reserve. In addition to the standing army, the law for the organization of the armed forces provides for a national defence corps composed of persons who have completed prescribed courses of military training and constitute the reserve. The strength of this group is set by law at the same number as that of the standing army.

36. Almost all the equipment of the Army has been obtained from the United States and is said by American authorities to be of a purely defensive character.

37. The security forces also include a naval force of about 7,000 men and eighty vessels. The latter consist of minesweepers and coast guard cutters.

38. The 1949/50 budget authorizes an expenditure of about 14 billion *won* by the Ministry of National Defence.

#### (b) Police

39. The Police is under the direct control of the Department of National Police in the Ministry of Home Affairs.

40. The estimated strength of the Police force of the Republic is about 60,000 men. The metropolitan police number a little more than 10,000 and the rest are distributed in the eight provinces. The Police are armed with carbines, tommy guns, light and heavy machine guns, most of which are of American origin. The 1949/50 budget allocates to the Ministry of Home Affairs a little more than 15 billion *won*.

41. The role of the Police in the maintenance of law and order is dealt with in another place in this report. Almost the entire burden of maintaining security along the 38th parallel has until recently fallen on the Police, who at first also played a primary role in the suppression of large-scale disorders in the southern provinces and on Cheju Do. The Army, however, has recently taken over larger responsibilities along the parallel and in dealing with large-scale disturbances. The outbreak in Cholla Namdo, which began with the mutiny of an Army unit, was suppressed by the Army, and the pacification of Cheju Do had finally to be entrusted to the Army, which completed the operation in May 1949.

#### (c) Para-military organizations

42. At the beginning of the year, all youth organizations were merged into the National Youth Corps, of which the President of the Republic is

the honorary head. This merger appears to have settled a problem which for some time had caused anxiety: that youth groups might become independent and uncontrolled *vigilante* organizations. A programme has gradually been developed to train the Youth Corps along military lines. At the same time, arrangements are being made to direct the energy of the Youth Corps into constructive channels, such as irrigation and reclamation projects. For this purpose, an American with considerable experience in the Civilian Conservation Corps in the United States has been employed recently as advisor to the Corps. Some voluntary police activities by the Youth Corps still continue, but appear to be decreasing, and in any case are now under central control. A National Youth Defence Corps was established in June 1949.

#### 5. DEVELOPMENT OF REPRESENTATIVE GOVERNMENT

43. Paragraph 4 (c) of the General Assembly resolution of 12 December 1948 instructs the Commission to be available for observation and consultation in the further development of representative government. The Commission has interpreted this to apply to the parts of Korea lying north and south of the 38th parallel. Since, however, the Commission has not been permitted to see North Korea for itself, the following account is confined to developments south of the parallel.

44. The adoption of the Constitution of the Republic on 12 July 1948 and its promulgation on 17 July marked merely the initiation of the process of building a structure of government. The Constitution is in many respects a programme, the details of which, and in many cases, the principles, have still to be fixed. Among the fundamental problems left unsettled were the purge of collaborators, the disposition of former Japanese property, land reform and local administration. In respect of formal structure, the Constitution has required supplementing by detailed laws for the organization of the Government and of the National Assembly. A civil service is in process of creation as are other State services.

45. The development of representative government under the Constitution of the Republic has been both uneven and uneasy. A year's experience of the Constitution in practice has shown that, like most other fundamental laws, it answers only imperfectly the practical problems of representative government and requires express amendment or sustained constitutional practice to resolve difficulties of interpretation.

#### (a) The executive power

46. Limitations of space forbid a detailed survey of the executive branch of the Government. The President, as Chief of State and Commander in Chief of the Armed Forces, appoints the Ministers of State who form the State Council, and the principal officers of the Army and Navy. Only the appointment of the Prime Minister requires the approval of the Legislature. According to the Constitution, the Prime Minister, under the direction of the President, supervises and co-ordinates the activities of his Cabinet colleagues. He also has under his direct control an Office of General Affairs (administration), an Office of Public Information, an Office of Legislation and an Office of Planning, all of which perform staff functions.

<sup>50</sup> United Press dispatch, Washington, D.C., 13 July, 1949, in the *Seoul Shinmun*, 14 July 1949.

47. The further framework of the Government is established by the Law for the Organization of the Government, which was promulgated on the same day as the Constitution. The departments of the Government are: Home Affairs, Foreign Affairs, National Defence, Finance, Justice, Education, Agriculture and Forestry, Commerce and Industry, Social Affairs, Health, Transportation and Communications. Directly subordinate to the President are a Civil Service Committee, an Inspection Committee and a Board of Audit.

48. The first year of operation of the Executive Branch saw fairly frequent changes by the President in the composition of the Cabinet in response to the exigencies of efficiency and politics. Administration, which has come to be the key to efficient democratic government, is an art still new to the people of Korea; problems of pay, tenure and status present great difficulties and the organization of the public services is still a long way from being complete or satisfactory.

49. The policies of the Executive Branch appear to emanate directly from the President, who has thus far succeeded in maintaining effective control over the composition and policies of the Government. There is great pressure, however, for a change from this basis of government, which is described by one of the heads of the leading Democratic Nationalist Party as "idealistic", to what is termed a more "practical" basis of formation of the Cabinet by the majority party which would hold office as long as it had popular support.<sup>57</sup> The President must also meet pressure from many quarters to include members of the opposition in his Cabinet. This demand is made on the ground that the Government's basis in popular support is too narrow at a time when the problems facing the Republic are daily becoming more urgent.

#### (b) *The National Assembly*

50. The present National Assembly is the one which was elected under the observation of the Temporary Commission on 10 May 1948. Since that date, it has held about two hundred meetings in its constituent phase and its legislative character. The present session of the Assembly is the fourth special session.

51. Eight standing committees were established by Law No. 5, passed on 14 September 1948. In July 1949, a Negotiations Committee was added, and appears to mark the beginning of an attempt to meet the need for machinery to budget legislative time.

52. The National Assembly has enacted about thirty-five laws as well as many resolutions. Among the more important ones, in addition to the Government Organization Law and Law No. 5 already mentioned, are a National Traitors Law (22 September 1948), a Law on the Organization of the National Army (30 November 1948), a National Security Law (1 December 1948), a Local Administration Law (4 July 1949), a Land Reform Law (22 June 1949) and a Military Service Law (enacted on 15 July 1949, but not yet promulgated). It has considered and passed three Government budgets and, in the exercise of its constitutional power in respect of treaties, has approved the Aid Agreement with the United States and the Trade Agreement with Japan.

53. The National Assembly has been marked by great independence of spirit until recently.<sup>58</sup> Procedurally, this has been made possible by the constitutional independence of the Legislature, the absence of clearly defined political groups in its midst, the lack of party control and discipline, and the parliamentary latitude allowed individual members by the Assembly rules.

