

The foundation of the MAC and the NNSC and the first turbulent years

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Abstract

The Korean War (1950-1953) ended with an Armistice Agreement containing provisions on how to implement it through a Military Armistice Commission (MAC) and supervise it through a Neutral Nations Supervisory Commission (NNSC). However, implementation and supervision were hampered by mutual distrust. Inspections of military enforcements were difficult to make, especially in North Korea. Consequently, the United Nations Command (UNC) cancelled the armistice's provisions on supervision in 1956. To achieve military balance, the UNC cancelled also the prohibition of rearmaments in 1957. The NNSC's mandate was greatly reduced but the Commission yet contributed to secure peace. In contrast to before, after the 1956-1957 events, both the North and the South wanted the NNSC to remain.

Key words: Armistice Agreement, MAC, NNSC, inspections, peace

The starting point of this study is the 1953 Armistice Agreement (AA). Consequently, in particular the paragraphs defining the tasks of the Military Armistice Commission (MAC) and the Neutral Nations Supervisory Commission (NNSC) are first presented in some detail. Then follows an account of the Commissions' work between 1953 and 1956 with emphasis on three issues.

First, what was the legacy of the Korean War (1950-1953)? Second, were the armistice's provisions followed or not? Thirdly, how did the policies pursued by North Korea, China, South Korea and the United States affect the Commissions' work? These issues are investigated on the basis of the parties' policies and their interaction.

Since the implementation of the Armistice Agreement was affected by the political environment in which it took place, the following sections deal more in detail with the impact of the relations between the war combattants on the Commissions' work. As in the previous paragraph, consideration is also taken to how the composition of the NNSC affected its work.

The foundation and organisation of the MAC and the NNSC

The Korean War ended with an Armistice Agreement signed by North Korea for the Korean People's Army (KPA) and the Chinese People's Volunteers (CPV) and the United States for the United Nations Command (UNC) on 27 July, 1953. The Armistice Agreement stipulated the establishment of a Military Demarcation Line (MDL). A Demilitarized Zone (DMZ) would be established through the withdrawal of both sides two kilometers from this line. The DMZ would serve "...as a buffer zone to prevent the occurrence of incidents which might lead to a resumption of hostilities". According to Paragraph 6, "Neither side shall execute any hostile act within, from, or against the demilitarized zone". According to Paragraph 10, no more than 1,000 persons were allowed to enter either side of the zone at any one time "...for the conduct of civil administration and relief...". Also, "The number of civil police and the arms to be carried by them shall be as prescribed by the Military Armistice Commission".

A Military Armistice Commission (MAC) was set up "...to supervise the implementation of this Armistice Agreement and to settle through negotiations any violations of this Armistice Agreement". More specifically, "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”. The MAC would “Supervise the carrying out of the provisions of this Armistice Agreement pertaining to the Demilitarized Zone and to the Han River Estuary” through its ten Joint Observer Teams.

The MAC would be “...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”. The MAC would have ten senior officers, five of whom to be appointed by the Commander-in-Chief of the UNC and five jointly by the Supreme Commander of the KPA and the Commander of the CPV. Three of the five members from each side should “...be of general of flag rank”. The other two “...members on each side may be major generals, brigadier generals, colonels, or their equivalents”.¹

A Neutral Nations Supervisory Commission (NNSC) was established “...to carry out the functions of supervision, observation, inspection and investigation, as stipulated in Sub-paragraphs 13(c) and 13(d) and Paragraph 28 hereof, and to report the results of such supervision, observation, inspection and investigation to the Military Armistice Commission”. The MAC would in turn transmit the reports “...to the Commanders of the opposing sides...”. More specifically, the NNSC would:

“Conduct, through its members and its Neutral Nations Inspection Teams, the supervision and inspection provided for in Sub-paragraphs 13(c) and 13(d) 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 NNSC should have four senior officers, two of whom would be appointed by neutral nations nominated by the UNC, that is Sweden and Switzerland, and two by the neutral nations nominated by the KPA/CPV, that is Poland and Czechoslovakia. The term “neutral nations” refers to “...those nations whose combatant forces have not participated in the hostilities in Korea”.

Paragraph 13(c) prohibited “...the introduction into Korea of reinforcing military personnel...”. But “...replacements of units or personnel by other units or personnel who are commencing a tour of duty in Korea...” would be permitted. Such rotation would take place “...on a man-for-man basis...”. The rotation policy permitted “...no more than thirty-five thousand (35,000) persons in the military service...” to enter into either North or South Korea in any month. “Reports concerning arrivals in and departures from Korea of military personnel...” had to be made daily by “...the Commander of the opposing sides ...” to the MAC and the NNSC, including “...places of arrival and departure and the number of persons arriving at or departing from each such place”.

The NNSC should through its Neutral Nations Inspection Teams (NNITs) “... conduct supervision and inspection of the rotation of units and personnel authorized above, at the ports of entry enumerated in Paragraph 43 hereof”. The ports of entry where teams would be stationed were in the North Sinuiju, Chongjin, Hungnam, Manpo and Sinanju and in the South Inchon, Taegu, Pusan, Kangnung and Kunsan. The teams would “...be accorded full convenience of movement within the areas and over the routes of communication set forth on the attached map (Map 5)”.²

Paragraph 13(d) prohibited:

¹ Columbia University, *Text of the Korean War Armistice Agreement* (<http://news.findlaw.com/scripts/printerfriendly.pl?page=/hdocs/docs/korea/kwarmagr072753.html>), Paragraph 1, 6, 10, 19, 20, 23(a), (b), 24, 25(d), (e), (f), 26, 27, 28, 29, 41.

² Columbia University, *ibid.*, Paragraph 13(c), 25(g), 36, 37, 41, 42(c), (e), 43.

