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POINTS OF AGREEMENT BETWEEN THE UN COMMAND AND THE COMMUNISTS

Since April 1952 the prisoner-of-war issue has been the sole remaining obstacle to a Korean armistice. The UN Command and the Communists had reached agreement by that time on all other major points, most often by a Communist concession, often by a compromise, and occasionally by a UN concession.

Before the talks began on 10 July 1951, the Communists made in effect two important concessions. They had previously insisted on an immediate cease-fire and on discussion of all outstanding Far Eastern questions in any Korean truce talks. Following Malik's speech of 23 June making a bid for truce talks, the Communists failed to put forward these demands.

From 10 July to the Communist break-off of the talks on 23 August 1951, the Communists were inflexible in demanding the 38th Parallel as the cease-fire line. When the talks were resumed on 25 October, they abandoned this position and accepted the UN's line of contact for demarcation.

Agreement was then quickly reached on the mechanics of a cease-fire: the time of a cease-fire, withdrawal of troops from the neutral zone, and so on, with the UN making a minor concession in giving up five islands north of the 38th Parallel. On the question of supervising a truce, the UN made a major concession in dropping its insistence on a unified supervising authority while accepting a Communist proposal that neutral observer teams inspect rear areas and the UN-Communist commission inspect only the demilitarized zone.

During December 1951 the Communists abandoned their position that the UN must agree in advance to a blanket prisoners exchange before lists of prisoners could be exchanged. The Communist attitude stiffened in January 1952 when the UN's insistence on the principle of voluntary repatriation became known, and to date the Communists have not accepted this principle, although they have left room in all of their proposals for an eventual compromise in fact.

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During February 1952 the Communists made concessions on minor issues such as replacement of troops and equipment during the armistice, the number of ports of entry that observer teams would inspect, the method and time and place of prisoner exchange, and other points on which the essential UN position was maintained. Agreement was reached in mid-February for a post-armistice political conference on Korean issues. This conference would discuss the permanent status of Korea, the withdrawal of foreign troops, "et cetera" -- the last expression being a compromise between the Communist desire to discuss, and the UN's refusal to commit itself to discuss, the status of Formosa and China's seat in the UN.

The most important provisions of the draft armistice agreement are:

(1) a military demarcation line shall be fixed as indicated by an attached map (43 miles north of the 38th Parallel on east coast, 28 miles north of the 38th Parallel in central Korea, and 16 miles south of the 38th Parallel on the west coast), and both sides shall withdraw two kilometers from this line so as to establish a demilitarized zone (this may have expired);

(2) hostilities will cease within 12 hours of the signing of the armistice agreement; armed forces will be withdrawn from the demilitarized zone within 72 hours and no armed forces will be sent into, or armed action taken against, the zone; within five days, all armed forces of either side will be withdrawn from the rear and territorial waters of the other side and from coastal islands formerly controlled by the other side; there will be no reinforcement of military personnel, although limited rotation is permitted; there will be no increase in the level of materiel;

(3) a mixed armistice commission will be established, with five members appointed by each side, to supervise implementation of the armistice agreement and deal with alleged violations in the demilitarized zone; a neutral nations supervisory commission will be established, composed of representatives of non-combatant nations, which will supervise the activity of neutral nations inspection teams investigating violations throughout Korea;

(4) all prisoners of war held by either side shall be released and repatriated "as soon as possible" in conformity with lists which have been exchanged and checked (this provision has been interpreted by the UN as consistent with the principle of voluntary repatriation and by the Communists as specifying total repatriation, voluntary or involuntary);

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(5) the military commanders of both sides will recommend to their governments that, within three months of the signing of a truce, a "political conference of a higher level be held . . . to settle through negotiations the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, et cetera."