#### (c) *Political parties*

54. With the possible exception of the Democratic Nationalist Party and the Korean Independence Party, political groupings in Korea lack organization and funds. While parties and political groups are many, most of them are small personal followings of individuals of greater or lesser political prominence. Public favour is wooed with manifesto and slogan. The most vigorously stated element of party programmes is the nationalist. The familiar classification of parties into right and left has hardly any application in Korea, where groups tagged with a rightist appellation are found to call for a planned economy, and is of little help in the analysis of current political issues.

55. The lack of party organization is particularly evident in the halls of the Legislature. The parties have little effective control over their nominal representatives in the National Assembly. There are, however, signs of change in this respect.

56. The strongest party at present in the National Assembly is the Democratic Nationalist Party, founded on 10 February 1949 by a merger of the Hankook Democratic Party and the Nationalist Party, and directed by a committee composed of Kim Sung Soo, Chi Tae Hyung, Shin Ik Hi and Paek Nam Hoon. It claims a membership of 800,000 and can muster the support of about eighty-five members of the Legislature, in which it is the most cohesive group. Despite the fact that it has the largest single representation in the Cabinet, the President has not always had its support in the National Assembly. As with most other parties, the nationalist plank is the strongest in its platform. In the social and economic fields it stresses the principles of equal economic opportunity.

57. More or less opposed to the Democratic Nationalist Party is the Korean Independence Party of the late Kim Koo, founded in May 1922 and re-organized in October 1948, which claims 900,000 members, and is said to have a well-developed organization throughout the country. The Korean Independence Party has played a significant role by standing apart in the 10 May 1948 elections and by maintaining a certain opposition to the consequences of those elections since. The recent death of Kim Koo raises the question of the future of his party as an independent unit. Closely associated with Kim Koo's party in aims, though deriving its support from entirely different sources, has been the group headed by Kimm Kiusic. This organization, which goes by the name of the National Independence Federation, comprises a number of groups and parties, which together claim a membership of 500,000. One constituent of the National Independence Federation for a while was the Socialist Party, founded in December 1948 by Cho So Ang.

<sup>57</sup> See hearing of Kim Song Soo by Sub-Committee II, 30 March 1949, A/AC.26/SC.2/10.

<sup>58</sup> See chapter III. paragraph 65 *et seq.*

58. A Women's Nationalist Party also exists and a Taehan Labour-Farmer Party was established in October 1948.

59. Before the establishment of the Republic of Korea, the major political organizations of the left which had been active included: the South Korea Labour Party, the People's Republican Party, the Labouring People's Party, the Chundo Kyo Young Friends Party and the front organization of the South Korea Labour Party, namely, the Democratic National Front.

The South Korea Labour Party, formerly the Korean Communist Party, was officially formed late in November 1946 with Huhr Hun as the Chairman. In 1947 it claimed to have a membership of 800,000. Following the disturbances of August 1947, many of the leaders of the South Korea Labour Party were arrested. In February 1948 the so-called South Korean All-Out Strike Committee, under the direction of the South Korea Labour Party, issued a declaration of strike against the activities of the United Nations Temporary Commission on Korea. This movement was accompanied by outbreaks of violence in six provinces of South Korea.<sup>59</sup>

The South Korea Labour Party went underground definitively with the promulgation of the National Security Law on 1 December 1948. Those of its affiliate and front organizations which have not followed it underground have led a precarious existence. The South Korea Labour Party is said by the Government to have been at the bottom of the serious disturbances in Cheju Do and in Cholla Namdo.

60. In all political camps there is evidence of a tendency to unite with others whose positions are allied. Two things strengthen the tendency toward union. One is the inability to resist the growing nationalist fervour in the Republic with its imperative demand for unity against the Communists. A practical consideration is the fact that the recent amendment to the National Assembly rules, which established the Negotiations Committee already mentioned, effectively penalizes a failure to close ranks within the Legislature. The adoption of those rules should make more difficult the shifting of members from one political camp to another on different issues, which has been such a marked feature of the Assembly's history until now.

61. The Democratic Nationalist Party, which is a result of the merger of two parties in February, continues to seek to draw related groups to itself. It is the group which is likely to derive the greatest advantage from the new Assembly rules and from its dominant position in the Government. It has about sixty registered members in the Legislature, of which it forms the most cohesive group. It can count on the frequent support of others not formally affiliated with it. Next to the Democratic Nationalists stands the Il Min Hoi, a group of about forty, whose name indicates support for the President's "one people" principle and on which the President has been able to rely for more consistent support than he could obtain from any other group. Opposed to the foregoing groups in the Legislature were the Dong Sung Hoi and Echung Hoi which claimed a membership of more than fifty before the recent arrest of the most prominent members of the for-

mer group. Since the arrests, several members of Echung Hoi have transferred to Il Min Hoi. A buffer group is the Shin Chung Hoi, with about thirty members, who follow the Prime Minister, Lee Bum Suk. Their ability to maintain themselves seems doubtful. A new group, more or less allied with the Democratic Nationalist Party, is the Dong Ji Hoi, which claims about twenty-five members. The leader of this group is Lee Yung Young, Minister of Social Affairs and a member of the Chosun Democratic Party, whose nominal leader, Cho Man Sik, is reported under arrest in North Korea. Otherwise unaffiliated members of the National Assembly are seeking to join together in order not to be put at entire disadvantage under the new Assembly rules. The Independent Club has not yet succeeded in obtaining the necessary minimum of twenty members. The Labour-Farmer Party, which has often been found in the Government camp, has about ten members.

62. Before leaving the subject of political organization, it is necessary to say something about the political role of the nation's youth. Strenuous efforts are being made by the Government to mobilize the youth for purposes of nationalist self-assertion and defence. As already noted, the Government was also concerned over the tendency of the youth to engage in anti-social *vigilante* activities. The National Youth Corps was founded on 19 December 1948 under the chairmanship of President Syngman Rhee by a merger of all previously existing youth groups, one of which had been founded by the Prime Minister. The platform of the National Youth Corps expresses fervent devotion to the Republic and professes allegiance to its President. Since the organization includes nominally the 6,000,000 youth of the Republic, it serves as a recruiting agency for the Army. It is said that 70 per cent of the Army recruits are members of the Youth Corps. The organization is financed through the sale and operation of Government property. Recently a subsidiary organization, the National Youth Defence Corps, has been formed. The National Youth Corps has held numerous mass demonstrations in support of the demands for military aid made by the Government of the Republic.

63. In addition to the youth, various women's organizations, Christian organizations and others have held mass demonstrations to support the political demands of the Government.

#### (d) *Relations of the Executive and the Legislature*

64. The principal problems thrust up by the play of forces between the Executive and the Legislature have to do with Executive responsibility, the resolution of conflicts of policy and the nature and exercise of the presidential veto. The Constitution, which purports to be based on the theory of separation of powers, in fact entrusts to the Cabinet, within the framework of the powers of the President, the leadership in the formulation of fundamental plans and policies concerning national affairs (article 72:1). The law-making power is entrusted to the National Assembly. The Constitution, however, makes no workable provision for enforcing Executive responsibility to the Legislature, nor, within the limits of such responsibility, for assuring a reasonable degree of Executive control of the Legislature. Consequently, conflicts of policy between the two branches of Government have

<sup>59</sup> See first part of the report of the United Nations Temporary Commission on Korea, A/575, volume I, paragraphs 63 to 65.

either resulted in a deadlock or, in some instances, have been broken in ways which may affect the continued maintenance of the constitutional checks and balances between the Executive and the Legislature.

