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LETTER DATED 7 AUGUST 1953 FROM THE ACTING UNITED STATES REPRESENTATIVE TO THE UNITED NATIONS, ADDRESSED TO THE SECRETARY-GENERAL, TRANSMITTING A SPECIAL REPORT OF THE UNIFIED COMMAND ON THE ARMISTICE IN KOREA IN ACCORDANCE WITH THE SECURITY COUNCIL RESOLUTION OF 7 JULY 1950 (S/1588)

I have the honor to refer to paragraph 6 of the resolution of the Security Council of 7 July 1950, requesting the United States to provide the Security Council with reports, as appropriate, on the course of action taken under the United Nations Command.

In compliance with this resolution, there is enclosed herewith, for circulation to the members of the Security Council, a special report of the Unified Command on the armistice in Korea. With this report the Unified Command is submitting the official text of the Armistice Agreement entered into in Korea on 27 July 1953.

I would be grateful if you also would circulate copies of this special report and the Armistice Agreement to the Members of the General Assembly for their information.^{1/}

(Signed)

James J. WADSWORTH
Acting United States Representative
to the United Nations

^{1/} Circulated to the Members of the General Assembly by document A/2431.

SPECIAL REPORT OF THE UNIFIED COMMAND
ON THE ARMISTICE IN KOREA

I. FOREWORD

The Government of the United States, as the Unified Command, transmits herewith a special report on the United Nations action against aggression in Korea, together with a copy of the official text of the Armistice Agreement concluded by the Commander-in-Chief, United Nations Command, the Supreme Commander of the Korean People's Army, and the Commander of the Chinese People's Volunteers.

The agreement was signed by Lt. General William K. Harrison, Senior Delegate, United Nations Command Delegation, and by General Nam Il, Senior Delegate, Delegation of the Korean People's Army and Chinese People's Volunteers, at 10.00 a.m., 27 July 1953. It was subsequently signed by Mark W. Clark, Commander-in-Chief, United Nations Command, and by Peng Teh-Huai, Commander of the Chinese People's Volunteers, and Kim Il Sung, Marshal, Democratic People's Republic of Korea, Supreme Commander, Korean People's Army. In accordance with the terms of the Armistice Agreement, hostilities ceased at 2200 hours on 27 July 1953, and the Armistice Agreement became effective at that time.

The Armistice Agreement is a military agreement between military commanders. It is intended to make possible a final peaceful settlement and assumes that this end will, in good faith, be pursued. The authority of the Unified Command under the resolutions of the Security Council of 27 June and 7 July 1950 to conduct military operations in Korea against aggression included also the authority to negotiate a military armistice to end the fighting on a basis consistent with United Nations objectives and principles. The authority of the Unified Command to conclude an armistice and the desirability of an armistice generally along the lines finally incorporated in the Armistice Agreement of 27 July 1953 were in effect affirmed by the General Assembly in its resolution of 3 December 1952.

The Armistice Agreement has brought about a cessation of hostilities in Korea after more than thirty-seven months of bloodshed and destruction resulting from the Communist aggression. The armistice was signed more than twenty-five months after the first indications that, due to the achievements of United Nations forces in Korea and the determination of the United Nations to bring an honourable end to the fighting in Korea, the Communist aggressors were prepared to consider ending hostilities. During these twenty-five months the representatives of the United Nations Command negotiated in good faith and made every effort to achieve an armistice. It was not until the spring of 1953 that the Communists appeared ready to settle the outstanding issues on an honourable basis. The intransigence of the aggressors was responsible for the continued loss of life and destruction, and for the long delay in bringing the armistice negotiations to a successful conclusion.

In negotiating this Armistice Agreement, the United Nations Command has been guided by the basic objectives of the United Nations military action in Korea - to repel the aggression against the Republic of Korea and to restore international peace and security in the area. The Agreement leaves the forces of the Republic of Korea and of the United Nations in strong defensive positions and contains provisions offering reasonable assurances against renewal of the aggression.

As safeguards against resumption of hostilities there are provisions for a Demilitarized Zone, with a Military Armistice Commission composed of representatives of both sides responsible for supervising the implementation of the Armistice and for settling any violations of the Agreement. There are also provisions prohibiting the introduction into Korea of reinforcing military personnel, combat aircraft, armored vehicles, weapons and ammunition, together with arrangements for supervision and inspection to observe compliance with these prohibitions.

The armistice is in full accord with the humanitarian principles of the United Nations. A separate Agreement entered into on 8 June 1953, supplemented by an Agreement of 27 July attached to and incorporated by reference in the Armistice Agreement, provides for the exchange of captured personnel on a basis consistent with the principles of the United Nations resolution 610 (VII) of 3 December 1952. It satisfies in particular the provision in that resolution that "force shall not be used against the prisoners of war to prevent or effect their return to their homelands...".

Attention is called to paragraph 60 of the Armistice Agreement, which recommends to the governments of the countries concerned on both sides that within three months after the signature of the armistice a political conference be held to settle through negotiation "the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, etc.". This recommendation has also been communicated to the governments of the other fifteen Members of the United Nations whose armed forces are participating in the Korean action and to the Government of the Republic of Korea.

The United Nations Command will do its utmost to ensure fulfilment of the terms of the Armistice Agreement. There can, of course, be no certain guarantee that the Communists will abide by its terms. The armistice, moreover, does not contain all the assurances against the renewal of aggression that might be desired. It became clear at the end of 1951 that it would not be possible to obtain all the arrangements behind enemy lines which the United Nations Command might have considered desirable. Moreover, while the safeguards achieved in the armistice are important, basically maximum assurance against the renewal of attack by the Communists lies in their knowledge that such unprovoked attack would meet with prompt reaction by the United Nations forces. The Unified Command, therefore, agreed to waive certain safeguards (e.g., in regard to the construction and rehabilitation of military airfields in North Korea) but asked that governments with forces under the Command should make clear in a Declaration to be issued after the signature of an armistice that if there was an unprovoked renewal of the armed attack by the Communists the sixteen governments would again be united and prompt to resist. This arrangement was agreed upon in January 1952, by the sixteen Members of the United Nations whose armed forces were participating in the Korean action. The Declaration signed by representatives of the sixteen participating nations in Washington on 27 July 1953, shortly after the signature of the Armistice Agreement, provides:

"We the United Nations Members whose military forces are participating in the Korean action support the decision of the Commander-in-Chief of the United Nations Command to conclude an armistice agreement. We hereby affirm our determination fully and faithfully to carry out the terms of that armistice. We expect that the other parties to the agreement will likewise scrupulously observe its terms.

"The task ahead is not an easy one. We will support the efforts of the United Nations to bring about an equitable settlement in Korea based on the principles which have long been established by the United Nations, and which call for a united, independent and democratic Korea. We will support the United Nations in its efforts to assist the people of Korea in repairing the ravages of war.

"We declare again our faith in the principles and purposes of the United Nations, our consciousness of our continuing responsibilities in Korea, and our determination in good faith to seek a settlement of the Korean problem. We affirm, in the interests of world peace, that if there is a renewal of the armed attack, challenging again the principles of the United Nations, we should again be united and prompt to resist. The consequences of such a breach of the armistice would be so grave that, in all probability, it would not be possible to confine hostilities within the frontiers of Korea.

"Finally, we are of the opinion that the armistice must not result in jeopardizing the restoration or the safeguarding of peace in any other part of Asia."

The achievement in Korea is a collective achievement. The people of Korea and the people of the world are indebted to the men of many countries, namely, Australia, Belgium, Colombia, Canada, Ethiopia, France, Greece, Luxembourg, the Philippines, the Netherlands, New Zealand, Thailand, Turkey, Union of South Africa, the United Kingdom and the United States, who fought side by side with the forces of the Republic of Korea that aggression should not succeed. They were given assistance by the hospital units of Denmark, India, Italy, Norway and Sweden. Many other nations which made supporting contributions of other kinds also deserve the appreciation of the United Nations.

II. MILITARY ACTION

The course of military action during most of the fighting was described in the special report of the Unified Command of 18 October 1952 (A/2228). The United Nations forces, after being compelled to withdraw southward by the intervention of massive Chinese Communist forces, took the initiative in early 1951 and by March succeeded in advancing to a line across central Korea. The Communist armies were compelled by consistent pressure from United Nations forces to withdraw slowly northward, and by June 1951 United Nations forces occupied positions generally north of the 38th parallel.

After the opening of armistice negotiations, neither the United Nations forces nor the Communists undertook sustained offensive action. There was, however, consistent and often heavy military contact resulting in serious personnel casualties. During the last stages of negotiations, the Communists, on the night of 13-14 July, launched their heaviest offensive in over two years, resulting in limited advances by the Communist forces and heavy casualties to the United Nations forces, as well as appalling losses for the Communist attackers.

The operations of the United Nations Command were conducted solely for the purpose of achieving the military objective of the United Nations in Korea, i.e., repelling the aggression and restoring peace and security in Korea. For its part, the United Nations Command has sought in every way to minimize the loss of lives, and to conduct the action with the maximum respect for humanitarian considerations. The United Nations Command has never, as falsely charged in Communist propaganda, attacked any territory outside of Korea or used bacteriological weapons or poison gas. It has always been prepared for, and has been willing to accept, inspection to verify these facts.

The forces of the United Nations Command suffered many casualties during the thirty-seven months of fighting. The number of killed, wounded and missing from the Armed Forces of the Republic of Korea exceeded 300,000. The total casualties of the United States Armed Forces were approximately 141,000, and of the Armed Forces of the other fifteen Members of the

United Nations approximately 14,000. At the same time, United Nations forces inflicted on the enemy a far greater number of casualties. Enemy casualties are estimated at between 1 1/2 to 2 million. It is impossible to estimate the number of civilians who lost their lives or were injured, or the damage to property as a result of hostilities. Millions of Koreans were forced by hostilities to leave their homes, and there was a mass movement of refugees constantly southward toward the areas beyond Communist control.

III. ARMISTICE NEGOTIATIONS

A. In general

The history of the continuing efforts of the Unified Command and of the United Nations at all times to bring an end to the fighting in Korea on an honourable basis is set forth in various documents of the United Nations. The Unified Command took numerous steps to this end on its own initiative and co-operated fully with proposals of others for bringing about peace on a basis consistent with United Nations objectives in Korea.

In July 1951, it appeared from statements made by Communist spokesmen that the aggressor forces were willing to cease hostilities. However, the hopes of the Unified Command for quickly concluding an agreement that would stop the fighting soon proved illusory. Time after time the Communists stalled, injected extraneous issues, endeavoured to use the negotiations for propaganda purposes, and otherwise indicated a lack of good faith. Despite these obstacles the United Nations negotiators consistently evinced a willingness to reach agreement.

