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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~TOP SECRET/NODIS/FRD~~

February 8, 1974

MEMORANDUM FOR:

The Deputy Secretary of State
The Deputy Secretary of Defense
The Deputy Secretary of Treasury
The Director of Central Intelligence
The Chairman, Joint Chiefs of Staff

SUBJECT:

Korea: 1) Diplomatic Initiatives: NSSM 190
2) U.S. Force Deployments
3) Analysis of a Possible Change in
the Role of the Army Division in
Korea: Follow-on to NSSM 171

Attached ^{is} a paper on Diplomatic Initiatives in Korea, prepared by the Interdepartmental Group for East Asia in response to NSSM 190. This paper will form the basis for discussion at the Senior Review Group meeting on Friday, February 15, at 10:00 a.m.

Also attached are:

--a paper on U.S. Force Deployments in Korea, prepared by the Department of State;

--an Analysis of the Role of the Army Division in Korea, prepared by the Department of Defense as a follow-on to NSSM 171; and

--a paper on the Political and Diplomatic Implications of a Change in the Role of the Army Division, prepared by the Department of State as a follow-on to NSSM 171.

These three papers will also be raised during the February 15 SRG meeting.

DECLASSIFIED

E.O. 12958 (as amended) SEC 3.3

NSC Memo, 5/30/06, State Dept. Guidelines

By *WA* NARA, Date 1/20/11

JWD
Jeanne W. Davis
Staff Secretary



~~TOP SECRET/NODIS/FRD/XGDS~~

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Presidential Libraries Withdrawal Sheet

WITHDRAWAL ID 033285

REASON FOR WITHDRAWAL ÇNational security restriction
TYPE OF MATERIAL ÇReport
TITLE NSSM 190: Diplomatic Initiatives
Regarding Security Arrangements on the
Korean Peninsula
CREATION DATE 02/1974
VOLUME 52 pages
COLLECTION/SERIES/FOLDER ID . 033700429
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FOLDER TITLE Senior Review Group Meeting, February
15, 1974 (Korea) (2)
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ANNEX C

Resolution of the UN Security Council Calling for the
Establishment of a Unified Command for UN Forces in
Korea, July 7, 1950

The Security Council

Having determined that the armed attack upon the Republic of Korea by forces from North Korea constitutes a breach of the peace,

Having recommended that Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area,

1. Welcomes the prompt and vigorous support which governments and peoples of the United Nations have given to its Resolutions of 25 and 27 June 1950 to assist the Republic of Korea in defending itself against armed attack and thus to restore international peace and security in the area;

2. Notes that Members of the United Nations have transmitted to the United Nations offers of assistance for the Republic of Korea;

3. Recommends that all Members providing military forces and other assistance pursuant to the aforesaid Security Council resolutions make such forces and other

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assistance available to a unified command under the United States;

4. Requests the United States to designate the commander of such forces;

5. Authorizes the unified command at its discretion to use the United Nations flag in the course of operations against North Korean forces concurrently with the flags of the various nations participating;

6. Requests the United States to provide the Security Council with reports as appropriate on the course of action taken under the unified command.



ANNEX D

MILITARY ARMISTICE IN KOREA
AND
TEMPORARY SUPPLEMENTARY AGREEMENT

- Signed at Panmunjom, Korea,
July 27, 1953
- Entered into force July 27, 1953



DEPARTMENT OF STATE

PUBLICATION 5197

[Literal print]

*For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington 25, D.C. : Price 35 cents*



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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).^[1]

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

¹ The originals of these maps, large-scale in size, are deposited with the signed original Agreement in the archives of the Department of State where they are available for reference.



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.)^[1]

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

¹ See footnote 1, *ante*, p. 4.



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),^[1] 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.

¹ See footnote 1, *ante*, p. 4.



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 reports 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).^[1]

¹ See footnote 1, *ante*, p. 4.



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' IEN 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 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.

7/27/53 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

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

W. K. Harrison
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.



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 for 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
1953. 7. 27

彭德怀

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

남일

W K Harrison

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



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