#### *The National Traitors Law*

65. Article 101 of the Constitution provided that:

"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."

One of the first acts of the National Assembly was to pass such legislation, which became law on 22 September 1948. On 7 December, two additional laws established a special investigation committee composed of members of the National Assembly and subsidiary organs of the Special Court for the trial of offenders.

66. The implementation of the National Traitors Law provoked the longest sustained and most serious difficulties between the two branches of the Government. In February 1949, the President was reported in the Press (*Chosun Choong and Ilbo*, 16 February) to have said that enforcement of the law was the prerogative of the Executive and to have deplored arrests of suspected persons by the Special Investigators and their police. The President was quoted as declaring that if the law threatened public security it was appropriate to suspend it temporarily.

67. In the National Assembly, members of the Special Investigation Committee declared that the arrangement for special police had been made as a matter of administrative convenience with the approval of the Minister of the Interior and other officers of the Government, since the Special Investigation Committee had been empowered by the law to call on the police for assistance and to give them orders. On 17 February, the Assembly voted to ask the President to retract his statement.

68. Under date of 16 February 1949, however, the Executive had transmitted to the National Assembly a proposed amendment to the law which would have reduced the liability to prosecution of police officials who had served under the Japanese. It was also proposed to put the appointment of members of the Special Investigation Committee in the hands of the President and to limit its functions to investigating and reporting to the Procurator General, who would have had the power to decide finally whether to prosecute. At the National Assembly meeting of 24 February 1949, the amendments were denied a second reading and were accordingly rejected.

69. In the following months disputes over the enforcement of the law flared up from time to time, but the differences were left unresolved. Other difficulties arose which added fuel to the fire. The Government's grain collection programme was severely criticized in February 1949 when the Legislature banned compulsory purchase over the Government's protests. Even the Government's budget could only be passed with difficulty and with drastic cuts at the end of March, after many stormy meetings which were marked by charges of waste of funds.

#### *Local administration and land reform laws*

70. Disagreement over two other basic items of legislation, land reform and local administration,

was soon added to the foregoing differences. The second reading of a local administration bill which would have provided for the election of provincial governors, municipal and village officials was initiated at the 41st meeting of the regular session of the National Assembly on 26 February and completed at the 49th meeting on 9 March. It was provided that the law should become effective six months after promulgation. The law was transmitted to the President on 17 March. On 31 March, the law was returned to the National Assembly by the Prime Minister with a proposal that the date of promulgation be left to the President. By way of justification, the Prime Minister stated his opinion that the law was of minor importance compared with the problem of unification and that implementation of the law might aggravate the situation in the disturbed areas and endanger the security of the nation.

71. In the course of the debate which followed, the Government was taunted with not trusting the people, with believing that threats to security were to be rooted out only by means of mass arrests, torture, detention, theft and suppression, with being out of touch with the people, their misery and wants, and with seeking to control local affairs through pro-Japanese officials. The Minister of Home Affairs expressed plaintively his feeling that "the Assembly is apt to distrust the Executive".

72. At the 71st meeting on 4 April 1949, the question of maintaining the original date when the law was to have become effective came to a vote. The provision was sustained by a vote of 81 to 31 out of 167. A secret ballot resulted in a vote for retention of 82 to 80, with 5 absentions, out of 167.

73. The question then arose of the effect of this vote. Those who supported the original provision took the view that the return of the bill with a suggested modification was not a veto; that the Assembly, having voted the suggestion down, needed only to send the bill back. The effect of this would have been to make the bill law, the fifteen-day period for a veto having expired. On the other side, members of the Hankook Democratic Party argued that a two-thirds vote was necessary to sustain the original provision. The law was returned to the President, who returned it again toward the end of April. By a vote of 88 to 13 out of 145, the National Assembly declared the second return of the law illegal and sent it back to the President on 30 April. It then adjourned.

74. The law was again returned unsigned with a declaration that it was to be considered as abrogated under article 40 of the Constitution, since no final action had been taken on it at the session which enacted it. The effect of this would have been to require the Assembly to enact the law *de novo* and to give the President another opportunity to consider it. The Speaker of the National Assembly, Mr. Shin Ik Hi, stepped down from the rostrum on 30 May to attack the Government's procedure as a "cheap, ready-made veto".

75. The Land Reform Bill, which had been adopted by acclamation on 27 April, was returned by the President on 16 May with a notice that it had been abrogated for the same procedural reason as the Local Administration Law. The notice of abrogation was accompanied by a request for modification of some of its provisions.

The second special session of the Legislature had adjourned in the meantime. On 15 June, the third special session returned the bill unaltered by a vote of 97 to 19 out of 153, not quite a two-thirds vote. No further question was raised by the Executive, which promulgated the law on 22 June. At the same session presidential vetoes of an Emergency Food Law and of a Temporary Vested Properties Law were over-ridden by huge majorities, 128 to 1 and 132 to 3.

76. The Government in the meantime had offered to implement the Local Administration Law within the stipulated time if it were altered to give the President authority to appoint provincial governors and the mayor of Seoul. The National Assembly unexpectedly conceded this request by a vote of 79 to 55 out of 149 on 17 June. The law was promulgated on 4 July by the Government and is to become effective on 15 August 1949.

#### *Third special session of the National Assembly*

77. A series of incidents inflamed relations between the Government and the National Assembly in June. On 31 May, the Vice Minister of Home Affairs was questioned on the reasons for the continued forced exaction of contributions from the population of the provinces by the provincial governments and police. This illegal practice had grown to the dimensions of an important source of local public revenue. The Vice Minister, while agreeing that the practice was illegal and declaring that it had been ordered stopped, though without result, observed that the National Assembly had made no budgetary provision for the public obligations which these exactions were used to meet. On the following day, there was excited debate over the failure of the police to stop a mob which had beaten up a National Assembly member. On 2 June discussion of forced contributions was resumed. When word was received that the mob responsible for the previous day's outrage was seeking entrance to the National Assembly, a motion was made and carried by 82 votes to 61 to demand resignation of the entire Cabinet. The next day the same mob attacked the offices of the Special Investigating Committee. On 4 June 1949, there was severe legislative criticism of the Government's action in closing down the *Seoul Shinmun*, the largest metropolitan daily, for failing to follow Government directives.

78. A crisis stage was reached on 6 June, when the offices of the Special Investigating Committee were entered by the police "on superior order", the files seized and the special police disarmed, arrested and (so it was charged in the National Assembly) beaten. A motion renewing the demand for the resignation of the entire Cabinet and declaring that no Government measure would be considered until the demand had been met was carried by 89 to 59 votes. As already noted, the Assembly did, however, subsequently compromise with the Government on the Local Administration Law. On 21 June it adjourned.