The United Nations Command was determined that the Armistice Agreement must contribute to the achievement of the basic purposes of the United Nations military action in Korea - to repel the aggression against the Republic of Korea and to restore peace and security in the area. The United Nations Command therefore insisted on the following requirements:

- (1) A line of demarcation based upon military realities and affording defensible positions for the opposing forces, consistent with the United Nations objective of repelling aggression;
- (2) Other provisions offering maximum reasonable assurance against a renewal of the aggression;
- (3) Appropriate arrangements for an exchange of prisoners of war on a basis that would ensure the return of United Nations Command prisoners of war and the disposition of prisoners safeguarding the right of asylum, consistent with international law, the Geneva Convention and humanitarian principles.

So long as the Communists refused to agree to an armistice on this basis, the United Nations Command was compelled to insist on the continuation of the fighting in accordance with the resolutions of the Security Council and the

General Assembly, so as to compel the enemy to accept an honourable end to the fighting.

B. Early obstacles to agreement

(1) The agenda and the conference site

At the very beginning of negotiations the Communists raised issues calculated to delay them. They sought adoption of an agenda that would prejudice in their favour the substance of the items to be discussed. The Communists sought, for example, to obtain agreement on language in the agenda recognizing the 38th parallel as the line of demarcation for the cease-fire. The Communists also proposed an agenda item on the withdrawal of foreign forces from Korea. The United Nations Command insisted on an objective agenda, and one was finally adopted. The question of the withdrawal of foreign troops was rejected as beyond the scope of military negotiations.

Delay was also occasioned by Communist violations of the neutrality of the conference area and failure to provide equal treatment to both delegations as originally promised. Fabricated charges by the Communists that the United Nations Command had violated the neutrality of the conference area led to suspension of the talks for two months from August to October 1951.

(2) Arrangements for implementing the armistice

The armistice, of course, had to contain provisions for putting an end to the fighting. The United Nations Command delegation also sought arrangements which would make renewal of the hostilities less likely. The negotiations on these matters were extended and painstaking. The United Nations Command delegation wanted the broadest possible access to all parts of Korea for a supervisory body to ensure against violations of the armistice. It was quite willing to have such inspection behind its own lines. The Communists, however, for some time resisted all proposals for inspection and finally agreed to it only on a limited scale. At one point, the United Nations Command proposed inspection of the implementation of the armistice by joint teams to operate throughout Korea. Following Communist rejection of this proposal, agreement was reached on arrangements for inspection by observers drawn from countries not participating in the Korean action and acceptable to both sides. But the

Communists further delayed the negotiations by nominating the Soviet Union as a "neutral"; this was of course unacceptable to the United Nations Command.

The United Nations Command proposed a ban, applicable to both sides, on the construction of new military airfields and a ceiling on the number of civilian airfields that could be rehabilitated. Such a prohibition would have made resumption of the aggression more difficult and less likely. The Communists adamantly refused to agree to such a limitation.

(3) Prisoners of war

The issue that, in appearance at least, contributed most to the delay in achieving an armistice involved the repatriation of prisoners of war. From the outset the United Nations Command made it clear that, while it was prepared to repatriate all the prisoners of war in its custody, it would not agree to use force against prisoners resisting return to the Communists. The Communists stubbornly insisted, however, that all prisoners of war must be returned, by force if necessary.

In an extraordinary effort to break the long continuing deadlock on this issue the United Nations Command, on 28 April 1952, offered a "package proposal" providing that (a) there shall not be forced repatriation of prisoners of war; (b) that the United Nations Command will not insist on prohibiting reconstruction and rehabilitation of airfields; and (c) the United Nations Command agrees to accept Poland and Czechoslovakia as members of the Neutral Nations Supervisory Commission if the Communists agree to accept Sweden and Switzerland (thus withdrawing their demand for the inclusion of the Soviet Union).

The United Nations Command made it clear that this proposal must be accepted as a unit. The Communists, however, purported to accept the second and third points only, remaining adamant on prisoners of war. As a result of their rejection, the armistice was delayed and the fighting continued for fifteen additional months. They persisted in this inhumane attitude for many months, contrary to international law and in the face of preponderant world opinion, even after the principle of non-forcible repatriation was approved by fifty-four Members of the United Nations who supported the General Assembly resolution of 3 December 1952. Communist intransigence, and Communist failure to bargain in good faith on this issue, compelled the

United Nations Command to recess the plenary negotiations on 8 October 1952. They were not resumed until 26 April 1953, when the Communists finally indicated that they were prepared to consider a solution for the prisoner of war question consistent with humanitarian principles and the principles of the General Assembly resolution.

C. The agreements finally reached

All the agreements between the United Nations Command Delegation and the Communist Delegation are set forth in the attached Armistice Agreement and the Prisoner of War Agreement with the Supplementary Agreement of 27 July attached to it. In some cases, as the record of the negotiations indicates, the United Nations Command recorded its understanding as to the meaning of phrases in the Armistice Agreement that might otherwise be ambiguous.

(1) The Military Demarcation Line

The Communists delayed negotiations for some time by insisting that the demarcation line between both sides should be the 38th parallel. Finally, however, they recognized the merit of the United Nations Command position that the line should be determined strictly on military grounds and should correspond to the actual line of contact between the opposing forces. The objective of the United Nations Command in insisting on such a line was to provide maximum defensive safeguards against a possible renewal of the aggression.

The line of demarcation was first marked out on 27 November 1951, on the basis of the line of contact as of that time. It was then agreed that this should be the final demarcation line, provided an armistice was achieved within thirty days; otherwise the line should be redrawn on the basis of the line of contact at the time of the armistice. In fact, tentative agreement was reached on a new line in June 1953, when it seemed that an armistice could be signed within a very few days, but the Communists insisted that it be redrawn again to take account of the results of the offensive they launched on 13-14 July 1953. The Demarcation Line was finally agreed on the basis indicated in the map attached to the Armistice Agreement. The Demilitarized Zone was established in accordance with the agreement, each side withdrawing its forces two kilometres north and south of the Demarcation Line respectively.

(2) Arrangements for implementing the armistice

With the exception of the continuing disagreement on the rehabilitation of airfields, the arrangements for implementing the armistice were virtually completed by March 1952. The United Nations Command finally gave up its insistence on the limitation of airfields when it signed the armistice.

The agreements on this subject may be summarized as follows:

1. There will be a cease-fire within twelve hours of the signing of an armistice.
2. Both sides will withdraw their forces from the Demilitarized Zone within seventy-two hours after the signing of an armistice.
3. All military forces will be withdrawn from rear areas and the coastal islands and waters of Korea within five days after the signing of an armistice.
4. Both sides shall cease the introduction into Korea of reinforcing military personnel. However, the rotation of 35,000 military personnel a month shall be permitted. Rotated personnel shall enter Korea only through designated ports of entry, under the supervision and inspection of the teams of the Neutral Nations Supervisory Commission.
5. Both sides shall cease the introduction into Korea of reinforcing combat aircraft, armoured vehicles, weapons and ammunition. However, the replacement of destroyed, damaged, worn-out or used up equipment on the basis of piece-for-piece of the same effectiveness and the same type is permitted. Such replacement shall take place only through designated ports of entry, under the supervision and inspection of teams of the Neutral Nations Supervisory Commission.
6. A Military Armistice Commission, with headquarters at Panmunjom composed of military officers of the United Nations Command and the Communist forces and aided by Joint Observer Teams will:
 - (a) Supervise the implementation of the Armistice Agreement;
 - (b) Deal with alleged armistice violations and settle through negotiations any such violations;
 - (c) Report all violations of the Armistice Agreement to the Commanders of the opposing sides.

7. A Neutral Nations Supervisory Commission, with headquarters in proximity to those of the Military Armistice Commission, composed of four senior officers, two of whom shall be appointed by neutral nations nominated by the United Nations Command and two of whom shall be appointed by neutral nations nominated jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers will supervise, observe, inspect, and investigate adherence to the terms of the armistice agreement relative to the introduction into Korea of reinforcing military personnel and equipment. At the request of the Military Armistice Commission or senior member of either side, it can conduct special observation and inspection at places outside the demilitarized zone where violations have been reported. Twenty inspection teams, ten of which will be located at the designated ports of entry, five in North Korea and five in South Korea, with ten mobile teams in reserve, will assist the Commission.

(3) The political conference following an armistice

In order to counter the constant efforts of the Communists to inject political questions into the Korean armistice negotiations, and to prevent such extraneous issues from delaying armistice negotiations, the United Nations Command agreed to dispose of political questions by recommending their consideration at a political conference following an armistice. The United Nations Command Delegation accepted a revised Communist proposal now contained in article 60 of the Armistice Agreement, which provides:

"In order to insure the peaceful settlement of the Korean question, the military Commanders of both sides hereby recommend to the governments of the countries concerned on both sides that, within three (3) months after the Armistice Agreement is signed and becomes effective, a political conference of a higher level of both sides be held by representatives appointed respectively to settle through negotiation the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, etc."

(4) Prisoners of war

The background of this question, and the position of the United Nations Command was outlined in the Special Unified Command report of 18 October 1952 (A/2228). As indicated at that time, the only issue preventing agreement was Communist insistence that all prisoners of war must be repatriated, even if the use of force should be necessary to effect their return, and United Nations Command refusal to use force against such unwilling prisoners. When the Communists insisted that there were in fact no prisoners who refused to be repatriated, but that the United Nations Command was detaining them against their will, the United Nations Command made numerous proposals for impartial determination of the true attitudes of the prisoners of war. The Communists refused to submit this question to the test and thus further delayed achievement of an armistice.

On 8 October 1952, the United Nations Command Delegation recessed the negotiations. In doing so, it made clear that the numerous proposals which it had made for an honourable solution of the prisoner question remained open. Whenever the Communists were prepared to negotiate in good faith, to accept any one of the United Nations Command proposals, or to make a constructive proposal of their own on the prisoner issue, the United Nations Command Delegation would be prepared to meet again.

At this juncture the Korean question came before the General Assembly, and the United States Government, as the Unified Command, reported on the state of the negotiations. It urged the Assembly to approve the principle of non-forcible repatriation and to call upon the Communists to accept an armistice on this basis. A definite plan for the solution of the prisoner-of-war question was proposed by India and discussed in the hope of gaining Communist approval, and on 3 December 1952, by a majority of 54 votes in favour, with only the Soviet bloc in opposition, the General Assembly adopted resolution 610 (VII). This resolution specified that force should not be used against prisoners to prevent or effect their return, and it set forth a detailed series of proposals which the Assembly believed would form a just and reasonable basis for an agreement on the prisoner issue. The Communists rejected this plan, and hopes for an armistice in the foreseeable future appeared dim.