“...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 piece-for-piece of the same effectiveness and the same type”.

To justify such replacements, “...reports concerning every incoming shipment of these items shall be made to the MAC and the NNSC...”. Also “...the disposition of the items being replaced” had to be stated. The NNSC should through its Inspection Teams “... 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”.

In order to implement its tasks, the NNSC would be “...provided with, and assisted by, twenty (20) Neutral Nations Inspection Teams...” that would have four officers, of which half from each side. Paragraph 11 guaranteed the MAC and the NNSC “...complete freedom of movement to, from, and within the Demilitarized Zone...”.

The MAC should “locate its headquarters in the vicinity of Panmunjom...” whereas the NNSC should “locate its headquarters in proximity to the headquarters of the Military Armistice Commission”. Panmunjom had been the name of a village where the armistice was negotiated. It was located in North Korea’s part of the DMZ when the MDL was drawn. Since the UNC repeatedly requested a relocation of the MAC conference site on the MDL, North Korea agreed to relocate it to Kanmandong village located astride to the MDL. The official name of the MAC conference area, which was established in October 1953 and comprises about 800 meters in diameter, is the Joint Security Area but it is far more known as Panmunjom.³

“A mission impossible” 1953-1956

At first glance, the Armistice Agreement seems to be a good document but it would soon turn out to be difficult to implement. Ten of the 20 NNITs had the task to inspect the only ten places where military personnel and equipment could be transferred and entered through ports, airports and railway stations. There were also ten mobile inspection teams (MITs) stationed in Panmunjom for ad hoc inspections.

Due to the high number of inspection teams, the Swedish delegation first had 75 members. The Swiss delegation had 96 members whereas the Czechoslovak and Polish had 300 men each: Czechoslovakia and Poland wanted to take care of supply services and communications themselves instead of relying on support from the parties to the Armistice Agreement, as Sweden and Switzerland did. The first meeting was held 1 August, 1953. Daily meetings were held throughout August but from February 1954 every second day, after the most complicated procedural matters had been solved. Since June 1954, meetings were held at least once a week, the presidency rotating.

The inspection teams that in August were dispatched to North Korea were prevented from undertaking their tasks, in violation of the Armistice Agreement. According to the Swiss Colonel Urs A. Mueller-Lhotska (1997), only the Manpo railway station and the Sinuiju port “...showed a limited traffic”. “Controls were only possible if announced two hours in advance; checking was done on the basis of transports announced by the North Korean authorities because original documents could not be examined”. Consequently, surprise inspections could not be made. Also, “The results of the “prepared” inspections - some four transport trains were checked weekly at Manpo - were always in precise conformity with the data reported by

³ Columbia University, *ibid.*, Paragraph 11, 13(d), 25(a), 40(a), (b), 42(a); James Lee, “History of Korea’s MDL & Reduction of Tension along the DMZ and Western Sea through Confidence Building Measures between North and South Korea”, in Kim Chae-han (ed.), *The Korean DMZ - Reverting beyond Division* (Seoul: Sowha Publishing Co., 2001), pp. 106-107, 308-309.

North Koreans”. In the port city Sinanju where traffic had been inactive since the Armistice Agreement had been signed, the teams’ only task had been in his words to “show the flag”.⁴

The account of Sven Grafström, head of the Swedish NNSC delegation, from Sinuiju on 12 November, 1953 well illuminates the difficulties: “...as little happens in Sinuiju as in the other ports of entry in the North”. At the inspection of the railway station by the whole inspection team, consisting of around 30 persons with interpreters and liaison officers, they saw a large number of boxes with apples. As head of the delegation, he then expressed his team’s wish to pass the bridge over the Yalu River as tourists but were refused twice with the same motivation: “it is a border here”. At the end of the inspection at the second railway station, they saw scrap at the platform and in open railway wagons. At other places, there was no traffic at all. Announced land transports to the ports of entry were controlled. The North was also slow in providing information. Due to these circumstances, it is not surprising that the Swedish delegate at the 37th NNSC meeting said: “In the North, the inspection teams have seen and heard nothing”. Consequently, the UNC’s confidence in the NNSC fell.

According to the former international relations advisor of the UNC/MAC, James M. Lee (2001), there was “... strong evidence that North Korea had shipped illegal weapons, military aircraft, through places other than the designated ports of entry in North Korea”. Also, “...the NNSC, which was established as proposed by North Korea and China in lieu of the MAC inspection, turned into a defunct agency [within] less than a year due to the sponsors’ subterfuge and obstructions”. Under such conditions, only four of the ten mobile teams were brought into action since 27 July until the end of 1953. Subsequently, the number of mobile teams was following a Swiss proposal presented by the NNSC to the MAC reduced from ten to six.⁵

Whereas scholars agree that inspections could not be made in North Korea, opinions are more divided on inspections in South Korea. Försvarets Läromedelscentral (Textbook Center of The [Swedish] National Defence Force) writes (1985): “The southern side reported quickly and probably fairly”. But it also points out that the Syngman Rhee government from the beginning had a negative opinion of the NNSC which it did not regard as a neutral organization.