79. It was in the light of the foregoing that Sub-Committee II of the Commission felt justified in reporting to the Commission on 18 June, and the Commission approved on 28 June, the conclusion that the continuing divergences of view between the Executive and the National Assembly regarding the implementation of the Constitution and the enactment of such important bills as the

Anti-Traitors Law, Land Reform Bill and Local Administration Bill were "a wholesome sign for the growth of democracy in Korea".

#### *Fourth special session of the National Assembly*

80. When the Assembly reconvened on 1 July 1949, some of the leaders of the opposition to the Government were no longer present. Three members of the National Assembly had already been arrested in May on charges of violation of the National Security Law. After the close of the third special session, seven other members, including Vice-President Kim Yak Soo, were arrested for the same reason.

81. The resignation of Vice-President Kim Yak Soo was accepted on 2 July by 99 to 0 out of 124. On the same day, a resolution to withhold for the time being application of the decision not to consider Government-initiated measures until the Cabinet resigned was carried by 103 to 1 out of 135.

82. In his speech at the opening meeting the President declared plainly that the Special Investigation Committee must depend on the Government to make arrests and added that, if the previous practices continued, he might set up another investigation committee. This declaration was followed the very next day by the resignation of almost all the members of the Special Investigation Committee and its staff. Newly elected members expressed reluctance to take up their duties and four of them soon resigned.

83. At the same time the National Assembly, by 74 to 9 out of 136, shortened the period for the initiation of prosecutions to 31 August.

#### *Amendment of the National Assembly rules*

84. Discussion of amendments to the National Assembly rules (Law No. 5), which had been submitted by the Government on 25 June 1949, was begun on 8 July 1949, and completed the following day, when the entire bill was passed.

85. The procedural dispute over the Government's handling of the Local Administration Bill appears to have been settled by two provisions in the new rules, one permitting the Government to submit amendments to a bill proposed by members of the National Assembly, the second providing that discussion of bills which have been returned to the National Assembly pursuant to article 40 of the Constitution shall continue at the next session so long as the tenure of the members lasts.

86. The amendments also establish a Negotiations Committee for the purpose of negotiating important issues regarding procedure. The Committee is to be composed of representatives of each party in the National Assembly in proportion to party numbers, which are determined on the basis of lists of affiliated members to be submitted by the parties. The Negotiations Committee may nominate members who want to speak on the floor and notify the Chairman of the National Assembly of its nominees. They are to be heard first. Closure of debate cannot be moved until all the persons so nominated have been heard. Each party is to elect members to standing committees in proportion to its numbers. For the purpose of disposing of special issues not within the purview of the standing committees, special committees are to be established with parties represented in proportion to numbers. Election to standing or special committees of

members without party affiliation appears not to be possible under the rules. It appears that no group with less than twenty members will be able to obtain representation in committees.

(e) *The Press and freedom of speech*

87. South Korean newspapers make up in vigour for their somewhat crude technical standards and immature journalistic practices. They report the news and comment at length on issues of interest. Coverage includes the activities of the United Nations Commission on Korea. In Seoul alone there are about thirty dailies and many weeklies. The provinces also have their own newspapers, but these have considerably less influence than the newspapers of the capital. None of the newspapers derives enough revenue from circulation or advertising to be self-sustaining.

88. A Press Law, dating from the year 1907 and generally regarded as obsolete and repressive, is still in force and was applied up to June 1949.<sup>60</sup> This Law has not yet been replaced by more suitable legislation, though the question of replacing it has been raised several times by members of the National Assembly.

89. In addition, the newspapers operate under the following directives issued by the Office of Public Information, an adjunct of the Prime Minister's office which, however, works closely with the President.<sup>61</sup>

"It is forbidden to print:

"(1) Articles contrary to the policy of the Republic of Korea;

"(2) Articles detrimental to the Republic of Korea;

"(3) Articles approving or protecting the Communist Party and the North Korean 'puppet' régime;

"(4) Articles reporting false facts for purposes of agitation;

"(5) Articles reflecting upon the relations of the Republic of Korea with friendly Powers and hurting the national prestige;

"(6) Articles agitating the public mind with an excitable tenor and news and, moreover, having a detrimental influence upon the public mind;

"(7) Articles betraying national secrets."

90. The Government has been somewhat nervous over the effect of critical Press reports and comments on the maintenance of law and order. The Government has closed seven important newspapers and one news agency in the period from September 1948 to May 1949; it is reported in all cases but one to have arrested the members of the respective editorial staffs.<sup>62</sup> The best known of these newspapers was the *Seoul Shinmun*, the largest daily in South Korea, which was closed by Government order on 3 May 1949, on the ground that it had failed to follow Government directives and to print Government releases in sufficient numbers. This action of the

Government was sharply questioned in the National Assembly on 2 June and following.

(f) *Maintenance of law and order*

91. In the brief history of the Republic, its most besetting problem has been the safeguarding of national security. In this, the Executive and the National Assembly, despite all other differences, have been of one mind. Perhaps the best evidence of this is the enactment of the National Security Law<sup>63</sup> in November 1948 by the National Assembly, the concession made to the Government in respect of local administration, and the acquiescence of the Legislature in the arrests of those of its members who had been charged with offences against the National Security Law.

92. The National Security Law makes it a crime to betray the Constitution by posing as a government or, "in collusion with a betrayer", to seek to consolidate or group together with the object of disturbing the tranquillity of the State. Propaganda or deliberate incitement to achieve the aim of such organizations is punishable, as is the giving of weapons, money, supplies or promises, voluntarily and with knowledge of the hostile nature of such organizations and groups.

93. According to a communication to the Chairman of the Commission from the Ministry of Foreign Affairs,<sup>64</sup> in the period from 4 September 1948 to 30 April 1949, 33,347 cases were handled under this Law and 89,710 persons were arrested. 28,404 persons were released, 21,606 were turned over to the Prosecutor's Office for further proceedings, 29,284 were transferred to a "security office", 6,985 were transferred to the Military Police, and action in the case of 1,187 was pending.

94. Mention has already been made of the arrest of ten Assembly members who, according to the communication from the Ministry of Foreign Affairs already mentioned, are charged with having organized a cell in the National Assembly under the direction of members of the South Korea Labour Party. It is also charged that large sums of money were received by some of these members of the National Assembly from the South Korea Labour Party for purposes of agitation.

*Cholla Namdo insurrection*

95. Shortly after the establishment of the Government of the Republic, a major insurrection took place in Cholla Namdo, one of the largest and richest provinces in Korea, located on the tip of the peninsula. The uprising started in Yosu and Soonchon on 19 October 1948. Led by some officers of the 14th Regiment of Korean constabulary, 2,000 soldiers scheduled for duty on the island of Cheju were joined by several thousand civilians in a revolt against the Government. The rebels occupied Yosu for three days and Soonchon for about a week before they were dislodged. They established people's committees and tribunals, which tried and executed about 500 government officials, soldiers, and other persons. The rumour was spread by the rebels that the north had invaded the south and that the Government of the Republic had fled from Korea. In the meantime, the riots spread to such other important counties as Kurye, Posong, Kwangyang, Hadong and Kokson. The Government used a large force to crush the rebellion and, in early Novem-

<sup>60</sup> A/AC.26/W.14 (see volume II, annex II, B).

