



**ADDENDUM TO THE REPORT  
OF THE  
UNITED NATIONS COMMISSION  
FOR THE  
UNIFICATION AND REHABILITATION  
OF KOREA**

**GENERAL ASSEMBLY**  
OFFICIAL RECORDS : SEVENTEENTH SESSION  
SUPPLEMENT No. 13A (A/5213/Add.1)

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**UNITED NATIONS**

*New York, 1963*

#### N O T E

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# ADDENDUM TO THE REPORT OF THE UNITED NATIONS COMMISSION FOR THE UNIFICATION AND REHABILITATION OF KOREA

## A. Elections in North Korea<sup>1</sup>

1. According to radio and Press reports available to the United Nations Commission for the Unification and Rehabilitation of Korea, general elections for the "Supreme People's Assembly" were held in North Korea on 8 October 1962. Candidates for the elections in 383 constituencies were unopposed and, as reported by Pyongyang radio on 10 October, 100 per cent of those on the register of electors voted<sup>2</sup> and all of them cast their votes for those unopposed candidates.<sup>3</sup>

2. In its Press release of 1 September 1962, the Commission reiterated that under its terms of reference (by virtue of which it is available for observation and consultation throughout the country), it would "continue to watch closely with great interest the development of representative government in Korea".

3. The persistence of the North Korean authorities in their non-acceptance of established United Nations principles on Korea has so far precluded observation of elections in the north by the Commission as authorized by the General Assembly.

## B. Alleged plots against the Government<sup>4</sup>

4. The Commission in its main report had stated<sup>5</sup> that it was closely following developments concerning these cases and would report further to the General Assembly, should it feel the necessity of doing so. It had noted in particular the trial of former Prime Minister Chang Myun.<sup>6</sup>

5. On 12 October the Army Chief of Staff, in exercise of the authority vested in him under the Court Martial Law to commute or absolve a sentence of a military court martial, granted an exemption to Chang Myun from serving his sentence. An Army spokesman said that this action was taken in recognition of Chang Myun's "devoted services to the nation immediately after the birth of the Republic, as a chief delegate to the United Nations and Ambassador to the United States, as well as his repentance".

6. This exemption was given a few days before the expiration of the time-limit available to Dr. Chang Myun to appeal against his initial sentence of ten years'

<sup>1</sup> See *Official Records of the General Assembly, Seventeenth Session, Supplement No. 13 (A/5213)*, paras. 14-24.

<sup>2</sup> Earlier elections were held on 25 August 1948 and 27 August 1957; see *ibid.*, *Thirteenth Session, Supplement No. 13 (A/3865)*, para. 8.

<sup>3</sup> In the 1957 elections, according to broadcasts over Pyongyang radio, the number of constituencies was 215 and the percentage of the electorate voting for the candidates was reported to be about 99.96.

<sup>4</sup> See *Official Records of the General Assembly, Seventeenth Session, Supplement No. 13 (A/5213)*, paras. 45-49.

<sup>5</sup> *Ibid.*, para. 49.

<sup>6</sup> *Ibid.*, para. 48.

imprisonment. Though sparing him from further punishment, the exemption did not eradicate the verdict of guilt. He was released from prison on bail on 15 October. In order to establish his innocence, Dr. Chang Myun lodged an appeal on 18 October to a higher court, namely the General Court Martial. The appeal had not been dealt with at the time of the submission of the present report.

## C. Main political developments relating to the forthcoming return of the government to civilian control

7. In its report submitted to the seventeenth session of the General Assembly, the Commission noted that in this year, different from former years, it had observed developments and the preparations for the return to civilian representative government rather than the direct functioning of such a government.<sup>7</sup>

8. Following the promulgation by the Government of the Republic of Korea, on 12 October, of the National Referendum Law and its Enforcement-Decree, General Park Chung Hee, Acting President of the Republic of Korea, formally proposed on 6 November a draft of constitutional amendments. The Constitutional Amendments Bill contains 121 articles and nine supplementary rules.<sup>8</sup> The people are to vote for or against it in a national referendum to be held on 17 December 1962, after the required thirty-day period of public notice. During this period, intensive efforts will be made by the Government throughout the country to explain the proposed Constitutional Amendments Bill.

9. The Constitutional Amendments Bill gives substance to the guiding principles indicated in the Commission's main report.<sup>9</sup> *Inter alia*, it gives legal protection to the rights and duties of citizens as human beings, including freedom of speech and the Press.

10. The organs of government include a President, as head of the Executive (to be nominated as a member of a political party and elected by the people); a State Council (to be headed by a Prime Minister nominated by the President) which will deliberate on important policies that fall within the powers of the Executive; and a National Assembly of 150-200 members which will be nominated by political parties and elected by the people for a term of four years. A National Security Council is to be established under the chairmanship of the President to advise him on the formulation of foreign, military and domestic policies related to national security.

<sup>7</sup> *Ibid.*, para. 36.

<sup>8</sup> An English version of "The Constitution of the Republic of Korea as submitted to National Referendum for Amendments" was released in Seoul on 7 November 1962.

<sup>9</sup> See *Official Records of the General Assembly, Seventeenth Session, Supplement No. 13 (A/5213)*, para. 55.

11. The Bill contains provisions for a Supreme Court and other courts at specific levels, and for the protection and independence of the judiciary.

12. For the purpose of fair management of elections, it is proposed to have election committees at all levels. The terms of office of the committee members have been guaranteed with certain safeguards. The Central Election Committee is further authorized to draw up regulations within the limits of the law. Election committees at each level are required to conduct election campaigns as determined by law. The Bill stipulates that equal opportunity during election campaigns shall be guaranteed.

13. The Bill provides for an economy based on social justice and respect for the freedom of the individual. There is also a provision that "private enterprises shall not be transferred to the State or public ownership nor shall their management be controlled or administered by the State except in cases determined by law to meet urgent necessities of national defence or national economy",<sup>10</sup>

14. At the invitation of the Government of the Republic of Korea, the Commission, within its terms of reference, has decided to make an observation of the

<sup>10</sup> The Constitution, as amended, will be the subject of further description in the Commission's report to the General Assembly at its eighteenth session.

forthcoming national referendum with a view to preparing a report of observation to the General Assembly. Similarly, the Commission intends to observe, in cooperation with government authorities, the forthcoming presidential election and the general elections scheduled for 1963.

\* \* \*

This addendum to the annual report is transmitted to the Acting Secretary-General for submission to the General Assembly at its seventeenth regular session pursuant to the provisions of sub-paragraph 2 (c) of resolution 376 (V) of 7 October 1950.

DONE at Commission Headquarters, Seoul, Korea, this nineteenth day of November, one thousand nine hundred and sixty-two.

(Signed) John D. PETHERBRIDGE, *Australia*  
R. SUÁREZ BARROS, *Chile*  
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