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LETTER DATED 13 JUNE 1987 FROM THE PERMANENT REPRESENTATIVE OF **THE UNITED STATES OF AMERICA** TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF **THE SECURITY COUNCIL**

On behalf of the Unified Command established pursuant to Security Council resolution 84 (1950) of 7 July 1950, I have the honour to submit a report of the United Nations Command concerning the maintenance of the Armistice Agreement of 1953 during the period 1 January 1986 through 31 December 1986.

I request that this letter, together with the enclosed report of the United Nations Command, be circulated as a document of the Security Council.

(Signed) Vernon A. WALTERS

Annex

Report of the activities of the United Nations Command

I. BACKGROUND

The United Nations Command (UNC) was created in response to United Nations Security Council resolution 84 (1950) of 7 July 1950. In that resolution, adopted in the early phase of the North Korean attack against the Republic of Korea, the Security Council requested that the United Nations Member nations supplying forces and other assistance put their forces under a unified command, headed by the United States, in order to assist the Republic of Korea to repel the North Korean armed aggression and to restore international peace and security in the region. The resolution also requested that the United States "provide the Security Council with reports as appropriate on the course of action taken under the unified command". The Commander-in-Chief, United Nations Command (CINCUNC), signed the 27 July 1953 Korean Armistice Agreement on behalf of the forces of the 16 nations of the United Nations and the Republic of Korea which fought under the United Nations banner. Pursuant to paragraph 17 of this Agreement, all CINCUNC successors in command are responsible for compliance with and the enforcement of the terms and provisions of the Agreement. The UNC continues, as ever, to carry out its functions and fulfil its obligations under the mandate of the Armistice Agreement, which includes participating in the activities of the Military Armistice Commission (MAC). In view of continued North Korean violations of the Armistice Agreement, recent UNC initiatives and significant armistice-related issues, the UNC considers it appropriate to provide the United Nations Security Council with this report.

II. ARMISTICE MECHANISM AND PROCEDURES

The Korean Armistice Agreement requires a complete cessation of all hostilities in Korea by all armed forces of the *opposing* sides until a final Peaceful settlement is achieved. The term, "opposing forces" includes all ground, naval and air units of both sides. No individual nation is a signatory to the Armistice Agreement. CINCUNC signed the Agreement on behalf of the unified command, consisting of the military forces from 16 United Nations Member nations and the Republic of Korea. The Commanders of the Korean People's Army (KPA) and the Chinese People's Volunteers (CPV) signed the Agreement on behalf of the KPA/CPV forces .

A. Military Armistice Commission (MAC)

The general mission of MAC in Korea, as established pursuant to the Armistice Agreement, is "to supervise the implementation of this Armistice Agreement and to settle through negotiations any violations of this Armistice Agreement". The commission is a joint international organisation and is composed of 10 members: 5 senior officers from UNC and 5 senior officers from KPA/CPV. CINCUNC has appointed one member from the United States, two from the Republic of Korea, one

from the United Kingdom and *one* designated on a rotational basis *from* among the other United Nations Member nations represented on the UNC by representatives of the rank of Colonel (currently Canada, Philippines and Thailand). Meetings of MAC are held at the request of either side in the Joint Security Area (JSA), commonly known as Panmunjom, in the Demilitarized Zone (DMZ) . To assist MAC in fulfilling its functions, the Armistice Agreement provides for a joint secretariat which maintains 24-hour telephone communication between the joint duty officers of each side located in JSA, Panmunjom. The joint duty officers also meet daily except Sundays and holidays, and serve as the basic channel of communications between the two opposing sides. There have been 436 plenary sessions of the Commission and 481 meetings of MAC secretaries since the Armistice Agreement was signed. MAC, or the senior member of either side, is authorized by paragraph 27 of the Armistice Agreement to dispatch joint observer teams to investigate reported violations of the Armistice Agreement that occur within DMZ. However, KPA/CPV has refused to participate in any joint investigations in DMZ since April 1967.

B. Neutral Nations Supervisory Commission (NNSC)

NNSC, established by the Korean Armistice Agreement, is composed of four delegations representing Sweden, Switzerland, Czechoslovakia and Poland. The term "neutral nations" in the Armistice Agreement is defined as those nations whose combatant forces did not participate in the Korean conflict. The primary function of NNSC is to conduct independent inspections and investigations of Armistice-related developments and violations outside DMZ and to report its findings to RAC. Although its functions of inspection and investigation have been drastically curtailed due to KPA/CPV obstruction, NNSC does provide a worth-while and stabilizing influence as well as a means for indirect communication between the two opposing sides to MAC. NNSC holds weekly meetings in JSA, Panmunjom.

C. Role of the Republic of Korea

A unique feature of the Korean Armistice Agreement is that no nation is a signatory to the Agreement. CINCUNC signed the Armistice Agreement on behalf of the unified command, consisting of the military forces from 16 United Nations Member nations and the Republic of Korea. During the armistice negotiations and afterwards, at the request of the KPA/CPV side, the Government of the Republic of Korea, through UNC, furnished assurances that it would abide by the Armistice Agreement. The 16 United Nations Member nations provided similar assurances. Today, the Republic of Korea provides most of the "civil police", which maintain security and order in the UNC portion of DMZ. The Republic of Korea Government and its armed forces have complied and co-operated with UNC in carrying out the Armistice Agreement and Republic of Korea senior military officers serve on MAC.