<sup>61</sup> As reported to the National Assembly on 4 June 1949 by Mr. Kim Hyung Sun, Vice-Director of the Office of Public Information. On 17 June 1949, the newly appointed Director of Public Information issued a directive that the North Korean "People's Army" was to be referred to as the "Insurgent Army".

<sup>62</sup> These facts were reported by the Press when they occurred. See in particular: *Chosun Ilbo* of 14, 16, 19 September 1948 and 5 May 1949; *Seoul Shinmun* of 14, 15 October 1948 and 14 January and 6 March 1949.

<sup>63</sup> A/AC.26/W.15 (see volume II, annex II, C).

<sup>64</sup> A/AC.26/39.

ber, announced that the main rebel force in Yosŭ and Soonch'on had been annihilated. Guerrilla activities continued in southern Cholla Namdo until early 1949, when the last remnant of rebels was driven into the Chiri mountains. Official figures of the number of persons who participated in the rebellion or the number of troops used against them are not available. Official estimates of casualties and property damage show the scale of the uprising. From 20 October 1948 to 15 April 1949, 9,536 rebels were killed, wounded and captured; 504 soldiers and police were killed and 345 wounded. There were 11,000 investigations and arrests involving more than 23,000 persons; more than 80 per cent of those involved were found guilty. Property damage was estimated as over five billion *won*.

#### *Uprising in Cheju Do*

96. Strategic location, poverty, a traditional isolation and lack of sound local administration combined to make Cheju Island a likely centre for the activities of the South Korea Labour Party after liberation. The island, which is about 120 square miles in area and has a population of 300,000, became the scene of riots in April 1948 following the arrest and beating of persons suspected of being communists by police and members of the Northwest Youth Corps. Disturbances spread throughout the island and continued until early 1949, when the Government sent in a large force to pacify it. The operation was not completed until May 1949. Official figures indicate that more than 10,000 people took part. Nearly 2,000 were killed and more than 6,000 were captured. Casualties on the Government side are not available. Destruction was on a vast scale. Village after village was burned down and the damage to houses, livestock and crops was estimated at many billion *won*. Eighty police stations were attacked, burned down or damaged, fifteen Government offices and about twenty schools were burned down or partly destroyed. The police seemed to have been a particular object of attack; over one hundred of them were killed or wounded.

#### 6. EFFECT OF THE ECONOMIC DIVISION OF THE COUNTRY ON THE SOUTH

97. Despite the cut-off of electric power in May 1948, economic exchange between north and south continued until April 1949. According to the Bureau of Foreign Commerce of the Government of the Republic of Korea, South Korea imported from North Korea, in the year 1948, goods in the value of 1,206,786,250 *won*. In the same period, South Korea exported to North Korea goods to the value of 466,515,644 *won*. In the first three months of 1949, imports from North Korea were 531,558,700 *won* and exports were 302,721,500 *won*.

98. On 1 April, trade with North Korea was prohibited by the Government of the Republic. The reasons given were, first, that the North Korean régime was using the channels of trade for the introduction of subversive propaganda, and secondly, that the North Korean régime had confiscated a ship and cargo coming from a South Korean port to Pyongyang for purposes of barter in December 1948, and that the northern régime could not, on the basis of this experience, be trusted not to confiscate other goods that might be sent. In addition to the legitimate trade cut off at the beginning of April, there has also been

a certain amount of illegitimate trade, much of which was carried on and continues to be carried on via the costly and roundabout route through Hong Kong.

99. The effects of the division of the country and of the loss to the Republic of its natural supplier of power, coal and fertilizer are evident on every side. It has had the effect of requiring the diversion of a substantial part of the national revenue (nearly 15 per cent in the fiscal year 1949-50) to increased expenditures for national defence and internal security. It has meant the expenditure of a significant portion of ECA aid on the production of power, the purchase of equipment and construction of facilities to increase coal production for use in thermal power plants and industry, the import of nitrogenous fertilizer, of chemicals and of sulphite pulp for paper manufacture, the building of an oil refinery which duplicates one in the north, and the like.

100. Without the aid granted by the United States through ECA, the Republic could not make ends meet for a number of years to come. With that aid, it hopes to be on a self-sustaining basis by 1952, but its standard of life at that time will be lower than it might enjoy if the country were united. It is estimated that if the country were not divided, exports and imports could in a short time be balanced at about \$80 million annually.

101. The all-out struggle to increase production, which is necessary if the Republic is to survive the division of the country, has to be made in the face of serious inflation, insufficient and seriously depleted capital plant, worn-down transportation equipment, shortages of consumer goods, and a general nervousness concerning the future. Wages have not kept pace with prices, and the latter have risen substantially, particularly in respect of rice. Agriculture remains the major occupation of the country and absorbs the activities of 80 per cent of the population. While the institution of the last phase of land reform should quiet farmer discontent to a degree, the failure of the Government's grain collection programme indicates a certain tension between town and country which a greater abundance of consumer goods might relieve. The general economic stringency under which the Government has to plan the economic development of the country, however, makes the satisfaction of this want difficult, although the importation of cotton textiles is in some measure an attempt to meet this demand. The rural areas could probably supply a larger industrial labour force with profit to town and country alike, but as yet industry is not sufficiently developed to absorb any large number of migrants from the farms. The shortage of fuel caused by the division of the country has resulted in overcutting of timber resources. In seeking to correct this, the Government must allocate a substantial portion of the proceeds of private export trade to finance the import of bituminous coal and of wood. A united Korea would be on an export basis in respect of coal. The fishing industry, which once provided an important part of the national food consumption and some export revenue, suffered badly as a result of the war and is only being rehabilitated slowly because of lack of fishing vessels. Paper production is one-tenth of what it was before liberation. Transportation facilities are in serious need of repair and extension.

102. Despite enormous obstacles, the Republic has, however, made significant increases in basic

production, notably in coal and electric power. Anthracite mined in Government-financed mines in 1946 was about 250,000 metric tons. Production thus far in 1949 gives ground for belief that 1,200,000 tons will be produced this year. The goal for 1950 is 2 million tons. This increase in coal production has been accompanied by a significant growth of power production. From a monthly production of little over 18,000 kilowatts in 1945, power generated in South Korea increased to more than 78,000 kilowatts in March 1949 and was going up rapidly.

103. Korea's foreign trade has been principally with Hong Kong, which accounted for over 75 per cent of total imports and the greater part of total exports. This trade shows a tendency to decline, however, while exchange between Hong Kong and North Korea is increasing. The recently concluded trade agreement with Japan signifies the renewal of an old established trade connexion. While most imports are financed through ECA funds, the Government will use the pro-

ceeds of private export trade to finance imports of bituminous coal itself.