According to Mueller-Lhotska (1997), in South Korea inspections took place and reports were made on the massive UN troop rotations and the replacements of combat material for the armed forces to the UNC/MAC, in accordance with the Armistice Agreement. But he also notes that in spring 1954 the issues of evaluation, the engagement of mobile inspection teams and differences between inspection routines in the North and the South led to permanent controversies within the NNSC making the Commission’s work even more complicated. The Swedish-Swiss efforts to implement unified inspection routines in accordance with the

⁴ Sydney Bailey, *The Korean Armistice* (New York: St. Martin’s Press, 1992), p. 172; Jean-David Bettex, “Die Geschichte der neutralen Ueberwachungskommission (NNSC) für den Waffenstillstand in Korea (1953-1983)” [“The History of the Neutral Nations Supervisory Commission (NNSC) of the Armistice Agreement in Korea (1953-1983)”], in Kyung Hee University: Center for Asia-Pacific Studies, *The Swiss Delegation to the Neutral Nations Supervisory Commission in Panmunjom (Korea) 1953-1993* (Seoul: Handa Prints, 1993), pp. 18, 22; Magnus Bruzelius, “Korea - krig och stillestånd: Svenska insatser 1950-1978” [“Korea - War and Armistice: Swedish Contributions 1950-1978”], *Jorden Runt*, vol. 50, no. 11 (1978) p. 599; Försvarets Läromedelscentral, *Historik över de neutrala ländernas övervakningskommission i Korea [A History of the Neutral Nations Supervisory Commission in Korea]* (Försvarets Läromedelscentral, n.p., 1985), pp. 22-3; Sven Grafström, *Anteckningar 1945-1954 [Minutes 1945-1954]*, (Stockholm: gotab Stockholm, 1989), p. 1123; Walter Knüsli, “Die Schweizer Korea-Mission” [“The Swiss Mission in Korea”], in Kyung Hee University, *ibid.*, pp. 126-27, 129, 130; Urs A. Mueller-Lhotska & Allan R. Millett, *Swiss Mission to Korea in the Change of Times 1953-1997* (Zurich and Prague: Transslawia, 1997), pp. vii, 24, 28, 33.

⁵ Bettex, *ibid.*, p. 18; Bruzelius, *ibid.*, p. 599; Grafström, *ibid.*, p. 1185; Lee, “History of Korea’s”, pp. 79, 117; Mueller-Lhotska & Millett, *ibid.*, p. 27.

Armistice Agreement had failed: the work had become entirely dependent on the information that North and South Korea chose to supply. From April 1954 onwards restrictions similar to those that had been implemented in the North were imposed also in the South. No original documents were shown any longer and inspections of rotation of personnel could only be made following applications: "...the NNSC was deprived, in the South as well, of its active and independent role in supervising the Armistice Agreement".

According to Grafström, in November 1953 the UNC/MAC was notoriously careless in handling in reports on bringing in and out combat materials. Cooperation between the UN liaison officers and the inspection teams did not work well. Consequently, it was difficult for the Swedish and Swiss NNSC teams to evaluate in particular the statistics.⁶ That the teams faced restrictions in both Koreas show that they were suspicious towards the NNSC and of each other making it difficult to implement the Armistice Agreement: the war's legacy was mutual distrust.

Besides the difficulties caused by the restrictions imposed on inspections, the NNSC suffered from internal conflicts. The first internal conflict occurred already after the KPA/CPV on 24 August, 1953 had requested the engagement of a mobile inspection team with officers from all member nations. The task was to clarify in three prisoners' camps in South Korea an alleged obstruction of the North Korean Red Cross Delegation by the UNC/MAC. Since the NNSC could not reach any agreement on the investigation outcome, no joint report was submitted to the MAC.

On 12 October, 1953 the UNC/MAC requested the NNSC to send a mobile inspection team to Uiju (now Sinuiju) airport. The purpose was to investigate the intelligence received immediately after the armistice had been signed that North Korea had secretly put jet fighter planes in transport containers and brought them into its territory. The Czechoslovak and Polish members asked how such a transport had been possible and refused to dispatch an investigation team.

They argued that one side could reject a dispatch of mobile inspection teams but such a view was a clear violation of the Armistice Agreement. Although the NNSC held several meetings at the request of the UNC/MAC Senior Member, since Czechoslovakia and Poland one-sidedly supported North Korea the dispatch was delayed. Prior to the dispatch, a complaint from the Czechoslovak and Polish members on a formal mistake in the request was refuted by having the original wording immediately investigated. However, when the team finally inspected Uiju airport but not its environment, no containers with fighter planes that, according to Mueller-Lhotska (1997) were Russian MIG airplanes, were found.

The Swiss member then declared that an investigation was needed to find out whether the fighter planes had been there since the war or had been brought in after the armistice had been enforced and asked the air base Commander to show the aviation journal but was immediately refused. The Czechoslovak representatives suggested that the NNSC should submit a joint report to the MAC that the fighter planes had been there even during the war but Sweden and Switzerland refused to meet this demand. Consequently, in spite of jointly made conclusions no report was elaborated to the MAC.⁷

Considering the difficulties to conduct its work and the internal tensions, it is not surprising that the Swedish representative at the 105th NNSC meeting held 17 February, 1954

⁶ Bettex, *ibid.*, p. 18; Försvarets Läromedelscentral, *Historik över*, p. 23; Grafström, *ibid.*, pp. 1190-1191; Mueller-Lhotska & Millett, *ibid.*, pp. 28-9.

⁷ Försvarets Läromedelscentral, *op. cit.*, p. 23; Lee, "Segye-eso kajang mujanghwatoen 'pimujang chidae': Panmunjom-en 'simpan'-i optta" ["The World's Most Militarized 'Demilitarized Zone': There is no 'judge' at P'anmunjôm"], http://www.donga.com/docs/magazine/new_donga/9806/nd98060160.html, pp. 6-7; Mueller-Lhotska & Millett, *ibid.*, pp. 26-7.

was unable to let the Czechoslovak and Polish representatives' one-sided and improper acts pass unnoticed and complained:

“Under what circumstances should the NNSC dispatch mobile inspection teams to territory under the control of North Korea to investigate violations of the Armistice Agreement? Should dispatches be made only if North Korea admits violations of the agreement? If so, it would be correct to cancel Paragraph 28 that clearly states the functions and tasks of the NNSC mobile inspection teams”.⁸

Although it is indisputable that North Korea violated the Armistice Agreement by restricting the NNIT's work, it must be noted that also the UNC/MAC violated it. After the Armistice Agreement had been signed, it was agreed already at the third MAC meeting held 30 July that military police would be used in the DMZ instead of civilian police that in contrast was, as we have seen, permitted according to Paragraph 10. At the fourth meeting held 31 July, it was agreed “... that civil police would be armed only with rifles and pistols” but automatic rifles were not included. Subsequently, both sides began to continuously bring in so-called DMZ police to the zone. They were not police but combat personnel wearing armbands: finally, the DMZ came to lose its real meaning. Later, also combat soldiers entered the zone.

