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NORTH KOREA INTERNATIONAL DOCUMENTATION PROJECT

E-DOSSIER #6

The Origins of the Northern Limit Line Dispute

May 2012

NKIDP



**THE ORIGINS OF THE NORTHERN LIMIT LINE DISPUTE:
NKIDP E-DOSSIER**

Introduction

The Origins of the Northern Limit Line Dispute

by Terence Roehrig

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*The documents contained in this collection were obtained for NKIDP by **Eliza Gheorghe**, **Jae-Jung Suh**, and **Charles Kraus**.*

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*Introduction***The Origins of the Northern Limit Line Dispute**

by Terence Roehrig

THE NORTHERN LIMIT LINE (NLL) remains one of the most serious flashpoints for conflict on the Korean Peninsula, and this collection of documents helps to shed light on important aspects of the history of this maritime dispute. The NLL was promulgated on 30 August 1953 by the United Nations Command (UNC), though the precise origins of the line remain murky. The line was drawn approximately mid-channel between the North Korean coast and five islands, known collectively as the Northwest Islands (NWI) recognized in the armistice as under UNC control. For two decades, little was said about the NLL, but in October 1973, North Korea began a concerted effort to draw attention to its displeasure with the NLL.¹ On 1 December 1973 at the 346th Military Armistice Commission (MAC) meeting, North Korean representatives asserted a claim of 12 nautical miles (nm) for their territorial waters, a claim that placed the five NWI in their coastal waters. Accordingly, Pyongyang maintained South Korean vessels transiting to and from the islands were traveling in North Korean waters and were in violation of the armistice. Moreover, North Korean representatives implied that the NLL was invalid and that any ships wishing to pass through these North Korean coastal waters would require Pyongyang's permission. Failure to do so would result in harsh punishment for any violations. These claims and further North Korean actions over the next two years elevated tension in the region, raising several serious security and legal issues concerning the NLL. The documents in this collection span 3 December 1973 to 15 September 1975 and follow in the wake of North Korean demands to invalidate the NLL, with particular emphasis on the U.S. response to these claims.

The issue that may be of most interest in this collection is the glimpse into the thinking of U.S. officials regarding the NLL, the armistice, and North Korean demands to alter the maritime line. U.S. officials were deeply worried with North Korean claims made during the 346th MAC meeting. Specifically, officials were concerned about the demand for permission to navigate in waters contiguous to the NWI and the unspecified actions North Korea threatened to take should South Korea and the United States fail to comply. While determined to refuse North Korean demands, which U.S. officials did not believe were consistent with the armistice, the documents also show caution noting “we do not repeat not wish to see or provoke military incidents over these issues, but at the same time we do not intend to accept interference with established rights under the agreement to these islands.” Thus, the primary concern for U.S. officials was upholding the armistice. However, it was also clear U.S. officials were watchful to avoid entanglement in North-South territorial claims and the dispute over the NLL. A National Security Council memorandum cautions to “not make a legal defense of the Northern Limit Line ... which North Korean naval patrols began penetrating in late October.” In addition, a CIA document notes that “a major complication in the dispute is the Northern Limit Line,” and that the NLL “has no legal basis in international law, nor does it conform along some of its length to even minimal provisions regarding the division of territorial waters,” despite South Korean assertions that the line is the *de facto* maritime boundary between the two Koreas.

¹ For an excellent discussion of these events, see Narushige Michishita, *North Korea's Military-Diplomatic Campaigns, 1966-2008* (London: Routledge, 2010): 52-72.

One of the perplexing dimensions of the NLL line is the exact origin of the line. Most authors note that the line was drawn on 30 August 1953 by the UNC but do not cite a specific document. The line may have been a military control line that was used during the Korean War to separate enemy combatants and was utilized to keep UNC and ROK vessels from wandering too far north. The documents in this collection provide some evidence to clarify the origins of the line but it is contradictory. A CIA report dated January 1974 notes that “no documentation can be found to indicate that the NLL was established prior to 1960.” However, another document in the collection dated December 1973 states that the UNC declared the NLL “unilaterally in the mid-1950s,” a notation that appears to narrow the timeframe of the NLL’s inception. Though an exact document has been elusive, it is possible that earlier documentation does exist, perhaps referring to the NLL under a different name such as the Northern Patrol Limit Line that provides a more precise date.