Nevertheless, the Unified Command continued to examine every possibility for solving the prisoner question. Seizing the opportunity offered by a resolution adopted by the Executive Committee of the League of Red Cross Societies on 13 December 1952, which appealed to the parties, as a gesture of good will, to implement the humanitarian principles of the Geneva Convention by repatriating sick and wounded prisoners of war, the Commander-in-Chief of the United Nations Command, on 22 February 1953, addressed a letter to the Communist commanders stating that the United Nations Command still remained ready to implement, immediately, the repatriation of the sick and wounded, and asking if the Communists were prepared to proceed with the repatriation of sick and wounded prisoners in their custody. The United Nations Command had made this same proposal to the Communists on a number of previous occasions during the armistice negotiations, but they had failed to respond. It was hoped that the Communists would at last agree to such an exchange, that it would bring about the return of at least some of the United Nations Command prisoners of war, and that this first step might pave the way for the solution of the prisoner issue as a whole. The hopes of the United Nations Command in this regard proved not unwarranted. On 28 March the Communists agreed to the principle of the exchange of sick and wounded, which they stated "should be made to lead to the smooth settlement of the entire question of prisoners of war", and arrangements for the exchange were initiated through the respective liaison officers on 6 April.

The Communist acceptance was followed on 30 March by a statement by Chou En-lai, Foreign Minister of the Communist People's Government of the People's Republic of China, subsequently endorsed by the Prime Minister of the North Korean regime, indicating a desire to resume negotiations on the entire prisoner question and a readiness to take a more constructive and humane attitude on the question of forcible repatriation.

Sick and wounded prisoners of war were in fact exchanged between 20 April and 3 May 1953 pursuant to an agreement reached on 11 April 1953.

Negotiations by the plenary armistice delegations on the prisoner-of-war question as a whole resumed on 26 April. At the outset, the Communists submitted a proposal for sending all prisoners not directly repatriated to an agreed neutral State where for six months after their arrival representatives of the States to which they belonged would "explain" to them matters related to their return; if after this period any non-repatriates remained, their disposition would be referred to the political conference. Discussion subsequently centred upon the questions of what neutral State should be nominated, of whether non-repatriates should be removed from Korea, and how long the non-repatriates would remain in neutral custody.

On 7 May, the Communists put forward a new proposal providing for establishment of a Neutral Nations Repatriation Commission to be composed of the four States already nominated for membership on the Neutral Nations Supervisory Commission, namely, Czechoslovakia, Poland, Sweden and Switzerland, and India as agreed upon by both sides. This Commission was to take custody of the prisoners in Korea. The United Nations Command on 13 May presented a counter-proposal shortening the period of time in which the non-repatriates would remain in neutral custody, providing for release of Korean non-repatriates immediately after the armistice, and proposing that only Indian forces take actual custody of the non-repatriates. The Communists rejected this proposal.

On 25 May, the United Nations Command, in another effort to obtain Communist agreement on an equitable solution of the prisoner issue, submitted a new proposal providing for the transfer of both Korean and Chinese non-repatriates to neutral custody and for consideration of the disposition of any remaining non-repatriates by the political conference for a limited period, after which they might either be released to civilian status or the question of their disposition referred to the General Assembly. On 4 June, the Communists offered a counter-proposal in effect based upon the mechanics of General Assembly resolution 610 (VII), also closely paralleling the United Nations Command 25 May proposal, but vague on the basic principle of non-forcible repatriation. The United Nations Command succeeded in reaching agreement with the Communists on elaboration of the Neutral Nations Repatriation Commission's terms of reference to insure that there could be no abuse and that the principle approved by the General Assembly that force should not be used to compel or to prevent repatriation of any prisoner of war would be fully observed.

On 8 June, the Senior Delegates for the United Nations Command and for the Communists signed the Prisoner-of-War Agreement which is attached to and incorporated by reference in the Armistice Agreement. The delegations then proceeded to the final arrangements looking toward an early signature of the armistice.

As a result of discussions with the Republic of Korea, described in the succeeding section, a Supplementary Agreement on Prisoners of War was signed on 27 July 1953, which permits the United Nations Command, (and the Communists if applicable), to transport the non-repatriates to the Demilitarized Zone where the Neutral Nations Repatriation Commission will take custody of them.

D. The Attitude of the Republic of Korea

On 18 June an incident occurred which further delayed the achievement of an armistice at a time when the conclusion of hostilities seemed imminent. On that date, officials of the Republic of Korea brought about a break-out from prisoner-of-war camps of some 27,000 Korean prisoners of war who had previously indicated they would resist repatriation to North Korea. This action by the Republic of Korea was inconsistent with the 8 June Agreement on Prisoners of War which the United Nations Command had entered into on behalf of all the forces under its command. The United Nations Command at once protested the action of the Republic of Korea Government. It immediately informed the Communists of the event and told them that, while efforts would be made to recover as many of the escapees as possible, there was not much hope that many of these could be recaptured since they had melted into the South Korean population.

This incident led to immediate discussions with the Republic of Korea by representatives of the Unified Command. After prolonged conversations, the Republic of Korea gave assurances that it would not obstruct the implementation of the terms of the Armistice Agreement.

The incident, however, gave the Communists an excuse for delaying still further the conclusion of the armistice. They demanded assurances that the United Nations Command would live up to the Armistice Agreement, that the Republic of Korea and its forces would also abide by it, and that the released prisoners would be recaptured. The United Nations Command reply to the Communists stressed that the armistice was a military agreement between military

commanders and that it was being entered into by the United Nations Command, as Commander of all the forces under its command, including those of the Republic of Korea. The United Nations Command Delegation also told the Communists that so far as recovering the released prisoners of war, as they had already been informed, this would be impossible; they were assured, however, that the remaining non-repatriate prisoners would be turned over to the Neutral Nations Repatriation Commission, as provided by the agreement on prisoners of war. The Communists were assured that the United Nations Command forces (including those of the Republic of Korea) would observe the armistice. The United Nations Command informed the Communists, however, that it would not undertake to use force against the Republic of Korea forces to ensure compliance with the armistice by the Republic of Korea.

Despite these comprehensive assurances by the United Nations Command, the Communists continued to delay negotiations and in the meanwhile launched the biggest offensive in more than two years, an offensive which obviously took much planning and preparation and caused heavy casualties. Finally, however, on 19 July, the Communists stated their readiness to proceed with the final work on the Armistice Agreement leading to its signature.

The armistice was finally signed on 27 July 1953, at 10 a.m. Korean time.

IV. CONCLUSION

The fighting and bloodshed in Korea have been halted. After having caused millions of casualties, untold civilian suffering and death, economic devastation and destruction of property, the Communist aggressors have been driven back to and beyond the point from which they started their initial attack. The heavy price of their aggression is evident.

As a result of prompt and sustained collective action of the United Nations against aggression, an armistice has been effected on a basis that promises to maintain the integrity of the Republic of Korea against further aggression and that constitutes a major step toward the establishment of peace and security for that war-torn country. These achievements have been made possible by the heroic sacrifices of the troops of the United Nations and of the Republic of Korea.

The United States stands ready to participate and co-operate fully in political discussions leading to an enduring solution of the Korean problem on the basis of the objectives of the United Nations - the achievement by peaceful means of a unified, independent and democratic Korea. If the Communists abide by the armistice and negotiate in good faith, a true and lasting peace may yet come to the brave and long suffering people of Korea.

ARMISTICE AGREEMENT

VOLUME I

TEXT OF AGREEMENT

AGREEMENT BETWEEN THE COMMANDER-IN-CHIEF,
UNITED NATIONS COMMAND, ON THE ONE HAND, AND
THE SUPREME COMMANDER OF THE KOREAN PEOPLE'S
ARMY AND THE COMMANDER OF THE CHINESE
PEOPLE'S VOLUNTEERS, ON THE OTHER HAND,
CONCERNING A MILITARY ARMISTICE IN KOREA

P R E A M B L E

The undersigned, the Commander-in-Chief, United Nations Command, on the one hand, and the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, on the other hand, in the interest of stopping the Korean conflict, with its great toll of suffering and bloodshed on both sides, and with the objective of establishing an armistice which will insure a complete cessation of hostilities and of all acts of armed force in Korea until a final peaceful settlement is achieved, do individually, collectively, and mutually agree to accept and to be bound and governed by the conditions and terms of armistice set forth in the following Articles and Paragraphs, which said conditions and terms are intended to be purely military in character and to pertain solely to the belligerents in Korea.

ARTICLE I

MILITARY DEMARCATION LINE AND DEMILITARIZED ZONE

1. A Military Demarcation Line shall be fixed and both sides shall withdraw two (2) kilometers from this line so as to establish a Demilitarized Zone between the opposing forces. A Demilitarized Zone shall be established as a buffer zone to prevent the occurrence of incidents which might lead to a resumption of hostilities.

2. The Military Demarcation Line is located as indicated on the attached map (Map 1).

3. The Demilitarized Zone is defined by a northern and a southern boundary as indicated on the attached map (Map 1).

4. The Military Demarcation Line shall be plainly marked as directed by the Military Armistice Commission hereinafter established. The Commanders of the opposing sides shall have suitable markers erected along the boundary between the Demilitarized Zone and their respective areas. The Military Armistice Commission shall supervise the erection of all markers placed along the Military Demarcation Line and along the boundaries of the Demilitarized Zone.

5. The waters of the Han River Estuary shall be open to civil shipping of both sides wherever one bank is controlled by one side and the other bank is controlled by the other side. The Military Armistice Commission shall prescribe rules for the shipping in that part of the Han River Estuary indicated on the attached map (Map 2). Civil shipping of each side shall have unrestricted access to the land under the military control of that side.

6. Neither side shall execute any hostile act within, from, or against the Demilitarized Zone.

7. No person, military or civilian, shall be permitted to cross the Military Demarcation Line unless specifically authorized to do so by the Military Armistice Commission.

8. No person, military or civilian, in the Demilitarized Zone shall be permitted to enter the territory under the military control of either side unless specifically authorized to do so by the Commander into whose territory entry is sought.

9. No person, military or civilian, shall be permitted to enter the Demilitarized Zone except persons concerned with the conduct of civil administration and relief and persons specifically authorized to enter by the Military Armistice Commission.