From the summer of 1959, North Korea first began to fortify its checkpoints in the DMZ. As of 1965, most checkpoints had become fortifications. The UN Commander responded with [non-exemplified] self-defensive measures. Such a development could not be legally prevented: whereas the Armistice Agreement defines the obligation of general demilitarization, there are no concrete provisions prohibiting installation of military facilities in the DMZ. The border between what is allowed and forbidden is unclear: many combat campsites and concrete barriers etc. have been established.⁹ Also the militarization of the DMZ shows that mutual distrust undermined the implementation of the Armistice Agreement.

Besides the inspection issue, internal tensions within the NNSC and mutual distrust, developments after the Korean War were affected by the negative American opinion of the Commission. Not surprisingly, the United States expressed immediately after the Armistice Agreement had been signed a sceptical opinion of the Commission's composition: Czechoslovakia and Poland were as satellite states to the Soviet Union just obstacles to its military activities.

According to the American scholar Fred Charles Iklé (1999), the United States had placed great hopes on the NNSC during the armistice negotiations: it was considered “...an essential element of the armistice agreement that they had to win in order to prevent North Korea from violating the prohibitions against an arms build-up”. Also, “The Neutral Nations Supervisory Commission was meant to make sure that the hard-won peace in Korea would last”. But the NNSC soon turned out to be to the Americans “worse than useless”. “It could do nothing about North Korea's arms build-up in violation of the truce agreement, but it inhibited the U.S. response”. The NNSC “...was neither neutral (because Communist Poland and Czechoslovakia together had half the votes), nor supervisory (because the North Koreans could easily block all relevant access)”.¹⁰

⁸ Lee, *ibid.*, p. 7.

¹⁰ Jhe Seong-Ho, “Chongjon hyopchong-e kwanhan yon'gu - kinung chongsanghwa-mith silhyosong hwakbo pangan-ul chungsim-uro” [“A Study on the Korean Armistice Regime - With Emphasis on a Plan to Normalize Its Functions and Secure Effectiveness”], *Chollyak yon'gu*, vol. 11, no. 1 (2004), p. 100; Lee, *ibid.*, pp. 1, 14-15: *op. cit.*, pp. 271, 272.

¹⁰ Iklé, “The Role of Emotions in International Negotiations”, in Berton, Peter, Kimura, Hiroshi and Zartman, I. William, *International Negotiation: Actors, Structure/Process, Values* (New York: St. Martin's Press, 1999), pp. 337-38; Pak Tae-kyun, “1950 nyondae Migug-ui chongjon hyopchong ilbu chohang muhyo sonon-gwa ku uimi” [“The United States Non-valid Declaration of Certain Provisions of the Armistice Agreement in the 1950s and its Significance”], *Yoksa pipyeong*, no. 63 (2003), pp. 43-4.

Iklé's view concurs with Lee who writes (2001): "... the NNSC from its foundation has never been a truly neutral body". Another weakness has been the absence of a "...referee for any decision making". In his words:

"The Czech[Czechoslovak]/Polish delegations openly supported the North Korean and Chinese communists side, doing everything in their power to hamper proper function and operation of the NNSC. They regularly vetoed proposals for inspections and investigations in North Korea, whereas they often conducted intelligence collection activities in the ROK [Republic of Korea] which is completely outside the purview of the NNSC".

Lee also refers to the 68th MAC meeting held 14 February, 1956 when the UNC/MAC Senior Member said: "...the evidence accumulated by our side over a period of more than 29 months indicated clearly, and without dispute, that the value of the inspection teams (NNITs/MITs) has been completely, willfully and systematically destroyed by the Czech [Czechoslovak]/ Pole [Polish] delegations...". He quoted the Swedish NNSC Member General Paul Mohn who was of the opinion that the NNSC "should apply one system of inspection in North Korea and another in South Korea". Although an interpreter from the Polish team had fled to the US on 9 September, 1953, the American opinion was that both delegations carried out activities, including espionage that harmed the UN.¹¹

The inspection issue, internal tensions, mutual distrust and negative American and South Korean views of the Commission thus greatly affected it during its first years. Throughout 1954-1955, North Korea's military build-up was the major factor affecting developments, although the North asserted that it had followed Paragraph 13(d) prohibiting rearmaments and that no material had been brought in from abroad.

The UNC/MAC's opinion was that it "...had loyally followed the provisions of the Armistice Agreement and therefore had units with obsolete equipment while the North's units had been greatly strengthened due to the lack of control to the north of the DMZ". In 1954, the South Korean government accused North Korea that, since the NNSC had been unable to conduct inspections in the North, the risk that rearmaments would destroy the power balance was high. The policy was supported by the whole National Assembly. Consequently, South Korea and the United States wanted to dissolve the NNSC and cancel the Armistice Agreement to be free to modernize the combat forces and restore the military balance. However, the South Korean-American position was contradictory: on 1 October, 1953 they had signed a Mutual Defense Agreement that obligated the United States to South Korea's defense in the event of external armed attack and guaranteed permanent stationing of American troops. Weapons and equipment were also brought in.¹²

The period between August 1954 and July 1955 was due to the difficulties for the NNSC to conduct its work dominated by the issue of dissolving it. However, already in April 1954, the Swedish General Paul Mohn had strongly advocated an abolition of the Commission. In the United Nations General Assembly's Political Committee, the Swedish UN Ambassador declared on 3 December, 1954 that Sweden may have to reconsider its participation in the NNSC unless the Korean question gets solved soon. In his words:

"For a small country like Sweden, an indefinite prolongation of our supervisory task creates substantial administrative and other difficulties and it does not seem particularly satisfactory to man such a broad

¹¹ Bailey, *The Korean Armistice*, p. 176; Lee, "Segye-eso", p. 6: op. cit., p. 117; Pak, *ibid.*, p. 44.