The dossier also contains several cables from the Romanian Embassy in Pyongyang to its home office in Bucharest. Romanian documents are an interesting source as relations between Bucharest and Pyongyang were close throughout most of the Cold War, including a friendship between Kim Il-sung and Romanian leader Nicolae Ceausescu. However, the collection contains a telegram from a Romanian representative in Pyongyang that indicates some skepticism regarding a DPRK explanation of an incident that occurred on 26 February 1975. According to this telegram, the North Korean Ministry of Foreign Affairs showed “insufficient preparation ... to completely and accurately inform heads of diplomatic missions” during a briefing session. Moreover, the North Korean representative was unable to elaborate on details when queried further and required repeated and direct questioning before admitting to certain details that were left out of Pyongyang’s public statements.

Finally, the collection contains the transcript of the 348th Military Armistice Commission meeting on 28 February 1974. The meeting was called to address an incident that occurred along the NLL on 15 February 1974 where the North Korean Navy sank a South Korean fishing boat and captured another. The transcript is an interesting example of the verbal jousting that occurs on a fairly regular basis in these forums and the differing arguments offered by both sides for the incident.

These documents will be of great interest to those who study the early years of the NLL and U.S. policy regarding this North-South maritime dispute. U.S. officials were in a difficult position as they attempted, first and foremost, to administer the terms of the armistice while also maintaining South Korean security and being careful to navigate the legalities of the NLL dispute. The NLL has a habit of leaping into the headlines periodically as crises occur but the dispute has a long, complicated history. These documents provide important clarification on several important dimensions of this dispute and will be regular fare for future research.



Terence Roehrig has written extensively on Korean/East Asian politics and security and is the author of *From Deterrence to Engagement: The U.S. Defense Commitment to South Korea* and *Korean Dispute over the Northern Limit Line: Security, Economics, or International Law?* He is

a professor of National Security Affairs and the Director of the Asia-Pacific Studies Group at the U.S. Naval War College, and a past president of the Association of Korean Political Studies.

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DOCUMENT No. 1

Memorandum for Secretary Kissinger from Richard H. Solomon, "The Korean Situation and the China Element," December 3, 1973

[Source: Gerald R. Ford Presidential Library, National Security Adviser NSC East Asian and Pacific Affairs Staff, Box 36, Korean Northwest Islands (Working File). Obtained for NKIDP by Charles Kraus.]

MEMORANDUM

NATIONAL SECURITY COUNCIL

ACTION

December 3, 1973

TOP SECRET/SENSITIVE

MEMORANDUM FOR:

SECRETARY KISSINGER

FROM:

RICHARD H. SOLOMON *RHS*

SUBJECT:

The Korean Situation and the China Element

North Korea's provocative action over the islands, coming as it does within a week of conclusion of General Assembly consideration of the compromise resolution on the Korean issue, has the quality of an effort by Pyongyang to assert its case for further action against the U.N. and U.S. presence in Korea. The compromise GA resolution, worked out at Chinese initiative, was highly favorable to the ROK in that it referred neither to the future of the U. N. Command or to the U.S. troop presence in the ROK. We were totally surprised by Peking's willingness and ability to bring the North along on such a favorable compromise, and Pyongyang may now be attempting to act somewhat independently of Peking in calling attention to the remaining issues where it seeks, U.N. and U.S. action, or to force Chinese and Soviet hands in support of their position in the Security Council. (The Soviets at one point late in the GA debate made noises about raising the UNC issue in the Security Council. They were probably miffed at the indications of U.S.-PRC cooperation on the compromise.)

We must assume that the Chinese were able to gain the cooperation of the North Koreans for the GA compromise precisely because they could tell Pyongyang that we had privately indicated a willingness to reconsider the future of the UNC after this session of the GA. The North, not fully trusting Peking, and wanting to keep us off balance in a situation where we clearly have the initiative (only two weeks ago you flew from Peking to Seoul), appears to want to force our hand and impart public momentum to its drive against the UNC and U.S. forces in Korea.