10. Civil administration and relief in that part of the Demilitarized Zone which is south of the Military Demarcation Line shall be the responsibility of the Commander-in-Chief, United Nations Command; and civil administration and relief in that part of the Demilitarized Zone which is north of the Military Demarcation Line shall be the joint responsibility of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. The number of persons, military or civilian, from each side who are permitted to enter the Demilitarized Zone for the conduct of civil administration and relief shall be as determined by the respective Commanders, but in no case shall the total number authorized by either side exceed one thousand (1,000) persons at any one time. The number of civil police and the arms to be carried by them shall be as prescribed by the Military Armistice Commission. Other personnel shall not carry arms unless specifically authorized to do so by the Military Armistice Commission.

11. Nothing contained in this Article shall be construed to prevent the complete freedom of movement to, from, and within the Demilitarized Zone by the Military Armistice Commission, its assistants, its Joint Observer Teams with their assistants, the Neutral Nations Supervisory Commission hereinafter established, its assistants, its Neutral Nations Inspection Teams with their assistants, and of any other persons, materials, and equipment specifically authorized to enter the Demilitarized Zone by the Military Armistice Commission. Convenience of movement shall be permitted through the territory under the military control of

either side over any route necessary to move between points within the Demilitarized Zone where such points are not connected by roads lying completely within the Demilitarized Zone.

ARTICLE II

CONCRETE ARRANGEMENTS FOR CEASE-FIRE AND ARMISTICE

A. GENERAL

12. The Commanders of the opposing sides shall order and enforce a complete cessation of all hostilities in Korea by all armed forces under their control, including all units and personnel of the ground, naval, and air forces, effective twelve (12) hours after this Armistice Agreement is signed. (See Paragraph 63 hereof for effective date and hour of the remaining provisions of this Armistice Agreement.)

13. In order to insure the stability of the Military Armistice so as to facilitate the attainment of a peaceful settlement through the holding by both sides of a political conference of a higher level, the Commanders of the opposing sides shall:

a. Within seventy-two (72) hours after this Armistice Agreement becomes effective, withdraw all of their military forces, supplies, and equipment from the Demilitarized Zone except as otherwise provided herein. All demolitions, minefields, wire entanglements, and other hazards to the safe movement of personnel of the Military Armistice Commission or its Joint Observer Teams, known to exist within the Demilitarized Zone after the withdrawal of military forces therefrom, together with lanes known to be free of all such hazards, shall be reported to the Military Armistice Commission by the Commander of the side whose forces emplaced such hazards. Subsequently, additional safe lanes shall be cleared; and eventually, within forty-five (45) days after the termination of the seventy-two (72) hour period, all such hazards shall be removed from the Demilitarized Zone as

directed by and under the supervision of the Military Armistice Commission. At the termination of the seventy-two (72) hour period, except for unarmed troops authorized a forty-five (45) day period to complete salvage operations under Military Armistice Commission supervision, such units of a police nature as may be specifically requested by the Military Armistice Commission and agreed to by the Commanders of the opposing sides, and personnel authorized under Paragraphs 10 and 11 hereof, no personnel of either side shall be permitted to enter the Demilitarized Zone.

b. Within ten (10) days after this Armistice Agreement becomes effective, withdraw all of their military forces, supplies, and equipment from the rear and the coastal islands and waters of Korea of the other side. If such military forces are not withdrawn within the stated time limit, and there is no mutually agreed and valid reason for the delay, the other side shall have the right to take any action which it deems necessary for the maintenance of security and order. The term "coastal islands", as used above, refers to those islands which, though occupied by one side at the time when this Armistice Agreement becomes effective, were controlled by the other side on 24 June 1950; provided, however, that all the islands lying to the north and west of the provincial boundary line between HWANGHAE-DO and KYONGGI-DO shall be under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, except the island groups of PAENGYONG-DO (37°58'N, 124°40'E), TAECHONG-DO (37°50'N, 124°42'E), SOCHONG-DO (37°46'N, 124°46'E), YONPYONG-DO (37°38'N, 125°40'E), and U-DO (37°36'N, 125°58'E), which shall remain under the military control of the Commander-in-Chief, United Nations Command. All the islands on the west coast of Korea lying south of the above-mentioned boundary line shall remain under the military control of the Commander-in-Chief, United Nations Command. (See Map 3.)

c. Cease the introduction into Korea of reinforcing military personnel; provided, however, that the rotation of units and personnel, the arrival in Korea of personnel on a temporary

duty basis, and the return to Korea of personnel after short periods of leave or temporary duty outside of Korea shall be permitted within the scope prescribed below. "Rotation" is defined as the replacement of units or personnel by other units or personnel who are commencing a tour of duty in Korea. Rotation personnel shall be introduced into and evacuated from Korea only through the ports of entry enumerated in Paragraph 43 hereof. Rotation shall be conducted on a man-for-man basis; provided, however, that no more than thirty-five thousand (35,000) persons in the military service shall be admitted into Korea by either side in any calendar month under the rotation policy. No military personnel of either side shall be introduced into Korea if the introduction of such personnel will cause the aggregate of the military personnel of that side admitted into Korea since the effective date of this Armistice Agreement to exceed the cumulative total of the military personnel of that side who have departed from Korea since that date. Reports concerning arrivals in and departures from Korea of military personnel shall be made daily to the Military Armistice Commission and the Neutral Nations Supervisory Commission; such reports shall include places of arrival and departure and the number of persons arriving at or departing from each such place. The Neutral Nations Supervisory Commission, through its Neutral Nations Inspection Teams, shall conduct supervision and inspection of the rotation of units and personnel authorized above, at the ports of entry enumerated in Paragraph 43 hereof.

d. Cease the introduction into Korea of reinforcing combat aircraft, armored vehicles, weapons, and ammunition; provided, however, that combat aircraft, armored vehicles, weapons, and ammunition which are destroyed, damaged, worn out, or used up during the period of the armistice may be replaced on the basis of piece-for-piece of the same effectiveness and the same type. Such combat aircraft, armored vehicles, weapons, and ammunition shall be introduced into Korea only through the ports of entry enumerated in Paragraph 43 hereof. In order to justify the requirement for combat aircraft, armored vehicles, weapons, and ammunition to be introduced into Korea

for replacement purposes, reports concerning every incoming shipment of these items shall be made to the Military Armistice Commission and the Neutral Nations Supervisory Commission; such reports shall include statements regarding the disposition of the items being replaced. Items to be replaced which are removed from Korea shall be removed only through the ports of entry enumerated in Paragraph 43 hereof. The Neutral Nations Supervisory Commission, through its Neutral Nations Inspection Teams, shall conduct supervision and inspection of the replacement of combat aircraft, armored vehicles, weapons, and ammunition authorized above, at the ports of entry enumerated in Paragraph 43 hereof.

e. Insure that personnel of their respective commands who violate any of the provisions of this Armistice Agreement are adequately punished.

f. In those cases where places of burial are a matter of record and graves are actually found to exist, permit graves registration personnel of the other side to enter, within a definite time limit after this Armistice Agreement becomes effective, the territory of Korea under their military control, for the purpose of proceeding to such graves to recover and evacuate the bodies of the deceased military personnel of that side, including deceased prisoners of war. The specific procedures and the time limit for the performance of the above task shall be determined by the Military Armistice Commission. The Commanders of the opposing sides shall furnish to the other side all available information pertaining to the places of burial of the deceased military personnel of the other side.

g. Afford full protection and all possible assistance and cooperation to the Military Armistice Commission, its Joint Observer Teams, the Neutral Nations Supervisory Commission, and its Neutral Nations Inspection Teams, in the carrying out of their functions and responsibilities hereinafter assigned; and accord to the Neutral Nations Supervisory Commission, and to its Neutral Nations Inspection Teams, full convenience of movement between the headquarters of the Neutral Nations Supervisory Commission and the ports of

entry enumerated in Paragraph 43 hereof over main lines of communication agreed upon by both sides (See Map 4), and between the headquarters of the Neutral Nations Supervisory Commission and the places where violations of this Armistice Agreement have been reported to have occurred. In order to prevent unnecessary delays, the use of alternate routes and means of transportation will be permitted whenever the main lines of communication are closed or impassable.

h. Provide such logistic support, including communications and transportation facilities, as may be required by the Military Armistice Commission and the Neutral Nations Supervisory Commission and their Teams.

i. Each construct, operate, and maintain a suitable airfield in their respective parts of the Demilitarized Zone in the vicinity of the headquarters of the Military Armistice Commission, for such uses as the Commission may determine.

j. Insure that all members and other personnel of the Neutral Nations Supervisory Commission and of the Neutral Nations Repatriation Commission hereinafter established shall enjoy the freedom and facilities necessary for the proper exercise of their functions, including privileges, treatment, and immunities equivalent to those ordinarily enjoyed by accredited diplomatic personnel under international usage.

14. This Armistice Agreement shall apply to all opposing ground forces under the military control of either side, which ground forces shall respect the Demilitarized Zone and the area of Korea under the military control of the opposing side.

15. This Armistice Agreement shall apply to all opposing naval forces, which naval forces shall respect the waters contiguous to the Demilitarized Zone and to the land area of Korea under the military control of the opposing side, and shall not engage in blockade of any kind of Korea.

16. This Armistice Agreement shall apply to all opposing air forces, which air forces shall respect the air space over the Demilitarized Zone and over the area of Korea under the military control of the opposing side, and over the waters contiguous to both.

17. Responsibility for compliance with and enforcement of the terms and provisions of this Armistice Agreement is that of the signatories hereto and their successors in command. The Commanders of the opposing sides shall establish within their respective commands all measures and procedures necessary to insure complete compliance with all of the provisions hereof by all elements of their commands. They shall actively cooperate with one another and with the Military Armistice Commission and the Neutral Nations Supervisory Commission in requiring observance of both the letter and the spirit of all of the provisions of this Armistice Agreement.

18. The costs of the operations of the Military Armistice Commission and of the Neutral Nations Supervisory Commission and of their Teams shall be shared equally by the two opposing sides.

B. MILITARY ARMISTICE COMMISSION

1. COMPOSITION

19. A Military Armistice Commission is hereby established.

20. The Military Armistice Commission shall be composed of ten (10) senior officers, five (5) of whom shall be appointed by the Commander-in-Chief, United Nations Command, and five (5) of whom shall be appointed jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. Of the ten members, three (3) from each side shall be of general or flag rank. The two (2) remaining members on each side may be major generals, brigadier generals, colonels, or their equivalents.

