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Chairman: Mr. Francisco URRUTIA (Colombia).

AGENDA ITEM 17

The Korean question:

(a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea (A/2711, A/2786, A/C.1/L.116, A/C.1/L.117, A/C.1/L.118, A/C.1/L.119) (*continued*)

At the invitation of the Chairman, Mr. Y. T. Pyun, representative of the Republic of Korea took a place at the Committee table.

1. Mr. SOHLMAN (Sweden) stated that in the report of the United Nations Commission for the Unification and Rehabilitation of Korea (A/2711) a question had been brought up which closely concerned the Swedish Government. Paragraphs 16-18 of the report mentioned criticism directed against the Neutral Nations Supervisory Commission by the Government of South Korea. The gist of the criticism was that, while the Republic of Korea and the United Nations Command were subject to the closest inspection, there was no effective supervision in North Korea.

2. Undoubtedly the supervision in North Korea had been much less extensive than in South Korea. Inspection teams in the South had been working at the airports and harbours within the control areas, while in the North they had until recently received few reports from the North Korean and Chinese Command on the rotation or replacement of military personnel or combat material. Thus, they had only made short visits to the inspection areas for the purpose of spot check controls. The Commission, therefore, had obtained a more complete picture of the situation in the South. The Swedish Government disclaimed, on behalf of its personnel at the Commission's disposal, all responsibility for deficiencies in supervision. The shortcomings in supervision could, to a considerable extent, have been avoided if the relevant rules of the Armistice Agreement had been different.

3. He recalled that the opposing military commands had agreed upon the establishment of two neutral commissions: the Neutral Nations Repatriation Commission was to deal with the question of prisoners of war and the Neutral Nations Supervisory Commission was

to supervise the observance of the Armistice Agreement. Czechoslovakia, Poland, Sweden and Switzerland were represented on both commissions. India had served as a fifth member and chairman of the Repatriation Commission, which had concluded its work and had been dissolved. The period of activity of the Supervisory Commission was also to have been limited, i.e., until such time as the political conference had arrived at a final settlement. The political conference had not been convened within the time recommended in the Armistice Agreement. Plans for such a conference had later been realized by calling the Korean Political Conference at Geneva, which had not settled the question. Thus, the Supervisory Commission was still functioning.

4. Before the Conference, the Governments of Sweden and Switzerland had approached the Governments principally concerned on the subject of the fact that the duration of the Commission's task had become longer than had been originally intended. The Swedish Government thus had pointed out in an *aide-mémoire* that if the Geneva Conference were to lead to the termination of the Supervisory Commission's task within a reasonable period, Sweden would be willing to continue its participation. On the other hand, if no results were to be achieved and the Supervisory Commission were consequently maintained, Sweden's continued participation would have to be re-examined.

5. In that *aide-mémoire*, the Swedish Government had intimated that the rules governing the activities of the Commission were unsatisfactory. It had pointed out the following shortcomings: first, that the Supervisory Commission had only four members, and if two of them opposed the other two, no decision could be taken. Consequently, it had become paralysed on occasions when it should have taken action. Secondly, the Agreement limited the Commission's regular supervisory activities to five ports of entry on either side. In South Korea those ports seemed to be those through which the overwhelming part of the exports and imports passed, while in North Korea three of the ports remained inactive. Rotation and replacement had taken place only through two ports located on the frontier between North Korea and China. That was unsatisfactory, especially as four railroads connecting North Korea with China crossed the border at points at which no permanent inspection teams were permitted.

6. The Armistice Agreement provided that mobile teams should be dispatched to investigate reported violations outside the prescribed ports of entry. That provision had been interpreted to imply that a special decision of the Commission was required before a mobile team could be dispatched. If a majority decision could not be reached, the request for special investigation had been rejected. On such questions the vote had often been tied. Consequently, there had been no control in the territories between the ports of entry for many months. That was particularly the case in North

Korea. The Armistice Agreement did not give the Commission the necessary powers to carry out effective control. In fact, it emphasized the obligations of the opposing sides rather than the control to be carried out by the Commission. Thus both sides had the right to introduce into Korea an unrestricted number of personnel for "temporary duty", but the inspection teams, when counting personnel who were being unloaded, had to accept the report of the side concerned as to the number of those arriving for permanent duty.

7. It had never been envisaged that the work of the Commission should continue for an indefinite period. It was unsatisfactory for a small country like Sweden to engage a large number of qualified personnel in a task which could not be accomplished. The most satisfactory solution of the question would be for the Armistice Agreement to be superseded by a final settlement.

8. Turning to the report on the Korean Political Conference at Geneva (A/2786), he recalled that the sixteen Powers had pointed out that they had been guided by two main principles. One concerned the authority of the United Nations and the other the guarantee of free elections. Settlement seemed to have foundered on the widely diverging views concerning those two questions. A peaceful settlement presupposed that the parties tried to settle the various questions at issue in a practical manner. While the new China did not recognize the authority of the United Nations, it should not be overlooked that the United Nations did not recognize the Chinese regime. The Peking Government could not be expected to be bound by the Charter of an organization that refused to recognize it as a member.