III. UNITED NATIONS COMMAND MILITARY ARMISTICE COMMISSION (UNCMAC) ACTIVITIES

Meetings Of MAC are normally called to discuss serious incidents involving the Armistice Agreement and significant armistice-related issues. These meetings, as **well** as 24-hour telephone communication between the two sides, serve to prevent escalation of tension owing to accidental incidents and possible misunderstanding. The Commission is a **proven** means of communication, as demonstrated by its continued use by both sides. **KPA/CPV** called all five MAC meetings held in 1986.

During the reporting Period, **KPA/CPV** reiterated earlier proposals presented during 1985: to cease conducting major military exercises at all times and to refrain **from** conducting military exercises of any kind during South-North dialogue meetings and to decrease the number of security guards and disarm guards in **JSA**. Close examination of these **KPA/CPV** proposals revealed that both proposals favoured the **KPA/CPV** side and were not acceptable to UNC as presented. However, **UNC** continued to search for means to reduce military tensions in Korea and presented several proposals of its own, the most noteworthy being **proposals** for an effective **mutual** verification system in JSA and for mutual prior notification of major military **exercises** and exchange of observers (appendix A to this report discusses in detail these **UNC** initiatives). The North Korean side has abused MAC meetings by using them as a forum for obviously biased and distorted political propaganda, and by introducing matters clearly outside the purview of **MAC** as **outlined** by the Korean **Armistice** Agreement. During the reporting period, UNC charged the North Koreans with 37,214 substantiated Armistice Agreement violations. UNC charges against the North Koreans during the reporting period included firing across the Military **Demarcation** Line (**MDL**) into the UNC portion of **DMZ**; introduction into **DMZ** of illegal heavy and automatic weapons; and construction of fortifications in **DMZ**. These charges were passed expeditiously, either telephonically or through the daily joint duty officers' meeting in JSA, at Panmunjom. This provided the other side with an opportunity to stop its ongoing violations or, at least, to **agree** to co-operate in conducting appropriate and timely investigations.

IV. CONCLUSIONS

For over 33 years, **MAC** has served as the sole joint international mechanism and **official** channel of communication for the maintenance of the armistice and tenuous peace between the opposing military commanders in Korea. Both UNC and the Republic of Korea have exercised restraint in the face of continued North Korean violations and provocations directed against UNC and the Republic of **Korea**. Throughout the year **UNC** personnel by their words and actions demonstrated their sincerity toward the reduction of military tensions on the Korean Peninsula. **UNC** Will **continue** as always to fulfil its responsibilities under the mandate of the Armistice Agreement and hereby reaffirms its readiness and determination, consistent with the above-mentioned **United** Nations Security Council resolution, to try to preserve peace and security until such time as the parties directly concerned are able to achieve a more permanent peace in Korea. In conclusion, UNC has served and will continue to serve as the framework for preserving the armistice in Korea.

Appendix

Major incidents/issues discussed by or related to the Military Armistice Commission (1 January 1986 to 31 December 1986)

I. SEA INCIDENT

On 24 April 1986, a Republic of Korea navy vessel challenged a suspicious North Korean vessel about 3.5 nautical miles south of the Military Demarcation Line - Extended (MDL-X) in the East Sea (Sea of Japan). The suspicious North Korean boat refused to identify itself but returned fire when warning shots were fired by the Republic of Korea navy vessel. An ensuing exchange of fire resulted in the sinking of the suspicious North Korean boat. At the 435th meeting of the Military Armistice Commission (MAC), on 6 May 1986, the United Nations Command (UNC) stated that the Incident was a direct result of North Korea's long history of armed infiltration attempts against the Republic of Korea.

II. OFFENSIVELY POSTURED NORTH KOREAN MILITARY FORCES

The capability of North Korea to initiate military actions against UNC and the Republic of Korea remains real. At the 433rd meeting of MAC, on 28 January 1986, UNC pointed out that the purpose of the annual defensive exercise Team Spirit was to train its forces to defend the Republic of Korea from possible aggression by North Korea, which had deployed massive offensively-oriented forces in the forward area close to DMZ. UNC set forth in detail the offensively-oriented North Korean military buildup, which includes MIG-23 aircraft, helicopters, new SA-3 missiles, more than 20 attack submarines, more than 80,000 special commandos and more than 100 amphibious craft.

III. UNITED NATIONS COMMAND INITIATIVES

UNC has, during this reporting period, continued to take constructive initiatives to reduce military tensions on the Korean peninsula. UNC has reiterated several of its tension-reducing proposals, which remain on the table, and has introduced several new proposals, which would reduce military tensions if agreed to by the North Koreans. So far, the North Koreans have failed to respond positively to any of these UNC proposals.