21. Members of the Military Armistice Commission shall be permitted to use staff assistants as required.

22. The Military Armistice Commission shall be provided with the necessary administrative personnel to establish a Secretariat charged with assisting the Commission by performing record-keeping, secretarial, interpreting, and such other functions as the Commission may assign to it. Each side

shall appoint to the Secretariat a Secretary and an Assistant Secretary and such clerical and specialized personnel as required by the Secretariat. Records shall be kept in English, Korean, and Chinese, all of which shall be equally authentic.

23. a. The Military Armistice Commission shall be initially provided with and assisted by ten (10) Joint Observer Teams, which number may be reduced by agreement of the senior members of both sides on the Military Armistice Commission.

b. Each Joint Observer Team shall be composed of not less than four (4) nor more than six (6) officers of field grade, half of whom shall be appointed by the Commander-in-Chief, United Nations Command, and half of whom shall be appointed jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. Additional personnel such as drivers, clerks, and interpreters shall be furnished by each side as required for the functioning of the Joint Observer Teams.

2. FUNCTIONS AND AUTHORITY

24. The general mission of the Military Armistice Commission shall be to supervise the implementation of this Armistice Agreement and to settle through negotiations any violations of this Armistice Agreement.

25. The Military Armistice Commission shall:

a. Locate its headquarters in the vicinity of PANMUNJOM (37°57'29"N, 126°40'00"E). The Military Armistice Commission may re-locate its headquarters at another point within the Demilitarized Zone by agreement of the senior members of both sides on the Commission.

b. Operate as a joint organization without a chairman.

c. Adopt such rules of procedure as it may, from time to time, deem necessary.

d. Supervise the carrying out of the provisions of this Armistice Agreement pertaining to the Demilitarized Zone and to the Han River Estuary.

- e. Direct the operations of the Joint Observer Teams.
- f. Settle through negotiations any violations of this Armistice Agreement.
- g. Transmit immediately to the Commanders of the opposing sides all reports of investigations of violations of this Armistice Agreement and all other reports and records of proceedings received from the Neutral Nations Supervisory Commission.
- h. Give general supervision and direction to the activities of the Committee for Repatriation of Prisoners of War and the Committee for Assisting the Return of Displaced Civilians, hereinafter established.
- i. Act as an intermediary in transmitting communications between the Commanders of the opposing sides; provided, however, that the foregoing shall not be construed to preclude the Commanders of both sides from communicating with each other by any other means which they may desire to employ.
- j. Provide credentials and distinctive insignia for its staff and its Joint Observer Teams, and a distinctive marking for all vehicles, aircraft, and vessels, used in the performance of its mission.

26. The mission of the Joint Observer Teams shall be to assist the Military Armistice Commission in supervising the carrying out of the provisions of this Armistice Agreement pertaining to the Demilitarized Zone and to the Han River Estuary.

27. The Military Armistice Commission, or the senior member of either side thereof, is authorized to dispatch Joint Observer Teams to investigate violations of this Armistice Agreement reported to have occurred in the Demilitarized Zone or in the Han River Estuary; provided, however, that not more than one half of the Joint Observer Teams which have not been dispatched by the Military Armistice Commission may be dispatched at any one time by the senior member of either side on the Commission.

28. The Military Armistice Commission, or the senior member of either side thereof, is authorized to request the Neutral Nations Supervisory Commission to conduct special observations and inspections at places outside the Demilitarized Zone where violations of this Armistice Agreement have been reported to have occurred.

29. When the Military Armistice Commission determines that a violation of this Armistice Agreement has occurred, it shall immediately report such violation to the Commanders of the opposing sides.

30. When the Military Armistice Commission determines that a violation of this Armistice Agreement has been corrected to its satisfaction, it shall so report to the Commanders of the opposing sides.

3. GENERAL

31. The Military Armistice Commission shall meet daily. Recesses of not to exceed seven (7) days may be agreed upon by the senior members of both sides; provided, that such recesses may be terminated on twenty-four (24) hour notice by the senior member of either side.

32. Copies of the record of the proceedings of all meetings of the Military Armistice Commission shall be forwarded to the Commanders of the opposing sides as soon as possible after each meeting.

33. The Joint Observer Teams shall make periodic reports to the Military Armistice Commission as required by the Commission and, in addition, shall make such special report as may be deemed necessary by them, or as may be required by the Commission.

34. The Military Armistice Commission shall maintain duplicate files of the reports and records of proceedings required by this Armistice Agreement. The Commission is authorized to maintain duplicate files of such other reports, records, etc., as

may be necessary in the conduct of its business. Upon eventual dissolution of the Commission, one set of the above files shall be turned over to each side.

35. The Military Armistice Commission may make recommendations to the Commanders of the opposing sides with respect to amendments or additions to this Armistice Agreement. Such recommended changes should generally be those designed to insure a more effective armistice.

C. NEUTRAL NATIONS SUPERVISORY COMMISSION

1. COMPOSITION

36. A Neutral Nations Supervisory Commission is hereby established.

37. The Neutral Nations Supervisory Commission shall be composed of four (4) senior officers, two (2) of whom shall be appointed by neutral nations nominated by the Commander-in-Chief, United Nations Command, namely, SWEDEN and SWITZERLAND, and two (2) of whom shall be appointed by neutral nations nominated jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, namely, POLAND and CZECHOSLOVAKIA. The term "neutral nations" as herein used is defined as those nations whose combatant forces have not participated in the hostilities in Korea. Members appointed to the Commission may be from the armed forces of the appointing nations. Each member shall designate an alternate member to attend those meetings which for any reason the principal member is unable to attend. Such alternate members shall be of the same nationality as their principals. The Neutral Nations Supervisory Commission may take action whenever the number of members present from the neutral nations nominated by one side is equal to the number of members present from the neutral nations nominated by the other side.

38. Members of the Neutral Nations Supervisory Commission shall be permitted to use staff assistants furnished by the neutral nations as required. These staff assistants may be appointed as alternate members of the Commission.

39. The neutral nations shall be requested to furnish the Neutral Nations Supervisory Commission with the necessary administrative personnel to establish a Secretariat charged with assisting the Commission by performing necessary record-keeping, secretarial, interpreting, and such other functions as the Commission may assign to it.

40. a. The Neutral Nations Supervisory Commission shall be initially provided with, and assisted by, twenty (20) Neutral Nations Inspection Teams, which number may be reduced by agreement of the senior members of both sides on the Military Armistice Commission. The Neutral Nations Inspection Teams shall be responsible to, shall report to, and shall be subject to the direction of, the Neutral Nations Supervisory Commission only.

b. Each Neutral Nations Inspection Team shall be composed of not less than four (4) officers, preferably of field grade, half of whom shall be from the neutral nations nominated by the Commander-in-Chief, United Nations Command, and half of whom shall be from the neutral nations nominated jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. Members appointed to the Neutral Nations Inspection Teams may be from the armed forces of the appointing nations. In order to facilitate the functioning of the Teams, sub-teams composed of not less than two (2) members, one of whom shall be from a neutral nation nominated by the Commander-in-Chief, United Nations Command, and one of whom shall be from a neutral nation nominated jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, may be formed as circumstances require. Additional personnel such as drivers, clerks, interpreters, and communications personnel, and such equipment as may be required by the Teams to perform their missions, shall be furnished by the Commander of each side, as required, in the Demilitarized Zone and in the territory under his military control. The Neutral Nations Supervisory Commission may provide itself and the Neutral Nations Inspection Teams with such of the above personnel and

equipment of its own as it may desire; provided, however, that such personnel shall be personnel of the same neutral nations of which the Neutral Nations Supervisory Commission is composed.

2. FUNCTIONS AND AUTHORITY

41. The mission of the Neutral Nations Supervisory Commission shall be to carry out the functions of supervision, observation, inspection, and investigation, as stipulated in Sub-paragraphs 13c and 13d and Paragraph 28 hereof, and to report the results of such supervision, observation, inspection, and investigation to the Military Armistice Commission.

42. The Neutral Nations Supervisory Commission shall:

a. Locate its headquarters in proximity to the headquarters of the Military Armistice Commission.

b. Adopt such rules of procedure as it may, from time to time, deem necessary.

c. Conduct, through its members and its Neutral Nations Inspection Teams, the supervision and inspection provided for in Sub-paragraphs 13c and 13d of this Armistice Agreement at the ports of entry enumerated in Paragraph 43 hereof, and the special observations and inspections provided for in Paragraph 28 hereof at those places where violations of this Armistice Agreement have been reported to have occurred. The inspection of combat aircraft, armored vehicles, weapons, and ammunition by the Neutral Nations Inspection Teams shall be such as to enable them to properly insure that reinforcing combat aircraft, armored vehicles, weapons, and ammunition are not being introduced into Korea; but this shall not be construed as authorizing inspections or examinations of any secret designs or characteristics of any combat aircraft, armored vehicle, weapon, or ammunition.

d. Direct and supervise the operations of the Neutral Nations Inspection Teams.

e. Station five (5) Neutral Nations Inspection Teams at the ports of entry enumerated in Paragraph 43

hereof located in the territory under the military control of the Commander-in-Chief, United Nations Command; and five (5) Neutral Nations Inspection Teams at the ports of entry enumerated in Paragraph 43 hereof located in the territory under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers; and establish initially ten (10) mobile Neutral Nations Inspection Teams in reserve, stationed in the general vicinity of the headquarters of the Neutral Nations Supervisory Commission, which number may be reduced by agreement of the senior members of both sides on the Military Armistice Commission. Not more than half of the mobile Neutral Nations Inspection Teams shall be dispatched at any one time in accordance with requests of the senior member of either side on the Military Armistice Commission.

f. Subject to the provisions of the preceding Sub-paragraph, conduct without delay investigations of reported violations of this Armistice Agreement, including such investigations of reported violations of this Armistice Agreement as may be requested by the Military Armistice Commission or by the senior member of either side on the Commission.

g. Provide credentials and distinctive insignia for its staff and its Neutral Nations Inspection Teams, and a distinctive marking for all vehicles, aircraft, and vessels, used in the performance of its mission.

43. Neutral Nations Inspection Teams shall be stationed at the following ports of entry:

Territory under the military control of the United Nations Command		Territory under the military control of the Korean People's Army and the Chinese People's Volunteers	
INCHON	(37°28'N, 126°38'E)	SINUJU	(40°06'N, 124°24'E)
TAEGU	(35°52'N, 128°36'E)	CHONGJIN	(41°46'N, 129°49'E)
PUSAN	(35°06'N, 129°02'E)	HUNGNAM	(39°50'N, 127°37'E)
KANGNUNG	(37°45'N, 128°54'E)	MANPO	(41°09'N, 126°18'E)
KUNSAN	(35°59'N, 126°43'E)	SINANJU	(39°36'N, 125°36'E)

These Neutral Nations Inspection Teams shall be accorded full convenience of movement within the areas and over the routes of communication set forth on the attached map (Map 5).