¹² Bruzelius, "Korea - krig och stillestånd", pp. 599-600; Choi, "Nambuk kunsajok habui-wa Han'guk chongjon hyopchong-ui hyoryok" ["Korean Armistice Agreement. Dead or Alive? - From the View Point of South and North Korean Subsequent Agreement"], *Songgyungwan pophak*, vol. 16, no. 2 (2004), p. 495; Försvarets Läromedelscentral, op. cit., p. 24.; Lee, *ibid.*, p. 7; Kenneth Quinones, "South Korea's Approaches to North Korea", in *Korean Security Dynamics in Transition* (Park Kyung-Ae and Kim Dalchoong, eds, New York: Palgrave, 2001), p. 22.

supervisory mechanism with a large number of qualified people, when it is impossible for them to implement the task, that such a body naturally is expected to do”.¹³

The Czechoslovak and Polish members protested vehemently against the statement at the meeting held on 8 December: their opinion was that the Commission was a body that now could make decisions on all important issues. The purpose was to underline that the NNSC must not be dissolved. At this time, the UNC/MAC did not show much interest in the Commission whereas the KPA/CPV gradually had shown more and more appreciation.

Around New Year 1954-1955, the South Korean chief of police encouraged Czechoslovak and Polish NNSC members to leave the country “peacefully” since their personal safety could not be guaranteed. At the same time, the UNC/MAC had announced that traffic at three ports of entry in the South would end. On 31 January, 1955 the UNC Commander proposed to the US Ministry of Defense that since the NNSC severely obstructed the UNC’s military activities, the Commission should be abolished.¹⁴

Within the NNSC, Sweden and Switzerland supported the US-South Korea proposal to dissolve it but the argument was that the Commission was inefficient and therefore unnecessary. Due to the growing difficulties to perform its tasks, Sweden was willing to leave the NNSC in 1956: after 1953, it had in the words of Mr. Sven Juhlin, Head of the Swedish NNSC delegation March 1998-June 1999 (2000), become “a mission impossible”. However, both countries opposed the United States policy to persuade them to leave the NNSC: the opinion was that the voluntary withdrawal on American terms would cause tensions in their relations with communist countries, not least China and the Soviet Union. Instead of reducing the NNSC’s activities, they suggested to endow the MAC with a greater role. In spite of American pressure through the Swedish Embassy in the United States, Sweden and Switzerland refused to withdraw.

Instead, it was decided to reduce the inspection teams by one in both North and South Korea. On the other hand, China and North Korea wanted both the NNSC and the Armistice Agreement to remain and were supported by the Soviet Union, Poland and Czechoslovakia: status quo would make it possible to exert influence on developments in the South. In fact, at this time it was possible to simultaneously point out “the clearly stated aggressive South Korean plans to unify Korea by military force” and praise itself to “be the truly peace-loving people that in cooperation with the Neutral Nations worked for a final solution of the Korean issue”.¹⁵

NNSC Inspections End in 1956

As we have seen, it had become increasingly difficult for the NNSC to conduct its work since 1953. On 31 May, 1956 the Senior Member of UNC/MAC, General Robert G. Gard, declared at the 70th MAC meeting that the validity of all provisions in the Armistice Agreement “... regulating the activities of the NNSC and its Inspection Teams in South Korea, was suspended”. Paragraph 13(c) on rotation of military personnel, Paragraph 28 on inspections of reported violations of the Armistice Agreement outside the DMZ, Paragraph 42(c) on supervision and inspection by NNITs of reported violations at the ports of entry and outside the DMZ and, finally, Paragraph 43 on the freedom of movement of personnel stationed at the

¹³ Bailey, *op. cit.*, p. 176; Försvarets Läromedelscentral, *ibid.*, pp. 23-4. Original quotation marks.

¹⁴ Bailey, *op. cit.*, pp. 174-75; Choi, “Nambuk kunsajok”, p. 44; Försvarets Läromedelscentral, *ibid.*, p. 24. “Peacefully” is quoted from Försvarets Läromedelscentral, *ibid.*, p. 24.

¹⁵ Försvarets Läromedelscentral, *ibid.*, p. 25; Juhlin, “NNSC och dess förändrade roll under 1990-talet” [“The NNSC and Their Changed Role During the 1990s”], lecture at Stockholm University, 22 March, 2000; Pak, “1950 nyonda”, p. 45. Original quotation marks.

ports of entry were suspended. However, Paragraph 13(d) prohibiting introduction of combat material for rearmament would continue to be observed.¹⁶

He ordered in a letter the inspection teams in Inchon, Pusan and Kunsan to withdraw within ten days. These extraordinary measures were "...justified by violations of the Armistice Agreement by the North and the obstructive attitudes of the Polish and Czechoslovak NNSC representatives" but no references were made to the above restrictions imposed by the UNC/MAC. On the contrary, he writes: "The United Nations Command, on the other hand, has faithfully observed the provisions of the Armistice Agreement, and has fully cooperated in the inspections made by the NNSC teams in the territory under United Nations Command control". Since the Armistice Agreement had gone into effect until June 1955, the North had submitted 162 combat material reports that "...still notably omit all reference to aircraft and compare unfavourable with the 1,969 reports submitted by the United Nations Command during the same period".