9. Special commissions to take care of plans for elections could be set up in Korea, as well as in Indo-China, if the parties could agree on their composition. The authority of the United Nations would not suffer if such a task were to be entrusted to other organs. The Swedish delegation did not consider the commissions proposed by China and the Soviet Union at the Geneva Conference to be acceptable because the commissions envisaged in that proposal would be given the same structure as the Supervisory Commission. Having closely followed the discussions at Geneva, he believed that the composition of the commissions which would have to prepare and supervise elections should be the subject of further deliberations.

10. Mr. NUTTING (United Kingdom) believed that, in the interests of the General Assembly, the debate on the Korean question should be short.

11. He recalled General Assembly resolution 711 (VII) of 28 August 1953, which welcomed the decision to hold a political conference on Korea. After protracted discussion, the Foreign Ministers at the Berlin Conference had agreed to consider the Korean question with the other Governments involved, at Geneva in April 1954. A report on the Korean Political Conference at Geneva had been sent to the Secretary-General. As was explained in the covering letter to that report, it was the view of the States which had participated on the United Nations side at the Conference that that Conference was in effect the conference referred to in paragraph 60 of the Korean Armistice Agreement and in General Assembly resolution 711 (VII).

12. The representatives of the countries in question had made every effort to reach an honourable agreement. None had worked harder than the British Foreign Secretary, Sir Anthony Eden. The basis of the negotiations had been the declared objective of the United Nations, i.e., to achieve a unified, independent and democratic Korea. To have compromised on that would have been to betray not only the people of Korea but the gallant men who had fought to uphold that aim.

13. Those efforts had been unsuccessful. There were two reasons for the failure to sign a peace treaty even though an Armistice Agreement had been signed. The first reason for that failure had to be sought in the attitude of the Communist Governments towards the role of the United Nations in the Korean question. The second obstacle had been the insistence by the representatives of China, North Korea and the Soviet Union on schemes for unification which rendered the holding of free, impartially supervised elections impossible.

14. As had been stressed by Sir Anthony Eden on 11 June 1954 at Geneva, the Korean debate had thrown those two fundamental issues into relief. As regarded the authority of the United Nations, only by carrying out the Principles and Purposes of the Charter of the United Nations could the Conference fulfil its mandate to find a peaceful settlement. The United Kingdom delegation had also rejected the contention that by taking up arms to fulfil their obligations and to resist aggression, the United Nations had forfeited its rights and duties as the supreme international organization. On the contrary, the United Nations had strengthened its authority.

15. During the present debate the representative of the Soviet Union had again said (736th meeting) that the United Nations had no right to pronounce upon the matter because it had been a belligerent. That statement showed that the Communist attitude on the issue had not undergone any change. Therefore, he wished to say that Sir Anthony Eden's statement at Geneva continued to represent the firm position of his Government.

16. As Sir Anthony Eden had then pointed out, all the parties concerned had expressed agreement that Korea should be unified by means of free election throughout the country. But if anything was clear as a result of the Geneva and Berlin Conferences, it was that in saying so they did not mean one and the same thing. There was a difference of fundamental principle. The sixteen Powers maintained that the elections had to constitute a free expression of the will of the people. At Geneva, they had proposed that supervision be carried out under the auspices of the United Nations. In an attempt to meet the Communist Powers it had been suggested that the members of the supervisory commission might be drawn from nations which had not taken part in the hostilities. But the essential point remained that the commission, regardless of its composition, be truly impartial and be so constituted as to be able to take effective decisions and command the authority to have them carried out.

17. The Communist delegations had to the end remained unwilling to accept those principles. Instead they had insisted on machinery which would have paralysed any scheme for carrying out free elections. They had proposed an all-Korean Commission based upon equal representation of both North and South Korea, which would only be able to function by agree

ment between the two sides. In addition, they had proposed a neutral supervising commission composed equally of Communist and non-Communist nations which again could function only by agreement between the two sides. That was, once again, the tactic of obstruction which had so often paralysed the efforts of the United Nations. Faced with those pre-conditions, the United Kingdom delegation had had no choice but to conclude that further consideration of the Korean question by the Geneva Conference would serve no useful purpose.

18. To date there had still been no proposals from the Communist Governments concerned which gave any hope that they had accepted the sixteen Powers' basic position. The USSR draft resolution (A/C.1/L.116) offered no such prospect.

19. Meanwhile Korea remained divided. Foreign forces had not been withdrawn. The people had not been permitted to express their opinion about their future in nation-wide free elections. The United Kingdom delegation could therefore not feel complacent about the present position.

20. Members should not however, abandon the objectives of the United Nations; they had to continue to work for a unified, independent and democratic Korea and for a relaxation of tension and a restoration of full international peace and security. They were agreed that they had to work towards those objectives by peaceful means. But to be realists, they had to recognize that progress towards the aims of the United Nations could not be achieved until the Communist Governments were prepared to agree to the holding of free and impartial elections.