3. GENERAL

44. The Neutral Nations Supervisory Commission shall meet daily. Recesses of not to exceed seven (7) days may be agreed upon by the members of the Neutral Nations Supervisory Commission; provided, that such recesses may be terminated on twenty-four (24) hour notice by any member.

45. Copies of the record of the proceedings of all meetings of the Neutral Nations Supervisory Commission shall be forwarded to the Military Armistice Commission as soon as possible after each meeting. Records shall be kept in English, Korean, and Chinese.

46. The Neutral Nations Inspection Teams shall make periodic reports concerning the results of their supervision, observations, inspections, and investigations to the Neutral Nations Supervisory Commission as required by the Commission and, in addition, shall make such special reports as may be deemed necessary by them, or as may be required by the Commission. Reports shall be submitted by a Team as a whole, but may also be submitted by one or more individual members thereof; provided, that the reports submitted by one or more individual members thereof shall be considered as informational only.

47. Copies of the reports made by the Neutral Nations Inspection Teams shall be forwarded to the Military Armistice Commission by the Neutral Nations Supervisory Commission without delay and in the language in which received. They shall not be delayed by the process of translation or evaluation. The Neutral Nations Supervisory Commission shall evaluate such reports at the earliest practicable time and shall forward their findings to the Military Armistice Commission as a matter of priority. The Military Armistice Commission shall not take final action with regard to any such report until the evaluation thereof has been received from the Neutral Nations Supervisory Commission. Members of the Neutral Nations Supervisory Commission and of its Teams shall be subject to appearance before the Military Armistice Commission, at the request of the senior member of either side on the Military Armistice Commission, for clarification of any report submitted.

48. The Neutral Nations Supervisory Commission shall maintain duplicate files of the reports and records of proceedings required by this Armistice Agreement. The Commission is authorized to maintain duplicate files of such other reports, records, etc., as may be necessary in the conduct of its business. Upon eventual dissolution of the Commission, one set of the above files shall be turned over to each side.

49. The Neutral Nations Supervisory Commission may make recommendations to the Military Armistice Commission with respect to amendments or additions to this Armistice Agreement. Such recommended changes should generally be those designed to insure a more effective armistice.

50. The Neutral Nations Supervisory Commission, or any member thereof, shall be authorized to communicate with any member of the Military Armistice Commission.

ARTICLE III

ARRANGEMENTS RELATING TO PRISONERS OF WAR

51. The release and repatriation of all prisoners of war held in the custody of each side at the time this Armistice Agreement becomes effective shall be effected in conformity with the following provisions agreed upon by both sides prior to the signing of this Armistice Agreement.

a. Within sixty (60) days after this Armistice Agreement becomes effective, each side shall, without offering any hindrance, directly repatriate and hand over in groups all those prisoners of war in its custody who insist on repatriation to the side to which they belonged at the time of capture. Repatriation shall be accomplished in accordance with the related provisions of this Article. In order to expedite the repatriation process of such personnel, each side shall, prior to the signing of the Armistice Agreement, exchange the total numbers, by nationalities, of personnel to be directly repatriated. Each group of prisoners of war delivered to the other side shall be accompanied by rosters, prepared by nationality, to include name, rank (if any) and internment or military serial number.

b. Each side shall release all those remaining prisoners of war, who are not directly repatriated, from its military control and from its custody and hand them over to the Neutral Nations Repatriation Commission for disposition in accordance with the provisions in the Annex hereto: "Terms of Reference for Neutral Nations Repatriation Commission."

c. So that there may be no misunderstanding owing to the equal use of three languages, the act of delivery of a prisoner of war by one side to the other side shall, for the purposes of this Armistice Agreement, be called "repatriation" in English, "송환" (SONG HWAN) in Korean, and "遣返" (CH'IEH FAN) in Chinese, notwithstanding the nationality or place of residence of such prisoner of war.

52. Each side insures that it will not employ in acts of war in the Korean conflict any prisoner of war released and repatriated incident to the coming into effect of this Armistice Agreement.

53. All the sick and injured prisoners of war who insist upon repatriation shall be repatriated with priority. Insofar as possible, there shall be captured medical personnel repatriated concurrently with the sick and injured prisoners of war, so as to provide medical care and attendance en route.

54. The repatriation of all of the prisoners of war required by Sub-paragraph 51a hereof shall be completed within a time limit of sixty (60) days after this Armistice Agreement becomes effective. Within this time limit each side undertakes to complete the repatriation of the above-mentioned prisoners of war in its custody at the earliest practicable time.

55. PANMUNJOM is designated as the place where prisoners of war will be delivered and received by both sides. Additional place(s) of delivery and reception of prisoners of war in the Demilitarized Zone may be designated, if necessary, by the Committee for Repatriation of Prisoners of War.

56. a. A Committee for Repatriation of Prisoners of War is hereby established. It shall be composed of six (6) officers of field grade, three (3) of whom shall be appointed by the

Commander-in-Chief, United Nations Command, and three (3) of whom shall be appointed jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. This Committee shall, under the general supervision and direction of the Military Armistice Commission, be responsible for coordinating the specific plans of both sides for the repatriation of prisoners of war and for supervising the execution by both sides of all of the provisions of this Armistice Agreement relating to the repatriation of prisoners of war. It shall be the duty of this Committee to coordinate the timing of the arrival of prisoners of war at the place(s) of delivery and reception of prisoners of war from the prisoner of war camps of both sides; to make, when necessary, such special arrangements as may be required with regard to the transportation and welfare of sick and injured prisoners of war; to coordinate the work of the joint Red Cross teams, established in Paragraph 57 hereof, in assisting in the repatriation of prisoners of war; to supervise the implementation of the arrangements for the actual repatriation of prisoners of war stipulated in Paragraphs 53 and 54 hereof; to select, when necessary, additional place(s) of delivery and reception of prisoners of war; to arrange for security at the place(s) of delivery and reception of prisoners of war; and to carry out such other related functions as are required for the repatriation of prisoners of war.

b. When unable to reach agreement on any matter relating to its responsibilities, the Committee for Repatriation of Prisoners of War shall immediately refer such matter to the Military Armistice Commission for decision. The Committee for Repatriation of Prisoners of War shall maintain its headquarters in proximity to the headquarters of the Military Armistice Commission.

c. The Committee for Repatriation of Prisoners of War shall be dissolved by the Military Armistice Commission upon completion of the program of repatriation of prisoners of war.

57. a. Immediately after this Armistice Agreement becomes effective, joint Red Cross teams composed of representatives of the national Red Cross Societies of the countries contributing forces to the United Nations Command on the one hand, and representatives of the Red Cross Society of the Democratic People's Republic of Korea and representatives

of the Red Cross Society of the People's Republic of China on the other hand, shall be established. The joint Red Cross teams shall assist in the execution by both sides of those provisions of this Armistice Agreement relating to the repatriation of all the prisoners of war specified in Sub-paragraph 51a hereof, who insist upon repatriation, by the performance of such humanitarian services as are necessary and desirable for the welfare of the prisoners of war. To accomplish this task, the joint Red Cross teams shall provide assistance in the delivering and receiving of prisoners of war by both sides at the place(s) of delivery and reception of prisoners of war, and shall visit the prisoner of war camps of both sides to comfort the prisoners of war and to bring in and distribute gift articles for the comfort and welfare of the prisoners of war. The joint Red Cross teams may provide services to prisoners of war while en route from prisoner of war camps to the place(s) of delivery and reception of prisoners of war.

b. The joint Red Cross teams shall be organized as set forth below:

(1) One team shall be composed of twenty (20) members, namely, ten (10) representatives from the national Red Cross Societies of each side, to assist in the delivering and receiving of prisoners of war by both sides at the place(s) of delivery and reception of prisoners of war. The chairmanship of this team shall alternate daily between representatives from the Red Cross Societies of the two sides. The work and services of this team shall be coordinated by the Committee for Repatriation of Prisoners of War.

(2) One team shall be composed of sixty (60) members, namely, thirty (30) representatives from the national Red Cross Societies of each side, to visit the prisoner of war camps under the administration of the Korean People's Army and the Chinese People's Volunteers. This team may provide services to prisoners of war while en route from the prisoner of war camps to the place(s) of delivery and reception of prisoners of war. A representative of the Red Cross Society of the Democratic People's Republic of Korea or of the Red Cross Society of the People's Republic of China shall serve as chairman of this team.

(3) One team shall be composed of sixty (60) members, namely, thirty (30) representatives from the national Red Cross Societies of each side, to visit the prisoner of war camps under the administration of the United Nations Command. This team may provide services to prisoners of war while en route from the prisoner of war camps to the place(s) of delivery and reception of prisoners of war. A representative of a Red Cross Society of a nation contributing forces to the United Nations Command shall serve as chairman of this team.

(4) In order to facilitate the functioning of each joint Red Cross team, sub-teams composed of not less than two (2) members from the team, with an equal number of representatives from each side, may be formed as circumstances require.

(5) Additional personnel such as drivers, clerks, and interpreters, and such equipment as may be required by the joint Red Cross teams to perform their missions, shall be furnished by the Commander of each side to the team operating in the territory under his military control.

(6) Whenever jointly agreed upon by the representatives of both sides on any joint Red Cross team, the size of such team may be increased or decreased, subject to confirmation by the Committee for Repatriation of Prisoners of War.

c. The Commander of each side shall cooperate fully with the joint Red Cross teams in the performance of their functions, and undertakes to insure the security of the personnel of the joint Red Cross team in the area under his military control. The Commander of each side shall provide such logistic, administrative, and communications facilities as may be required by the team operating in the territory under his military control.

d. The joint Red Cross teams shall be dissolved upon completion of the program of repatriation of all the prisoners of war specified in Sub-paragraph 51a hereof, who insist upon repatriation.

58. a. The Commander of each side shall furnish to the Commander of the other side as soon as practicable, but not later than ten (10) days after this Armistice Agreement becomes

effective, the following information concerning prisoners of war:

(1) Complete data pertaining to the prisoners of war who escaped since the effective date of the data last exchanged.