104. The revenue side of the Government budget of 211 billion *won* for the 1949-50 fiscal year exhibits some of the difficulties under which the development of a viable economy in the South labours. The principal income of the Government will be derived from governmental enterprises and public services rather than from the taxation system, which will yield only about 11 billion *won* and needs drastic reform to provide additional revenue and to check inflationary pressure, much of which comes from within the Government itself.<sup>65</sup> Payments of nearly 15 billion *won* to Government personnel mark an increase in 1949 of about 50 per cent over 1948, though the number of Government officials had been reduced from 134,000 in the latter year to 116,000 in 1949. Currency in circulation is over 40 billion *won* and this year is likely to increase since the budgetary deficit of nearly 30 billion *won* will have to be met by further borrowings from the central bank.

## Chapter IV

### SUMMARY, ANALYSIS AND CONCLUSIONS

#### A. Efforts of the Commission to implement the General Assembly resolution of 12 December 1948

##### 1. UNIFICATION

##### (a) *Efforts of the Commission to gain access to the north*

1. The Commission was no sooner established in Seoul than it began to consider means of obtaining access to the north. For that purpose, it sought to obtain the good offices of the Union of Soviet Socialist Republics; it addressed a letter to General Kim Il Sung by various routes; it made repeated broadcast appeals to the north for facilities to permit a visit. All its efforts have met with failure, because until now there has been no response to these attempts of the Commission to contact the north.

##### (b) *Korean proposals for unification*

2. The Government of the Republic has proposed that the Commission approach the USSR to urge it to withdraw its troops from North Korea, to disband the North Korean régime and security forces, and to allow the Government of the Republic to assert jurisdiction in the northern zone. The accomplishment of the foregoing would be followed by elections in North Korea under the observation of the Commission.

Persons outside the Government have presented to the Commission suggestions in various forms for the initiation of discussions between representatives of north and south looking to unification. No suggestions for the solution of the practical questions involved in the initiation of such discussions have been put forward. Moreover, all such suggestions have been opposed by the Government of the Republic. The Commission has

limited itself to a public expression of its readiness to assist in any discussions initiated by representatives of north and south under conditions offering assurance that they would be meaningful.

3. All proposals emanating from the north concerning ways of achieving the unification of Korea have been based on principles inconsistent with the General Assembly resolutions of 14 November 1947 and 12 December 1948 and, procedurally, have involved the exclusion of the United Nations from any part in their realization. The question of action by the Commission in respect of such suggestions has not arisen.

##### 2. INTEGRATION OF SECURITY FORCES

4. In view of the inability of the Commission to make progress in the performance of its duties on the political level, it has not been possible to seek to bring about accord in respect of the integration of the security forces of north and south.

##### 3. THE 38TH PARALLEL — A BARRIER TO FRIENDLY INTERCOURSE

5. The Commission has been unable to set on foot measures to facilitate a reduction of barriers to the beneficial exchange of goods and services and to other friendly intercourse between north and south because of the suspicion which prevails between their respective régimes. The Government of the Republic has now outlawed trade as an instrument of subversive prop. ganda and an exchange of views with the north on this or any other subject has not been possible.

6. The border is becoming the scene of increasingly frequent exchanges of fire and of armed raids along the 38th parallel. According to infor-

<sup>65</sup> An income tax law was enacted on 12 July 1949 and promulgated on 15 July. A law for the establishment of local revenue offices was enacted on 19 July.

mation received from United States military authorities, some of the raids from the north were set on foot for the purpose of introducing groups of trained *saboteurs* into the territory of the Republic.

7. The People's Republic has been recognized by the USSR with which it maintains diplomatic relations. Much publicity has been given to a recent visit of General Kim Il Sung to Moscow and to the evidences of esteem shown him. It is reported that an agreement for economic aid and cultural exchange was concluded in the course of this visit.

8. All these events have tended to fortify the 38th parallel in its character as a barrier to the friendly intercourse of the people of Korea with each other.

#### 4. FURTHER DEVELOPMENT OF REPRESENTATIVE GOVERNMENT

9. The Commission has held itself available to the Government of the Republic of Korea for consultation in the further development of representative government. The Government of the Republic, which takes the view that the Commission's functions in this regard have relevance only north of the 38th parallel, has not required the Commission's services in this respect in the south. The Commission has, however, studied the problems of representative government in the Republic and has heard the views of Government officials, experts and organizations on the subject. It has also made enquiries concerning the structure of government in the north and the means of extending representative government there.

#### 5. WITHDRAWAL OF OCCUPATION FORCES

10. The Commission has fulfilled, in respect of the occupation forces of the United States of America, the duty laid upon it by paragraph 4 (d) of the General Assembly resolution of 12 December 1948, to observe the withdrawal of the occupation forces of the occupying Powers. The withdrawal of United States occupation troops was completed on 29 June 1949, under the observation of the Commission, which has since verified the fact of their withdrawal. While unable to verify the disposition made of the military equipment belonging to the United States, which was not withdrawn with its troops, the Commission is satisfied that all of this has been transferred to the Korean security forces and that none of it remains under the control of the United States.

11. The Commission has signified to the USSR, through the Secretary-General of the United Nations, its readiness to carry out in respect of the occupation forces of that Power the duties imposed by paragraph 4 (d) of the General Assembly resolution of 12 December 1948. The Commission has received no reply to the message transmitted to the USSR on its behalf.

### **B. Factors affecting the implementation of the General Assembly resolution of 12 December 1948**

12. The Temporary Commission, in the second part of its report to the General Assembly, had expressed a doubt whether the developments which it reported constituted a progress in the situation which existed on 14 November 1947, when

the General Assembly adopted its first resolution on the Korean problem, and on 26 February 1948, when the Interim Committee made its recommendations. Of these developments, the chief one was the establishment of rival political régimes in the two zones into which Korea is divided. The Temporary Commission had stressed the urgent need for setting up some procedure for peaceful negotiations before military evacuation of the occupying forces had abandoned Korea to the arbitrary rule of rival political régimes whose military forces might find themselves driven to internecine warfare. The Commission had refrained from going further and defining methods for peaceful relations between the governments of North and South Korea, because that task was believed to be futile so long as the opposing ideologies and policies to which those governments subscribed continued in opposition to each other with ever-increasing violence in all parts of the world where they confronted each other. The Commission looked to the General Assembly for an answer to this basic difficulty.

13. The Temporary Commission, in the first part of its report, declared that it had concluded that the holding of elections in the southern zone of Korea would be a step in the re-establishment of the independence of Korea, and reported that the elections held on 10 May were a valid expression of the free will of the electorate in those parts of Korea which were accessible to the Commission and in which the inhabitants constituted approximately two-thirds of the people of all Korea.

14. The General Assembly approved the conclusions of the Temporary Commission, both those offered in the first part and those stated in the second part of the report. It recorded its concurrence in the conclusions stated in the first part of the report by declaring that there had been established a lawful government (the Government of the Republic of Korea), having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult and in which the great majority of the people of all Korea resided; that this Government was based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this was the only such government in Korea (paragraph 2 of the resolution of the General Assembly of 12 December 1948).

15. The General Assembly gave effect to the conclusions stated in the second part of the report by establishing the present Commission. It charged the Commission to "have in mind the status of the Government of the Republic of Korea as defined by the General Assembly"; at the same time that it was to "lend its good offices to bring about the unification of Korea".