A. Mutual notification of major training exercises

Contrary to the North Korean propaganda claim, military training exercises are not addressed by the Armistice Agreement and do not constitute a violation of any provisions of that Agreement. However, secret exercises, such as those routinely conducted by North Korea, tend to cause concern. UNC, therefore, reiterated its proposal for providing mutual prior notification of major military exercises and to exchange observers to preclude possible misunderstandings. To demonstrate its good

faith, UNC notified North Korea on 18 January 1986 (prior to the public announcement) that training exercise Team Spirit-86 would be conducted during February and March 1986. At the 432nd meeting of MAC, on 3 January 1986, UNC pointed out that UNC defensive exercise Team **Spirit**, which had been conducted around the same time every year for the past 11 years, posed no threat to North Korea and that training exercises were necessary for defence capability.

B. An invitation to observe exercise Team Spirit-86

On 18 January 1986, the UNC message to North Korea, which provided prior notification of Team Spirit-86, **also** conveyed the Republic of Korea Government's intention to invite appropriate military authorities of both North Korea and the People's Republic of China, accompanied by the Neutral Nations Supervisory Commission members, to observe **the exercise**. At the 433rd meeting of MAC, on 28 January 1986, UNC reminded the North Koreans of UNC prior notification of exercise Team Spirit-86 and the Republic of Korea invitation to send observers **to** the exercise. The North Koreans again presented the same repetitive and distorted propaganda against exercise Team Spirit-86 as they have done for the past 11 years.

C. UNC four-point programme to reduce tensions in the Joint Security Area, Panmunjom

At the 433rd meeting of MAC, **on 28 January** 1986, UNC presented a "four-point programme" to preclude major incidents and reduce tensions in the MAC conference area. The proposal included the following key points: (a) that an effective system be instituted to verify continuously that both sides were in compliance with the Armistice Agreement in the Joint Security Area (JSA); (b) that automatic and crew-served weapons be prohibited; (c) that all fortified positions, including fortified buildings, be prohibited; and (d) that number of armed guards and types of weapons used be limited to those specified by the Armistice Agreement.

IV. NORTH **KOREAN** "TENSION REDUCTION" PROPOSALS

At the 436th meeting of **MAC**, on 29 May 1986, the North Koreans presented a modified version of their earlier proposal for new security arrangements in JSA, Panmunjom, which was initially presented at the 429th meeting of MAC, on 29 July 1985 (see Security Council document S/18123 of 3 June 1986). **UNC** reviewed its four-point programme for new JSA security arrangements, which was first presented at the 433rd meeting of MAC, on 28 January 1986 (see **para. 3c** of the **UNC** four-point programme to reduce tensions in JSA, Panmunjom).

UNC stated that both sides had in fact **agreed** to several points **concerning** security arrangements in JSA, including the prohibition of heavy and automatic weapons, as well as fortified military facilities. The North Koreans, however, responded that there was a substantial difference of views on new security arrangements in JSA and demanded that **UNC** accept their proposal without any change. **UNC will** continue its negotiation with the North Korean side to seek

workable and mutually acceptable solutions to security arrangements in JSA and to ease military tension.

V. REMAINS ISSUE

On 5 April 1986, UNC sent a MAC Senior Member's letter to North Korea, noting that both sides had a moral and humanitarian obligation to search for and return the remains of military personnel killed during the Korean war, and recommending that the MAC secretaries meet to discuss the remains issue. On 28 April 1986, the North Korean MAC Senior Member replied to the UNC Senior Member's letter by repeating an earlier position that they had no obligation to search for UNC remains, though they would return remains if and when they were discovered.

At the 477th meeting of the MAC Secretariat, held on 11 June 1986, UNC returned the remains of two Chinese soldiers who had been killed during the Korean war. At the UNC-called 479th meeting of the MAC secretaries, on 19 August 1986, UNC passed to the KPA/CPV side maps of 13 prisoner-of-war (POW) camps and a POW hospital in North Korea; a list of 291 known air crash sites involving 367 UNC casualties; a list of former UNC cemeteries in North Korea where 288 remains still lie buried; a list of 2,233 unaccounted for UNC POWs and 18 United Nations foreign nationals; a list of 308 UNC personnel missing, in action from four UNC countries; and the name and details of death and burial of one UNC soldier not previously identified. UNC made these data available to assist all North Koreans in searching for and recovering UNC remains. In a follow-up UNC letter to North Korea, UNC provided additional information on the reported North Korean discovery of UNC remains in DMZ in 1983 and 1985. The North Koreans reiterated their earlier position that they had no obligation to search for the UNC remains, but said that the data passed to them would be sent to the appropriate North Korean authorities.

Return of North Korean flood victims

During the reporting period, UNC returned, through MAC secretaries' meetings, the remains of 13 North Korean flood victims that were washed south in the Imjin River and on the East Coast of the Republic of Korea. As it has done in the past, UNC returned the remains of these North Korean flood victims for humanitarian reasons so that they could be given proper burial in North Korea.