(2) Insofar as practicable, information regarding name, nationality, rank, and other identification data, date and cause of death, and place of burial, of those prisoners of war who died while in his custody.

b. If any prisoners of war escape or die after the effective date of the supplementary information specified above, the detaining side shall furnish to the other side, through the Committee for Repatriation of Prisoners of War, the data pertaining thereto in accordance with the provisions of Sub-paragraph 58a hereof. Such data shall be furnished at ten-day intervals until the completion of the program of delivery and reception of prisoners of war.

c. Any escaped prisoner of war who returns to the custody of the detaining side after the completion of the program of delivery and reception of prisoners of war shall be delivered to the Military Armistice Commission for disposition.

59. a. All civilians who, at the time this Armistice Agreement becomes effective, are in territory under the military control of the Commander-in-Chief, United Nations Command, and who, on 24 June 1950, resided north of the Military Demarcation Line established in this Armistice Agreement shall, if they desire to return home, be permitted and assisted by the Commander-in-Chief, United Nations Command, to return to the area north of the Military Demarcation Line; and all civilians who, at the time this Armistice Agreement becomes effective, are in territory under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, and who, on 24 June 1950, resided south of the Military Demarcation Line established in this Armistice Agreement shall, if they desire to return home, be permitted and assisted by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers to return to the area south

of the Military Demarcation Line. The Commander of each side shall be responsible for publicizing widely throughout territory under his military control the contents of the provisions of this Sub-paragraph, and for calling upon the appropriate civil authorities to give necessary guidance and assistance to all such civilians who desire to return home.

b. All civilians of foreign nationality who, at the time this Armistice Agreement becomes effective, are in territory under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers shall, if they desire to proceed to territory under the military control of the Commander-in-Chief, United Nations Command, be permitted and assisted to do so; all civilians of foreign nationality who, at the time of this Armistice Agreement becomes effective, are in territory under the military control of the Commander-in-Chief, United Nations Command, shall, if they desire to proceed to territory under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, be permitted and assisted to do so. The Commander of each side shall be responsible for publicizing widely throughout the territory under his military control the contents of the provisions of this Sub-paragraph, and for calling upon the appropriate civil authorities to give necessary guidance and assistance to all such civilians of foreign nationality who desire to proceed to territory under the military control of the Commander of the other side.

c. Measures to assist in the return of civilians provided for in Sub-paragraph 59a hereof and the movement of civilians provided for in Sub-paragraph 59b hereof shall be commenced by both sides as soon as possible after this Armistice Agreement becomes effective.

d. (1) A Committee for Assisting the Return of Displaced Civilians is hereby established. It shall be composed of four (4) officers of field grade, two (2) of whom shall be appointed by the Commander-in-Chief, United Nations Command, and two (2) of whom shall be appointed jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. This

Committee shall, under the general supervision and direction of the Military Armistice Commission, be responsible for coordinating the specific plans of both sides for assistance to the return of the above-mentioned civilians, and for supervising the execution by both sides of all of the provisions of this Armistice Agreement relating to the return of the above-mentioned civilians. It shall be the duty of this Committee to make necessary arrangements, including those of transportation, for expediting and coordinating the movement of the above-mentioned civilians; to select the crossing point(s) through which the above-mentioned civilians will cross the Military Demarcation Line; to arrange for security at the crossing point(s); and to carry out such other functions as are required to accomplish the return of the above-mentioned civilians.

(2) When unable to reach agreement on any matter relating to its responsibilities, the Committee for Assisting the Return of Displaced Civilians shall immediately refer such matter to the Military Armistice Commission for decision. The Committee for Assisting the Return of Displaced Civilians shall maintain its headquarters in proximity to the headquarters of the Military Armistice Commission.

(3) The Committee for Assisting the Return of Displaced Civilians shall be dissolved by the Military Armistice Commission upon fulfillment of its mission.

ARTICLE IV

RECOMMENDATION TO THE GOVERNMENTS CONCERNED ON BOTH SIDES

60. In order to insure the peaceful settlement of the Korean question, the military Commanders of both sides hereby recommend to the governments of the countries concerned on both sides that, within three (3) months after the Armistice Agreement is signed and becomes effective, a political conference of a higher level of both sides be held by representatives appointed respectively to settle through negotiation the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, etc.

ARTICLE V

MISCELLANEOUS

61. Amendments and additions to this Armistice Agreement must be mutually agreed to by the Commanders of the opposing sides.

62. The Articles and Paragraphs of this Armistice Agreement shall remain in effect until expressly superseded either by mutually acceptable amendments and additions or by provision in an appropriate agreement for a peaceful settlement at a political level between both sides.

63. All of the provisions of this Armistice Agreement, other than Paragraph 12, shall become effective at **2200** hours on **27 July** 1953.

Done at Panmunjom, Korea, at **1000** hours on the **27th** day of **July**, 1953, in English, Korean, and Chinese, all texts being equally authentic.

KIM IL SUNG

Marshal, Democratic People's
Republic of Korea
Supreme Commander,
Korean People's Army

PENG TEH-HUAI

Commander,
Chinese People's
Volunteers

MARK W. CLARK

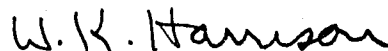
General, United States Army
Commander-in-Chief,
United Nations Command

PRESENT



NAM IL

General, Korean People's Army
Senior Delegate,
Delegation of the Korean People's Army
and the Chinese People's Volunteers



WILLIAM K. HARRISON, Jr.

Lieutenant General, United States Army
Senior Delegate,
United Nations Command Delegation

ANNEX
TERMS OF REFERENCE
FOR
NEUTRAL NATIONS REPATRIATION COMMISSION
(See Sub-paragraph 51b)

I
GENERAL

1. In order to ensure that all prisoners of war have the opportunity to exercise their right to be repatriated following an armistice, Sweden, Switzerland, Poland, Czechoslovakia and India shall each be requested by both sides to appoint a member to a Neutral Nations Repatriation Commission which shall be established to take custody in Korea of those prisoners of war who, while in the custody of the detaining powers, have not exercised their right to be repatriated. The Neutral Nations Repatriation Commission shall establish its headquarters within the Demilitarized Zone in the vicinity of Panmunjom, and shall station subordinate bodies of the same composition as the Neutral Nations Repatriation Commission at those locations at which the Repatriation Commission assumes custody of prisoners of war. Representatives of both sides shall be permitted to observe the operations of the Repatriation Commission and its subordinate bodies to include explanations and interviews.

2. Sufficient armed forces and any other operating personnel required to assist the Neutral Nations Repatriation Commission in carrying out its functions and responsibilities shall be provided exclusively by India, whose representative shall be the umpire in accordance with the provisions of Article 132 of the Geneva Convention, and shall also be chairman and executive agent of the Neutral Nations Repatriation Commission. Representatives from each of the other four powers shall be allowed staff assistants in equal number not to exceed fifty (50) each. When any of the representatives of the neutral nations is absent for some reason, that representative shall designate an alternate representative of his own nationality to exercise his functions and authority. The arms of all personnel provided for in this Paragraph shall be limited to military police type small arms.

3. No force or threat of force shall be used against the prisoners of war specified in Paragraph 1 above to prevent or effect their repatriation, and no violence to their persons or affront to their dignity or self-respect shall be permitted in any manner for any purpose whatsoever (but see Paragraph 7 below). This duty is enjoined on and entrusted to the Neutral Nations Repatriation Commission. This Commission shall ensure that prisoners of war shall at all times be treated humanely in accordance with the specific provisions of the Geneva Convention, and with the general spirit of that Convention.

II

CUSTODY OF PRISONERS OF WAR

4. All prisoners of war who have not exercised their right of repatriation following the effective date of the Armistice Agreement shall be released from the military control and from the custody of the detaining side as soon as practicable, and, in all cases, within sixty (60) days subsequent to the effective date of the Armistice Agreement to the Neutral Nations Repatriation Commission at locations in Korea to be designated by the detaining side.

5. At the time the Neutral Nations Repatriation Commission assumes control of the prisoner of war installations, the military forces of the detaining side shall be withdrawn therefrom, so that the locations specified in the preceding Paragraph shall be taken over completely by the armed forces of India.

6. Notwithstanding the provisions of Paragraph 5 above, the detaining side shall have the responsibility for maintaining and ensuring security and order in the areas around the locations where the prisoners of war are in custody and for preventing and restraining any armed forces (including irregular armed forces) in the area under its control from any acts of disturbance and intrusion against the locations where the prisoners of war are in custody.

7. Notwithstanding the provisions of Paragraph 3 above, nothing in this agreement shall be construed as derogating from the authority of the Neutral Nations Repatriation Commission to exercise its legitimate functions and responsibilities for the control of the prisoners of war under its temporary jurisdiction.

III

EXPLANATION

8. The Neutral Nations Repatriation Commission, after having received and taken into custody all those prisoners of war who have not exercised their right to be repatriated, shall immediately make arrangements so that within ninety (90) days after the Neutral Nations Repatriation Commission takes over the custody, the nations to which the prisoners of war belong shall have freedom and facilities to send representatives to the locations where such prisoners of war are in custody to explain to all the prisoners of war depending upon these nations their rights and to inform them of any matters relating to their return to their homelands, particularly of their full freedom to return home to lead a peaceful life, under the following provisions:

a. The number of such explaining representatives shall not exceed seven (7) per thousand prisoners of war held in custody by the Neutral Nations Repatriation Commission; and the minimum authorized shall not be less than a total of five (5);

b. The hours during which the explaining representatives shall have access to the prisoners shall be as determined by the Neutral Nations Repatriation Commission, and generally in accord with Article 53 of the Geneva Convention Relative to the Treatment of Prisoners of War;

c. All explanations and interviews shall be conducted in the presence of a representative of each member nation of the Neutral Nations Repatriation Commission and a representative from the detaining side;

d. Additional provisions governing the explanation work shall be prescribed by the Neutral Nations Repatriation

Commission, and will be designed to employ the principles enumerated in Paragraph 3 above and in this Paragraph;

e. The explaining representatives, while engaging in their work, shall be allowed to bring with them necessary facilities and personnel for wireless communications. The number of communications personnel shall be limited to one team per location at which explaining representatives are in residence, except in the event all prisoners of war are concentrated in one location, in which case, two (2) teams shall be permitted. Each team shall consist of not more than six (6) communications personnel.

9. Prisoners of war in its custody shall have freedom and facilities to make representations and communications to the Neutral Nations Repatriation Commission and to representatives and subordinate bodies of the Neutral Nations Repatriation Commission and to inform them of their desires on any matter concerning the prisoners of war themselves, in accordance with arrangements made for the purpose by the Neutral Nations Repatriation Commission.