In these circumstances, one of our major objectives should be to keep the Chinese as fully engaged in the evolution of the Korean situation as possible. By all indications Peking has much greater influence in Pyongyang than Moscow. The Chinese undoubtedly see it in their interest to maintain stability on the Korean Peninsula even as our posture there evolves. We should take advantage of Pyongyang's provocative action regarding the islands to try to invoke Peking's

constraint over the North's game-playing. To the degree that Pyongyang feels that the Chinese are able to move us on the UNC issue, they have reason to continue to follow Peking's lead.

I believe that two messages to the Chinese are now in order. The first, which is intended to engage Peking with Pyongyang regarding its provocation, reiterates our intention to reconsider the future of the UNC now that the GA compromise has been concluded, but raises the prospect that such action will be impeded-by any incidents which raise tensions on the Peninsula (see Tab 1). This message should be conveyed to the PRCLO as soon as possible.

A second message should be sent to the Chinese just prior to any unusual resupply move that we may make to reassert our right to access to the west coast islands. Its intent would be to inform the PRC of exactly what we were doing, in effect communicating the limits of our action (yet our determination to act) and implicitly inviting their imposition of restraint on Pyongyang. The exact text of such a message would be based on the specifics of our resupply move, and is thus difficult to draft this far in advance of any action.

Recommendation:

That you approve the message to the PRCLO at Tab 1.

Approve _____ Disapprove _____

That you approve in principle a second message for the PRCLO, to be delivered a few hours before our resupply effort begins, indicating the extent and objective of our resupply effort.

Approve _____ Disapprove _____

(Draft message for delivery to the PRC Liaison Office)

The U.S. side wishes to advise the Chinese side of its serious concern about recent provocative actions by North Korean authorities off the west coast of Korea, including unusual naval patrol activity, a heightened state of military alert, and a demand presented on December 1 which would interfere with access to five islands. As a signatory to the Korean Armistice, the Chinese side will understand that this demand is unacceptable, being in contravention of both international agreement and past practice.

These actions are all the more disturbing coming as they do less than two weeks after adoption by the U.N. General Assembly of a compromise resolution on Korea abolishing the UNCURK organization. This compromise, which avoided an unnecessary confrontation between the representatives of North and South Korea and their supporters, was worked out in a spirit of accommodation by both sides. This development seemed to establish conditions for further progress in reducing tensions on the Korean Peninsula.

The U.S. side has advised the Chinese side on several occasions, most recently during Secretary Kissinger's visit to Peking in November, that it would be prepared to reconsider the future of the U.N. Command before the 29th session of the U.N. General Assembly. We must state, however, that provocations by the North Korean authorities which risk military confrontation and heighten tension will seriously complicate efforts by the U.S. side to consider and put into effect new arrangements affecting the security of the Korean Peninsula.

It is our understanding that normal communication and supply activities will be maintained to the five islands on their usual basis. The U.S. side hopes that no incident will be created which would alter the improved atmosphere which has been created as a result of U.N. General Assembly action on the Korean question.

* * *

DOCUMENT No. 2**Memorandum for General Scowcroft, through W.R. Smyser, from John A. Froebem Jr.,
“Proposed WSAG Meeting on Korean Situation,” December 3, 1973**

[Source: Gerald R. Ford Presidential Library, National Security Adviser NSC East Asian and Pacific Affairs Staff, Box 36, Korean Northwest Islands (Working File). Obtained for NKIDP by Charles Kraus.]

Memorandum

6473-X

NATIONAL SECURITY COUNCIL

ACTION

December 3, 1973

SECRET/SENSITIVE

MEMORANDUM FOR:

GENERAL SCOWCROFT

THROUGH:

W.R. SMYSER *WRS/JS*

FROM:

JOHN A. FROEBE, JR. *JAF*

SUBJECT:

Proposed WSAG Meeting on Korean Situation

I strongly believe that we need a WSAG no later than tomorrow to decide what position we should take on the North Korean demand that UNC naval and merchant ships obtain prior permission to navigate the waters contiguous to the five UNC-controlled islands off the west coast of Korea (see attached map). North Korea, which made the demand at the MAC meeting December 1, threatened unspecified actions if the UNC did not comply. The UNC representative on the MAC, U.S. Army Major General Greer, rejected the demand.