He asserted that the NNSC had failed to conduct its work due to the non-cooperative attitude of the KPA/CPV in the North and the unnormal activities of the Czechoslovak and Polish teams in the South. In the North, the Czechoslovak and Polish teams had vetoed the UNC/MAC's proposals for inspections or had cooperated with the northern side disabling inspections. North Korea's Senior Member in the MAC sharply protested the UNC/MAC's ultimatum, but wishing the NNSC to remain declared to agree to a temporary withdrawal of the fixed inspection teams to Panmunjom. At the MAC meeting held on the North's request 4 June, the North representative attacked the UNC/MAC for alleged violations of the Armistice Agreement and demanded a withdrawal of the statement made on 31 May. The response was that it continued to work to obtain cooperation of the North in implementing the Armistice Agreement.

The previous request to the North to provide the MAC and the NNSC with corrected reports on introduction of combat material and combat aircraft since 1953, to immediately cease to introduce combat material and combat aircraft in violation of Paragraph 13(d) and to remove all the combat material and combat aircraft imported during the past three years was repeated. The North again insisted that the South should withdraw its 31 May statement and declared its support for the Swedish government's proposal for a temporary withdrawal of the inspection teams from 10 March. The UNC representative opposed the view: the difficulties of the mobile inspection teams caused by the attitudes of their Czechoslovak and Polish members that disabled policing of Paragraph 13(c) and 13(d) were expected to remain.¹⁷

The NNSC responded to the 31 May and 4 June statements on 5 June by declaring in a letter to the MAC that they unanimously had agreed to provisionally withdraw the inspection teams. They explained their position that "a unilateral appeal having the character of an ultimatum should only be accepted in case of extreme need". The provisional withdrawal would not change the legal status of the NNSC. The MAC failed to reach a joint attitude with the NNSC: the 5 June letter was not observed.

Consequently, after General Gard had told the NNSC members in a letter on 8 June that the suspension of any of its activities would become effective on 9 June and that the inspection teams in Pusan, Kunsan and Inchon were to be simultaneously withdrawn to the DMZ, controls of military enforcements ended making both sides free to rearm without any interference. At an extraordinary NNSC meeting held between midnight and one A.M. 9 June, the Commission agreed to withdraw all inspection teams in the North from Sinuiju, Manpo and Sinanju and in the South from Inchon, Pusan and Kunsan. Thanks to the single telephone

¹⁶ Mueller-Lhotska & Millett, *Swiss Mission*, p. 36.

¹⁷ Ministry of Foreign Affairs, *Principal Documents on Korean Problem*, vol. II (Seoul: Ministry of Foreign Affairs, November 1960), pp. 1175-77, 1190-93; Mueller-Lhotska & Millett, *ibid.*, p. 36; Pak, *op. cit.*, p. 46. The full statement is recorded in Ministry of Foreign Affairs, *ibid.*, pp. 1174-1186.

line available in the Swiss camp, the order was immediately forwarded. The withdrawal of the inspection teams to Panmunjom began with the Czechoslovak and Polish teams stationed in Pusan the same day when the task was completed. Withdrawals from the North took place on 10 and 11 June. The teams arrived in Panmunjom on 12 June. On 9 June, the Swiss delegation was reduced from 96 to 14 men and in September to 12. The Swedish team was reduced to 11 men on 18 August. About the same time, Czechoslovakia and Poland had around 25 men each.¹⁸

According to Mueller-Lhotska (1997), “The way the suspension was realized by the South constituted a violation of the internationally observed courtesy minimum”. In fact, when the UNC told the NNSC that the above restrictions on its work would be effected from 9 June, the NNSC Secretariat had only four hours to act. Such a situation caused irritation: not least the Czechoslovak and Polish members used the occasion to complain about how the UNC treated the delegations and the whole NNSC.

Mueller-Lhotska also points out that the NNSC “became a ‘Commission without Supervision’ and thus also *without a mission*; its function was essentially reduced to a purely symbolic institutional presence”. Yet, he notes that this presence aimed to manifest “...the vital importance to both parties of the 1953 Armistice Agreement” but also that NNSC’s activities since the May-June 1956 events “... have lacked the basis of the armistice parties’ mutual agreement”. When the teams were withdrawn to Panmunjom and were reduced, the NNSC became incapable to conduct inspections. From now onwards, the work would instead mainly consist of analytical work, that is evaluations of reports on rotation of personnel.

It must be noted that the suspension of the Armistice Agreement’s provisions of the NNSC were taken in violation of Paragraph 61 stating: “Amendments and additions to this Armistice Agreement must be mutually agreed to by the Commanders of the opposing sides”. Also Paragraph 62 saying: “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” was violated.

The evaluation made by Sven Grafström, head of the Swedish NNSC delegation in 1953, that “If a party of the Armistice Agreement wishes to dabble in imports and exports [of combat materials], the NNSC will be unable to prevent it neither to the north nor to the south of the 38th parallel” had turned out to be entirely correct. Grafström had also expressed the opinion that “To achieve effective control of what goes out and comes in at least one hundred or so inspection sites on both sides would certainly be needed instead of five”.¹⁹ That the NNSC could pursue inspections for less than three years after the Armistice Agreement had been signed shows that due to real politics, observation of the Agreement reflected the parties’ interests rather than its contents.