IV

DISPOSITION OF PRISONERS OF WAR

10. Any prisoner of war who, while in the custody of the Neutral Nations Repatriation Commission, decides to exercise the right of repatriation, shall make an application requesting repatriation to a body consisting of a representative of each member nation of the Neutral Nations Repatriation Commission. Once such an application is made, it shall be considered immediately by the Neutral Nations Repatriation Commission or one of its subordinate bodies so as to determine immediately by majority vote the validity of such application. Once such an application is made to and validated by the Commission or one of its subordinate bodies, the prisoner of war concerned shall immediately be transferred to and accommodated in the tents set up for those who are ready to be repatriated. Thereafter, he shall, while still in the custody of the Neutral Nations

Repatriation Commission, be delivered forthwith to the prisoner of war exchange point at Panmunjom for repatriation under the procedure prescribed in the Armistice Agreement.

11. At the expiration of ninety (90) days after the transfer of custody of the prisoners of war to the Neutral Nations Repatriation Commission, access of representatives to captured personnel as provided for in Paragraph 8 above, shall terminate, and the question of disposition of the prisoners of war who have not exercised their right to be repatriated shall be submitted to the Political Conference recommended to be convened in Paragraph 60, Draft Armistice Agreement, which shall endeavor to settle this question within thirty (30) days, during which period the Neutral Nations Repatriation Commission shall continue to retain custody of those prisoners of war. The Neutral Nations Repatriation Commission shall declare the relief from the prisoner of war status to civilian status of any prisoners of war who have not exercised their right to be repatriated and for whom no other disposition has been agreed to by the Political Conference within one hundred and twenty (120) days after the Neutral Nations Repatriation Commission has assumed their custody. Thereafter, according to the application of each individual, those who choose to go to neutral nations shall be assisted by the Neutral Nations Repatriation Commission and the Red Cross Society of India. This operation shall be completed within thirty (30) days, and upon its completion, the Neutral Nations Repatriation Commission shall immediately cease its functions and declare its dissolution. After the dissolution of the Neutral Nations Repatriation Commission, whenever and wherever any of those above-mentioned civilians who have been relieved from the prisoner of war status desire to return to their fatherlands, the authorities of the localities where they are shall be responsible for assisting them in returning to their fatherlands.

V

RED CROSS VISITATION

12. Essential Red Cross service for prisoners of war in custody of the Neutral Nations Repatriation Commission shall be provided by India in accordance with regulations issued by the Neutral Nations Repatriation Commission.

VI

PRESS COVERAGE

13. The Neutral Nations Repatriation Commission shall insure freedom of the press and other news media in observing the entire operation as enumerated herein, in accordance with procedures to be established by the Neutral Nations Repatriation Commission.

VII

LOGISTICAL SUPPORT FOR PRISONERS OF WAR

14. Each side shall provide logistical support for the prisoners of war in the area under its military control, delivering required support to the Neutral Nations Repatriation Commission at an agreed delivery point in the vicinity of each prisoner of war installation.

15. The cost of repatriating prisoners of war to the exchange point at Panmunjom shall be borne by the detaining side and the cost from the exchange point by the side on which said prisoners depend, in accordance with Article 118 of the Geneva Convention.

16. The Red Cross Society of India shall be responsible for providing such general service personnel in the prisoner of war installations as required by the Neutral Nations Repatriation Commission.

17. The Neutral Nations Repatriation Commission shall provide medical support for the prisoners of war as may be practicable. The detaining side shall provide medical support as practicable upon the request of the Neutral Nations Repatriation Commission and specifically for those cases requiring extensive treatment or hospitalization. The Neutral Nations Repatriation Commission shall maintain custody of prisoners of war during such hospitalization. The detaining side shall facilitate such custody. Upon completion of treatment, prisoners of war shall be returned to a prisoner of war installation as specified in Paragraph 4 above.

18. The Neutral Nations Repatriation Commission is entitled to obtain from both sides such legitimate assistance as it may require in carrying out its duties and tasks, but both sides shall not under any name and in any form interfere or exert influence.

VIII

LOGISTICAL SUPPORT FOR THE NEUTRAL NATIONS REPATRIATION COMMISSION

19. Each side shall be responsible for providing logistical support for the personnel of the Neutral Nations Repatriation Commission stationed in the area under its military control, and both sides shall contribute on an equal basis to such support within the Demilitarized Zone. The precise arrangements shall be subject to determination between the Neutral Nations Repatriation Commission and the detaining side in each case.

20. Each of the detaining sides shall be responsible for protecting the explaining representatives from the other side while in transit over lines of communication within its area, as set forth in Paragraph 23 for the Neutral Nations Repatriation Commission, to a place of residence and while in residence in the vicinity of but not within each of the locations where the prisoners of war are in custody. The Neutral Nations Repatriation Commission shall be responsible for the security of such representatives within the actual limits of the locations where the prisoners of war are in custody.

21. Each of the detaining sides shall provide transportation, housing, communication, and other agreed logistical support to the explaining representatives of the other side while they are in the area under its military control. Such services shall be provided on a reimbursable basis.

IX

PUBLICATION

22. After the Armistice Agreement becomes effective, the terms of this agreement shall be made known to all prisoners of war who, while in the custody of the detaining side, have not exercised their right to be repatriated.

X

MOVEMENT

23. The movement of the personnel of the Neutral Nations Repatriation Commission and repatriated prisoners of war shall be over lines of communication as determined by the command(s) of the opposing side and the Neutral Nations Repatriation Commission. A map showing these lines of communication shall be furnished the command of the opposing side and the Neutral Nations Repatriation Commission. Movement of such personnel, except within locations as designated in Paragraph 4 above, shall be under the control of, and escorted by, personnel of the side in whose area the travel is being undertaken; however, such movement shall not be subject to any obstruction and coercion.

XI

PROCEDURAL MATTERS

24. The interpretation of this agreement shall rest with the Neutral Nations Repatriation Commission. The Neutral Nations Repatriation Commission, and/or any subordinate bodies to which functions are delegated or assigned by the Neutral Nations Repatriation Commission, shall operate on the basis of majority vote.

25. The Neutral Nations Repatriation Commission shall submit a weekly report to the opposing Commanders on the status of prisoners of war in its custody, indicating the numbers repatriated and remaining at the end of each week.

26. When this agreement has been acceded to by both sides and by the five powers named herein, it shall become effective upon the date the Armistice becomes effective.

Done at Panmunjom, Korea, at 1400 hours on the 8th day of June 1953, in English, Korean, and Chinese, all texts being equally authentic.

NAM IL

General, Korean People's Army
Senior Delegate,
Delegation of the Korean People's
Army and the Chinese People's
Volunteers

WILLIAM K. HARRISON, JR.

Lieutenant General, United
States Army
Senior Delegate,
United Nations Command
Delegation

TEMPORARY AGREEMENT SUPPLEMENTARY TO THE
ARMISTICE AGREEMENT

In order to meet the requirements of the disposition of the prisoners of war not for direct repatriation in accordance with the provisions of the Terms of Reference for Neutral Nations Repatriation Commission, the Commander-in-Chief, United Nations Command, on the one hand, and the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, on the other hand, in pursuance of the provisions in Paragraph 61, Article V of the Agreement concerning a military armistice in Korea, agree to conclude the following Temporary Agreement supplementary to the Armistice Agreement:

1. Under the provisions of Paragraphs 4 and 5, Article II of the Terms of Reference for Neutral Nations Repatriation Commission, the United Nations Command has the right to designate the area between the Military Demarcation Line and the eastern and southern boundaries of the Demilitarized Zone between the Imjin River on the south and the road leading south from Okum-ni on the northeast (the main road leading southeast from Panmunjom not included), as the area within which the United Nations Command will turn over the prisoners of war, who are not directly repatriated and whom the United Nations Command has the responsibility for keeping under its custody, to the Neutral Nations Repatriation Commission and the armed forces of India for custody. The United Nations Command shall, prior to the signing of the Armistice Agreement, inform the side of the Korean People's Army and the Chinese People's Volunteers of the approximate figures by nationality of such prisoners of war held in its custody.
2. If there are prisoners of war under their custody who request not to be directly repatriated, the Korean People's Army and the Chinese People's Volunteers have the right to designate the area in the vicinity of Panmunjom between the Military Demarcation Line and the western and northern boundaries of the Demilitarized Zone, as the area within which such prisoners of war will be turned over to the Neutral Nations Repatriation Commission and the armed forces of India for custody. After knowing that there are prisoners of war under their custody who request not to be directly repatriated, the Korean People's Army and the Chinese People's Volunteers shall inform the United Nations Command side of the approximate figures by nationality of such prisoners of war.

3. In accordance with Paragraphs 8, 9 and 10, Article I of the Armistice Agreement, the following paragraphs are hereby provided:

a. After the cease-fire comes into effect, unarmed personnel of each side shall be specifically authorized by the Military Armistice Commission to enter the above-mentioned area designated by their own side to perform necessary construction operations. None of such personnel shall remain in the above-mentioned areas upon the completion of the construction operations.

b. A definite number of prisoners of war as decided upon by both sides, who are in the respective custody of both sides and who are not directly repatriated, shall be specifically authorized by the Military Armistice Commission to be escorted respectively by a certain number of armed forces of the detaining sides to the above-mentioned areas of custody designated respectively by both sides to be turned over to the Neutral Nations Repatriation Commission and the armed forces of India in custody. After the prisoners of war have been taken over, the armed forces of the detaining sides shall be withdrawn immediately from the areas of custody to the area under the control of their own side.

c. The personnel of the Neutral Nations Repatriation Commission and its subordinate bodies, the armed forces of India, the Red Cross Society of India, the explaining representatives and observation representatives of both sides, as well as the required material and equipment, for exercising the functions provided for in the Terms of Reference for Neutral Nations Repatriation Commission shall be specifically authorized by the Military Armistice Commission to have the complete freedom of movement to, from, and within the above-mentioned areas designated respectively by both sides for the custody of prisoners of war.

4. The provisions of Sub-paragraph 3c of this agreement shall not be construed as derogating from the privileges enjoyed by those personnel mentioned above under Paragraph 11, Article I of the Armistice Agreement.

5. This Agreement shall be abrogated upon the completion of the mission provided for in the Terms of Reference for Neutral Nations Repatriation Commission.

Done at Panmunjom, Korea, at 1000 hours on the 27th day of July, 1953, in English, Korean and Chinese, all texts being equally authentic. .

김일성 彭德懷 Mark W. Clark

KIM IL SUNG

Marshal, Democratic People's
Republic of Korea
Supreme Commander,
Korean People's Army

PENG TEH-HUAI

Commander,
Chinese People's
Volunteers

MARK W. CLARK

General, United States Army
Commander-in-Chief,
United Nations Command

PRESENT

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