16. In the opinion of the present Commission, its predecessor had not misread the omens. The problem of Korean independence and unification has been increasingly prejudiced by the consolidation of the rival political régimes which had emerged when the Temporary Commission reported last year.

17. The Government of the Republic of Korea had just come into being when the Temporary Commission finished its principal labours in Korea. The present Commission, however, found

a Government actively administering its territory in full awareness of its independent sovereign status.

18. That Government had informed the Korean public, even before the Commission came to Seoul, that the resolution represented an acknowledgment of the claims made by the Government's representative at the first part of the third regular session of the General Assembly in Paris. The Commission saw no need to engage in discussion with the Government over the question whether the General Assembly had approved the claim of the Government to be the lawful authority of all Korea, or of only that part lying south of the 38th parallel. This could only have added to the difficulties of the Government, without evident advantage to the cause in which the Commission was labouring.

The Government has not abated in any respect the claims which it put forward at Paris. It has maintained inflexibly the contention that the northern régime has been outlawed by the General Assembly and that the Commission, like the Government, ought therefore to refrain from dealing with it. It has insisted that the Commission was authorized to deal only with the USSR in respect of North Korea in order to persuade the Soviet Union to dissolve the northern régime and to permit the Government of the Republic to hold elections in the northern zone under the supervision of the Commission.

19. The form in which the Commission's powers were cast did not strengthen its position *vis-à-vis* the Government. The Commission was "to lend its good offices"; it was "to be available for observation and consultation"; it was to "seek to facilitate"; all attributes of an intermediary, who cannot function in the absence of demands for the services authorized to be performed. It has been noted elsewhere in the present report that the Government of the Republic has not recognized that paragraph 4 (c) of the General Assembly resolution had any application to itself, and for that reason has not called on the Commission for help of any kind in meeting the developing problems of representative government. It has not called on the Commission for assistance in initiating or conducting negotiations or, indeed, any preliminary exchange of views with North Korean leaders. It has not required the services of the Commission for the purpose of exploring the practical possibilities of a reduction of other than political barriers. In the absence of an initiative from the Government, the Commission has had no opportunity to open the armoury of its own powers.

20. In barring *ab initio* any idea of discussion with northern leaders of the basis for the creation of an all-Korean régime, the Government has indicated that in its view the Commission had been sent to Korea for the sole purpose of lending its good offices to the Government of the Republic of Korea in vindication of the latter's claims. Acceptance of that view would have made it impossible for the Commission to have undertaken the role which the Temporary Commission had in mind in pressing urgently for the institution by the General Assembly of machinery of negotiation between the rival political régimes, and which the General Assembly assigned to the Commission in December 1948.

The differences with the Government have not alone, or even chiefly, been at the root of the lack of achievement which the Commission is obliged to report. The problems created by the differences between the Government and the Commission never became real, because the Commission was unable to establish contact with the north.

21. From north of the parallel the Commission has been a target of defamation and inflammatory attacks, which have not been without effect and counterpart in the south. The most courteous appeals for facilities that would permit a visit to the north and allow the initiation of preliminary and tentative exploration of the subject of unification have been ignored. Every channel of communication has been employed without avail. The USSR, requested through the Secretary-General to lend its good offices to establish contact between the Commission and the north, has not acknowledged the communication. Transmission of a message directly to General Kim Il Sung through shipping channels via Hong Kong has been without result. Transmission of the Commission's request through a weekly mail exchange between north and south has elicited no response. Repeated radio broadcast appeals have been equally without reply, unless the systematic vituperation of the Pyongyang radio was such.

## C. Present status of the Korean problem

### 1. FERVENT DESIRE FOR PEACEFUL UNIFICATION

22. The Government has not only made clear that it would not participate in official discussions with the north looking to unification, but has also indicated that it frowned on unofficial efforts in this behalf. It has made clear that it views any suggestions for north-south discussion, even of an unofficial and most tentative kind, as a form of disloyalty. In the face of this attitude, the Commission has not felt free to encourage extra-governmental efforts of contact.

23. The Commission, moreover, has not felt that the proposals of the extra-legislative opposition to the Government led by Mr. Kim Koo and Mr. Kimm Kiusic for the initiation of north-south discussions in a conference, or by some other means, merited encouragement. Consistently with the view they took when the question of participation in the 10 May 1948 elections was under consideration, the leaders of the opposition are not deterred by the results of these elections from favouring new elections in the north and south. The Government has always regarded the conference proposal as a communist trick designed to bring about public discord and confusion. The experience of the so-called "North-South Conference" of last year certainly goes far to confirm this belief. The suggestions which the Commission has heard from those who favour a new conference have impressed it as vague and wishful. The difficult questions involved in such a conference have either not been faced or have found no answer. The means of making such a conference truly representative, the status of the participants, the questions with which they would deal, the procedure to be employed for giving effect to any agreement that might be reached, all these problems have been evaded by those who advocated such a conference.

24. Despite the failure of the "North-South Conference" of April 1948, the idea of a renewed attempt in this direction still persists in some quarters. The Government appears to have underestimated the hold on the imagination of the people of Korea of the idea that Korea's difficulties could be overcome if leaders of north and south would sit down together and seek a common answer to its problems. The propaganda agencies of the northern régime have been able to make much political capital by appropriating the idea of a conference. It is they who have been able to make play with the slogans of the "people's democracy", the "fatherland front", a "conference" of delegates from political parties and social organizations of South and North Korea. The latest move in that direction from the north has been a "Manifesto" of the Democratic Front for the Attainment of Unification for the Fatherland.<sup>66</sup>

25. The Republic still labours under the disadvantage of political division, which began with the difference of view over the question of the 10 May 1948 elections. The Government has made no effort to heal this breach. Instead of mobilizing the strength of the patriotic opposition behind itself and presenting to the north the spectacle of a vigorous and united Republic, it faces the 38th parallel at the head of a divided people.

## 2. LACK OF A SPIRIT OF COMPROMISE

26. The Republic is a result of free elections and the expression of a people's will. Psychologically, if not materially, the activities of the north have compelled the Republic to go on a war footing, and this spiritual mobilization has to some extent brutalized the conduct of government and engendered suspicion of those who remain independent and critical of spirit. This comes at a time when the feeling for freedom in the sense of the association of liberty with responsibility has hardly broken through the millennial tradition of government from above, or else has not advanced beyond the level of license. The north has troubled the relative calm which is needed for the psychological and social translation of the laws of liberty into the practice of freedom through a careful nurture of procedural and institutional growth.

27. The failure of the north to respond to the Commission's appeals is only one sign of its contempt for the international community's efforts to obtain a peaceful solution of the Korean problem on the basis of the principles announced in the two General Assembly resolutions.

The northern régime is the creature of a military occupant and rule, by right of a mere transfer of power from that Government. It has never been willing to give its subjects an unfettered opportunity, under the scrutiny of an impartial international agency, to pass upon its claim to rule. The claims to be a "people's democracy" and its expressions of concern for the general welfare are falsified by this unwillingness to account for the exercise of power to those against whom it is employed.