UNC/MAC Cancels Paragraph 13(d) in 1957

According to the South Korean scholar Kim Bo-Young, the suspension of the NNSC’s work in 1956 had been made to in advance prepare for stationing “more modern and efficient weapons” referring to such dual capable weapons as guided missiles with capacity to load nuclear war-heads in South Korea. However, already on 31 January, 1955 the UNC

¹⁸ Choi, *op. cit.*, p. 494; Försvarets Läromedelscentral, *op. cit.*, pp. 26-7; Ministry of Foreign Affairs, *ibid.*, pp. 1193-94, 1197-98; Mueller-Lhotska & Millett, *ibid.*, pp. 36-7.

¹⁹ Columbia University, *Text of the*, Paragraph 61, 62; Försvarets Läromedelscentral, *ibid.*, pp. 26-7; Grafström, *Anteckningar*, pp. 1148-49; Jhe, “Chongjon hyopchong-e”, p. 99; Lee, *op. cit.*, p. 9; Mueller-Lhotska & Millett, *ibid.*, pp. 37, 40, 135. Italics in the original.

Commander had suggested a dissolution of the NNSC and a cancellation of Paragraph 13(c) and (d) to the United States' Ministry of Defence.

He asserted that, even if all of the other 15 countries that had participated in the Korean War to assist South Korea did not agree, the United States would act unilaterally to accomplish these targets. On 5 February, the United States Army expressed its full support for the proposal but the Ministry of Defence argued that from a political and legal point of view such a unilateral act was not desirable. The meeting the 16 countries that had dispatched troops to South Korea held on 24 February expressed support for rearmaments.

At the South Korean government's National Security Council meeting held 21 April, the UNC Commander argued that since the Soviet Union had brought in new weapons into North Korea outside the ports of entry, the longer Paragraph 13(d) is maintained, the more disadvantageous it will become for the United States. But in the end, the United States administration failed to reach any agreement on this issue: it was easy to agree that Czechoslovakia and Poland were "hostile countries" but to prove the KPA/CPV violations of the Armistice Agreement to rationalize the dissolution of Paragraph 13(d) was more difficult.²⁰

On 14 May, 1957 Secretary of State John Foster Dulles announced at a press conference that the Americans would bring atomic warheads to South Korea to meet the Syngman Rhee government's request. But the final step towards dismantling the Armistice Agreement was taken at the 75th MAC meeting held on the South's request 21 June, 1957. The UNC/MAC then unilaterally declared that it would suspend Paragraph 13(d) prohibiting military reinforcements "...until military balance was restored and the northern side proved by actions its intention to observe the provisions of the AA". A stumbling block for introducing new weapons was thus removed. On 22 June, the UNC/MAC informed the NNSC about the decision to cancel Paragraph 13(d). On 29 June, the UNC/MAC declared that it would cease to deliver the required reports to the NNSC. In the case of replacements of combat material, discontinuation was definitive but for the rotation of military personnel it was temporary.

The cancellation caused strong criticism from the KPA/CPV which regarded the declaration as "non-valid". It accused the United States to be a war-monger and through the assistance of the Syngman Rhee "clique" try to make South Korea an American colony and a base area for nuclear weapons. The accusations were regarded as groundless. At the MAC meeting held on 11 October at the northern side's request, the North was accused to be responsible for the current state of affairs in Korea.²¹

Regarding the cancellation of Paragraph 13(d), the Czechoslovak and Polish members argued that the NNSC had to prevent a new war by condemning the action as a violation of the Armistice Agreement and a threat against peace. On the other hand, the Swedish and Swiss representatives argued that the Commission as a neutral body with a mandate from both sides of the Korean War could not work without being united in this case and asserted that the issue lay outside its mandate. Eventually, no agreement was reached: the NNSC failed to become "...a kind of war parties' court of arbitration...".

Also the issue of evaluation of reports on personnel and combat material caused split. After the UNC/MAC had ceased to report on combat material, the Swedish-Swiss opinion was that only reports on personnel would be evaluated and forwarded to the MAC, a proposal which

²⁰ Kim, "1960nyondae kunsu chongjon wiwonhoe-wa 'chongjon cheje'" ["The Military Armistice Commission during the 1960s and 'The Armistice System'"], *Yoksa-wa hyonsil*, vol. 50 (2003), p. 179; Pak, op. cit., pp. 46-8. Original quotation marks.

²¹ Bruzelius, op. cit., p. 600; Kim, *ibid.*, p. 172: table 2, 179-180; Knüsli, "Die Schweizer", p. 133; Mueller-Lhotska & Millett, op. cit., pp. 39-40; Tore Wigforss, *Rapport avseende verksamheten vid Svenska Övervakningskontingenten i Korea* [Report on the Work of the Swedish Supervisory Team in Korea], (Panmunjom, 17 November, 1957), pp. 1-2, 11. "Clique" is quoted from Wigforss, *ibid.*, p. 1.

Czechoslovakia and Poland opposed. In fall, the NNSC delivered two separate reports for June on combat material and personnel, respectively, to the MAC. But from July onwards reports only covered evaluations of personnel. Eventually, Czechoslovakia and Poland signed the reports for August-October.²²

In spite of the great difficulties the NNSC had had to conduct its work, it should be noted that when the Commission celebrated its fifth anniversary on 1 August, 1958 the Polish chairman emphasized “the significant contribution by the NNSC to reduce tensions in the Far East”. However, the Swiss delegate questioned the NNSC’s existence due to the opinion that its functions had been reduced to its mere presence. Considering the above account, both views should be regarded as correct.

Although South Korea originally had showed a negative attitude towards the NNSC, Colonel Tore Wigforss writes in his report to the Swedish Ministry of Foreign Affairs from March-November 1957 that in July 1957, the South Korean Chief of Staff to Sweden’s NNSC delegate had expressed his appreciation of the Swedish contribution to the Commission. In Wigforss’s view, a probably contributing factor to the changed opinion was the Swedish-Swiss joint policy to oppose the Czechoslovak-Polish attempts to make the NNSC condemn the UNC/MAC’s cancellation of Paragraph 13(d).