21. Meanwhile, it was vitally important that the Armistice Agreement remain in force in accordance with paragraph 62 of the Agreement. Any renewal of fighting would have serious repercussions, not only for Korea but for the whole fabric of peace.

22. He observed that it was often better to recognize the problems that could not be solved at the moment than to attempt to solve them when the time was not ripe. The Korean problem had been more or less acute since 1945. It had been made infinitely worse by the North Korean aggression in 1950. That aggression had been resisted. The war was over but, like other wars, it had created problems rather than solved them. But it had demonstrated the will of the United Nations to resist aggression. The Korean question, fortunately, was not as acute as it had been in the past. In those circumstances, he thought that the General Assembly had to recognize that the course of wisdom was to let time play its part. He suggested that it would be unwise to attempt to make any far-reaching recommendations at the current session. It would be unrealistic to refuse to admit that the Committee was not in a position to take any steps forward at the present time. However, the question had to be kept before the United Nations.

23. There was no question of abdicating United Nations responsibility. The people of Korea could not remain divided. The objectives of the United Nations would in time be achieved, if the representatives held firm to their principles.

24. Mr. MENON (India) observed that references had been made to the proceedings of the Korean Political Conference at Geneva and suggested that

copies of those proceedings be circulated to the Committee to facilitate the discussion.

25. The CHAIRMAN stated that the records forwarded to the Secretariat filled several hundred pages and were the records prepared by the secretariats of fifteen of the States on the United Nations side. They could be consulted in the library. There were also records prepared by the other side and it was not known whether they would be sent to the Secretariat.

26. Mr. MENON (India) said that bulk was no impediment to circulation. The Committee could not take decisions on the basis of documents about which contradictory assertions were made, without being able to refer to them. The documents should be made available and the failure of the other side to supply its documents was irrelevant.

27. The CHAIRMAN said that the documents concerned were not the official records of the Conference; there were no agreed official records and each side had prepared its own.

28. Mr. BELAUNDE (Peru) said that if the Commission was to pass judgment on what had taken place at Geneva, the bulk of the documents involved would require a recess to allow for their distribution; then a week would be required to allow delegations to study those documents. On the other hand, they could study the Korean problem on the basis of the reports received and of the Committee's discussion, and vote upon the general draft resolutions submitted. It was desirable to be as well documented as possible, but the objective of the Committee at the present session should be borne in mind.

29. Mr. MENON (India) said that the single copy of the proceedings of the Korean Conference at Geneva available in the library was not adequate to cover the needs of all delegations. At least the resolutions and final statements could be circulated, not necessarily as the official records of the Conference.

30. The SECRETARY-GENERAL stated that while the documents in question had been deposited with the United Nations, it was not his understanding that they had been deposited for circulation. He would not consider himself in a position to circulate them without contacting those who had deposited them. Further, the time and cost involved in translating and publishing the documents would not be inconsiderable. From the practical point of view, the course proposed might be rather dangerous. It was, however, for the Committee and the Fifth Committee to consider the issue.

31. Mr. MENON (India) said that he would not press the issue and withdrew his suggestion, but reserved the right to quote from the documents. If his quotations were contradicted, a new situation would arise.

32. Mr. Yakov MALIK (Union of Soviet Socialist Republics) said that the discussion had clearly shown that the Korean Conference at Geneva had not been the political conference sponsored by the United Nations within the meaning of paragraph 60 of the Armistice Agreement, but a conference of the interested States. The United Nations did not even have documents on the Conference. Papers presented by one side could not be considered to be United Nations documents. It had also become clear that it was impossible to consider the question in the absence of the representatives of the Democratic People's Republic of Korea

and of the People's Republic of China in order that they might express their views on the issues and clarify their positions.

33. A biased examination was being forced on the Committee. The fifteen-Power report had been presented as a document setting forth the position of the United Nations although it was nothing of the kind. A group of delegations which had attended the Conference was trying to confuse the issue and other delegations found the situation unclear. The views of both sides should be heard if a complicated issue was to be judged. No international question could be solved on the basis of imposing the will of one side upon the other, which was the proposition of the United Kingdom representative. The Soviet Union believed that negotiations should continue with both sides on a basis of equality in order to reach an agreement acceptable to both.

34. It was not correct that the Soviet Union or the Democratic People's Republic of Korea or the People's

Republic of China wished to impose one viewpoint. All three had presented proposals aimed at finding a basis for agreement at Geneva. Then the United Kingdom also had held the view that agreement should be reached on basic principles. It had been agreed that there should be free elections with no victimization of the electors. The Soviet Union felt that free elections could be assured by withdrawing foreign troops. The other side felt that free elections could be held in the presence of foreign occupation troops. Accordingly, the Soviet Union proposed that there be a conference of the parties to seek an acceptable solution rather than to have one side impose its will upon the other.

35. The Committee now faced a situation where one side was trying to impose its will upon the other. The sensible step would be for the General Assembly to express the wish that the States concerned should continue their efforts to find a solution.

The meeting rose at 11.50 a.m.