Professions of devotion to Korea and of a desire for unity are many, but are belied in action. The cutting-off of electric power had grave effects on the morale and economy of the south. The armed attacks along the border serve no legitimate purpose and are unfortunate, since the people on both sides of the parallel are Korean.

The activities of the north reach deep into the territory of the Republic to mislead those whose grievances are legitimate enough into struggling for ends which they do not understand and which have nothing in common with their own purposes. To provoke small groups of harassed people into taking up hopelessly crude arms against those in authority in the hope of ending their troubles is utterly irresponsible.

28. The suspicion engendered by mutual rivalry and conflicting claims to supremacy has not only pinioned the spiritual freedom of the Korean people, it has also resulted in the blocking up of the normal channels of trade for fear that previous experience would be repeated and that along them would flow not only goods, but propaganda. In this respect, also, the objectives of the General Assembly have been defeated. The Commission must report that until now it has met opposition from the Government of the Republic to suggestions for a renewal of economic exchange, while it has never been given an opportunity of making proposals to that end to the north. Hence, it has been able only to make public an expression of its readiness to assist in a resumption of legitimate trade on a trial basis.

## 3. GROWING MILITARY STRENGTH IN NORTH AND SOUTH

29. There is much military posturing on both sides of the parallel. This holds a serious danger of provoking open military conflict. Military conflict in Korea would mean the most barbarous civil war. The USSR continues to refuse to have any dealings with the Commission; it lends countenance to northern leaders in bellicose utterances and in a refusal to consider ways of adjusting existing differences on any plane of relations between north and south. In this connexion, note should be taken of the fact that the North Korean régime has recently concluded a treaty with the USSR. It is reported that an agreement for military aid has been concluded between North Korea and the Chinese communist forces in Manchuria.

Border raids from the north are frequently reported and are said to be increasing in intensity. The Commission, on one occasion, has itself seen a contest for hills in the vicinity of the parallel. The scale of such conflicts is small. The Commission is not in a position to judge what they portend, though it can testify that they upset the peaceful routine of the countryside and cause unnecessary loss of life. The propaganda efforts of dissension and subversion have been stepped up.

30. All this induces equal and opposite reactions in the south. The Government is hastening the pace of its military preparations and is pressing the United States for military aid beyond that already received. United States military personnel advise and assist in the training of the Republic's forces, as on the other side of the parallel military personnel of the USSR reportedly perform like services for the northern forces.

## 4. INTERNATIONAL POLITICAL CLIMATE

31. Running through the diverse opinions concerning the solution of the problem of Korea which the Commission has heard is a general belief that the USSR and the United States are responsible for the present plight of the country and have left it in the lurch. An equally general

<sup>66</sup> See volume II, annex IV, C.

opinion is that the problem cannot be solved until the two Powers take steps in concert to lift the barrier at the 38th parallel and restore to Korea the independence and unity which were promised at the Moscow Conference of Foreign Ministers in December 1945.

The Government of the Republic claims that the USSR still exercises decisive control over the régime in the north. It has expressed the opinion that the problem of Korea can be solved if the USSR will withdraw its protection from the northern régime and allow the people of North Korea to give expression to their hidden loyalty to the Republic. From the United States, the Government of the Republic expects, as a matter of obligation, military and economic aid for defence against the menace of aggression and invasion from the north.

32. Recent events in Asia have induced nervousness in the territory of the Republic, and emboldened propaganda from the north. These events have been cited by the Government of the Republic as a reason why the defence of the Republic should become a United States commitment. The Korean Press carries frequent reports from Washington of requests by the Government of the Republic for arms and other military aid from the United States. In June and July many mass meetings and parades were held to protest against the withdrawal of American troops and to demand arms for defence. The President of the Republic has on several recent occasions insisted that the United States had a responsibility for the future of the Republic and should assist the countries of the Pacific to close ranks in a Pacific Pact against the dangers that threaten them.

33. Underlying the prevalent belief that the Korean problem cannot be solved without prior accord between the USSR and the United States is a general scepticism concerning the ability of the United Nations to find a solution to the Korean problem, although this by no means signifies that the presence of the Commission is not found useful in other respects. In appraising the reasons for its own failure to accomplish the task with which it had been charged, the Commission may take note of factors having a decisive bearing on that lack of success. Among these, the relations between the USSR and the United States continue to be the largest single, and perhaps decisive, factor contributing to the growing hardening of relations between north and south.

#### D. Conclusions

34. The people of Korea are remarkably homogeneous. Ethnically and culturally they are one. They have a passionate longing for unity and independence and have a profound desire for the peaceful unification of their country.

The division of Korea has resulted in adverse economic consequences in the south, the only part of Korea to which the Commission has had access. The aftermath of the Second World War would have made the need for outside aid urgent in any case. But if the country were united, the south would not require such aid in the same degree and would be able to stabilize its economy more easily and at a higher level.

The division of Korea has caused bitterness, frustration and mutual distrust among its people.

The frequent raids along the 38th parallel have further accentuated these feelings. The division of Korea was caused by the exigencies of the Second World War. There is no justification for the continued separation of the two parts of the country.

The Republic of Korea looks to the United Nations for the solution of many of its problems, for it feels that the Republic is in some sense a creation of the United Nations. In the opinion of the Government, as evidenced by its request that the stay of the Commission in Korea be prolonged for another year, the presence of the Commission has been a stabilizing factor in the situation.

35. Bearing in mind these fundamental considerations underlying the Korean problem, the United Nations Commission on Korea has reached the following conclusions:

(1) The embittered propaganda and hostile activities which now mark the relations between the two parts of Korea render the prospect of unification more and more remote.

(2) As long as the opposition of the Union of Soviet Socialist Republics to the efforts of the United Nations Commission to achieve the objectives of the General Assembly resolution of 12 December 1948 continues, neither a relaxation of hostile propaganda nor any other measure can facilitate to a substantial degree the achievement of unification.

(3) The world-wide antagonism between the Union of Soviet Socialist Republics and the United States of America continues to be, as it was when the Temporary Commission was in Korea, one of the basic factors underlying the present difficulties. Without a new effort by those Powers to reach agreement on the question of Korea, no substantial progress toward the achievement of unification on the basis of the principles approved by the General Assembly can be made.

(4) From its very inception, the newly formed Republic of Korea has been confronted with many difficulties. It faced insurgent uprisings from within and was menaced by continuous clashes on the 38th parallel. While making due allowance for these factors, the Commission believes that a broadening of the Government's political base would allow it to meet these difficulties more successfully and so enable it to play a more effective part in achieving unification.

(5) The present Commission, like its predecessor, must place on record an acknowledgment that the situation in Korea is now no better than it was at the beginning, and that it has not been able to facilitate the achievement of the objectives set by the General Assembly.

*Done in a single copy in the English language at the Duk Soo Palace, Seoul, Korea, this twenty-eighth day of July in the year nineteen hundred forty-nine.*

Representative of:	(Signed)
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