Both the North and the South apparently wanted the NNSC to remain since it, if nothing else, symbolised that the Armistice Agreement was still being enforced. The knowledge that there is a neutral commission within the area that would become the first war zone if hostilities were renewed, was a restraining factor for any aggressor. He also points out that a reason for the North to maintain the Commission was that it as a propaganda platform could be used to reach out to the world opinion.

His successor Brigadier-General Sven Tilly writes in his report to the Swedish Ministry of Foreign Affairs from November 1957-May 1958, that KPA/CPV members unofficially had repeatedly expressed their appreciation of the NNSC which was the only obstacle to the outbreak of a new war. The UNC/MAC had roughly the same opinion but restrained itself to only mention the Swedish-Swiss contribution as a peace-keeping factor and an obstacle to use the NNSC as a propaganda platform.

Since the NNSC following the suspension of Paragraph 13(d) on 21 June, 1957 was no longer a stumbling block for rearmaments by the UNC and the South Korean government, the South came to regard the Commission as a useful body, as the North always had done. In fact, the South feared that a dissolution would become a propaganda victory for the North. The NNSC was to the South a symbol of peace and its presence a stabilizing factor between two armies ready to fight. Notably, in spring 1959, President Rhee recognized in an interview with Radio Lausanne the work of Sweden and Switzerland through the NNSC.²³ The positive evaluations indicate that the NNSC, although its original mandate had ceased to exist, contributed to secure peace.

To the author’s knowledge, the official opinion in North Korea, South Korea and the United States is still that the NNSC contributes to maintain peace but the North’s policies during the 1990s weakened the Commission as well as the MAC. First, after the South Korean General Hwang Won Tak had assumed his post as Senior Member of UNC/MAC on 25 March, 1991, North Korea cancelled all further MAC meetings: South Korea had not signed the Armistice Agreement. Only MAC Secretaries in the rank of colonels continued to meet on

²² Försvarets Läromedelscentral, op. cit., p. 29; Mueller-Lhotska & Millett, op. cit., p. 40; Wigforss, *ibid.*, pp. 3-5.

²³ Försvarets Läromedelscentral, *ibid.*, pp. 30, 31; Knüsli, op. cit., pp. 133-34; Tilly, *Viktigare tilldragelser inom den neutrala övervakningskommissionen november 1957 - maj 1958 [Important Events Within the Neutral Nations Supervisory Commission November 1957-May 1958]*, (Panmunjom, 27 May, 1958) p. 7; Wigforss, *ibid.*, pp. 0, 7, 9-10.

an informal level in Panmunjom. On 24 May, 1994 the North's mission to MAC was replaced by the Korean People's Army Panmunjom Mission whose aim was direct talks with high American UNC officers to, eventually, conclude a bilateral United States-North Korea peace treaty. In December 1994, China withdrew its MAC mission. Since 1998, General Officer-level talks have intermittently been held between UNC officers and the KPA. The talks concern violations of the Armistice Agreement and measures to prevent the reoccurrence of violations but also military support for exchanges and cooperation between North and South Korea.

Second, at a time when Czechoslovakia had become an ideological opponent the North dissolved the Czechoslovak delegation on the occasion of the country's disintegration in 1993 (UNC/MAC recognized the Czech Republic as legal successor). Following the departure of the Czechoslovak delegation on 3 April, 1993 also the Polish delegation was forced to leave on 4 March, 1995. However, Poland did not officially give up its NNSC mandate. A member and his secretary travelled regularly to South Korea in order to sign documents at the NNSC Headquarters in Panmunjom but it was more important to "show the flag" to emphasize that the Armistice Agreement remained valid.

The NNSC's ability to work was further reduced from 5 May, 1995 onwards since the Swedish and Swiss NNSC delegations no longer had access to the northern part of the JSA without special permission from the KPA.²⁴ In spite of the restrictions imposed unilaterally by North Korea on the Commission's work, it is important that both have continued to exist. A dissolution would have been an implicit recognition that the Armistice Agreement does not work and would have made it even more difficult to secure peace on the Korean Peninsula.

Conclusions

Although the 1953 Armistice Agreement contains provisions to implement and supervise the agreement, mutual distrust caused by the Korean War greatly undermined its significance: the war was only replaced by an uncertain peace. Both the KPA/CPV and the UNC/MAC violated the agreement by, above all, rearming. Military reinforcements were made in the DMZ but there were no legal provisions to prevent such a development. The North imposed restrictions on the NNITs work but also the southern side hindered supervision in the South. The South regarded the NNSC as an hinder to rearmaments that had made it militarily inferior to the North. Czechoslovakia and Poland were regarded as satellite states to the Soviet Union to the detriment of implementing the Armistice Agreement. The Commission's work was hindered by internal splits. Altogether, the NNSC in 1953-1956 became "a mission impossible".

In 1956, the UNC/MAC suspended Paragraph 13(c) on NNSC inspections. The Neutral Nations' Inspection Teams were withdrawn to Panmunjom where they began to evaluate reports of military equipment and personnel. In 1957, the UNC/MAC cancelled also Paragraph 13(d) prohibiting military reinforcements: real politics had made supervision impossible. Anyhow, after the 1956-1957 events, a dissolution of the NNSC was no longer on the agenda. From 1957 onwards, also the South came to regard the NNSC as a body contributing to secure peace. Although North Korea's policies in the 1990s undermined both the MAC and the NNSC, that the Commissions yet remain indicate that their mere presence contribute to maintain the Armistice Agreement.

²⁴ Jhe, op. cit., p. 107; Mueller-Lhotska, op. cit., pp. 119-121, 128, 130-131.

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