The urgency of the issue is posed by the fact that the ROK plans to proceed with its regularly scheduled weekly resupply convoy to two of the islands before the end of the week, either Thursday or Friday. (The ROK has about 1,000 forces stationed on two of the islands.) The ROK, in coordination with CINCUNC, who has operational control of all ROK forces in the event of hostilities, intends to reinforce the convoy. In the meantime, it also intends to continue the normal ROK naval patrols in the area, keeping them 10-12 miles from North Korean territory but reinforcing them. Since these questions and possible actions involve a number of agencies and interests, a WSAG [Washington Special Actions Group] offers an essential forum for hearing all views and for getting everybody on the same track.

The immediate U.S. policy issues are:

-- Whether the regular ROK resupply convoy should proceed as planned and, if so, how (including whether we should reinforce the convoy itself or make a reinforcing show of force in

the area). To proceed risks a military clash, while postponing it unduly implies UNC-ROK acquiescence in the North Korean Demand.

-- Whether to call for a MAC meeting before December 6 to discuss the North Korean demand, and thus to try to reduce the risk of a military confrontation.

-- Whether and how to approach the PRC and/or the Soviets on this issue.

-- How to relate this problem to the basic issue of the UNC's future status. (A principal North Korean objective in the situation may be to force early U.N. Security Council consideration of the UNC.)

Recommendation:

That a WSAG meeting be scheduled for tomorrow to consider this sissue.

Approve _____ Disapprove _____

* * *

DOCUMENT No. 3

Joint State/Defense Message, “Korean Northwest Coastal Situation,” December 4, 1973

[Source: Gerald R. Ford Presidential Library, National Security Adviser NSC East Asian and Pacific Affairs Staff, Box 36, Korean Northwest Islands (Working File). Obtained for NKIDP by Charles Kraus.]

[...]

Joint State/Defense Message

Subject: Korean Northwest Coastal Situation

Ref: A. Seoul 8106
 B. CINCUNC 0215327 Dec 73

We are agreed on the following course of action in response to position taken by North Korea in December 1 MAC [Military Armistice Commission] Meeting.

A. Diplomatic-Political Measures

1. You are to inform ROKG [Republic of Korea Government] that we agree to call MAC meeting as soon as possible for reaffirmation of our position and rejection of North Korean claims concerning access to five islands under UNC [United Nations Command] control. Accordingly, you are to take necessary steps to request the meeting immediately. Guidance for position we intend to take now being drafted and will be furnished ASAP.

2. Simultaneously, you are to urge that the ROK utilize the hot line for discussion of these issues and, assuming MAC meeting does not take place before December 5 Preliminary meeting of SNCC [South-North Coordinating Committee], you are to recommend that ROK also raise subject in that forum. While we understand nature of ROK objections to utilizing hot line, you should remind them that, consistent with pledges in July 4, 1972 Communique, this channel was established to deal with hostile incidents and to our knowledge it has been used for related occurrences such as DMZ [demilitarized zone] crossings as well as firings. In hot line discussion with the north, we suggest ROKG point out their intention is {A} not to debate but rather {B} to make clear the ROKG intends no provocative initiatives and expects North to be similarly responsible, and {C} will continue communication and supply to these islands as has been the practice in the past. North Korean response in hot line conversation may shed light on their motivations and provide valuable information to us concerning their intentions and timing. Initiatives by South to use this channel may also prove useful subsequently in developing third country support for ROKG in her efforts to avoid provocative situation on peninsula.

3. You may also inform President Park in strictest confidence that we intend to approach the PRC [People's Republic of China] and Soviets, through diplomatic channels, to inform them we have noted the increased North Korean patrols near these islands and the unprecedented claim made at the recent MAC meeting. We can not accept this North Korean

interpretation of the Armistice Agreement and intend to protect UNC long-standing rights under the agreement to these islands. In this context, we intend stress common interest in avoiding provocative actions and potential confrontation. Given the sensitivity of this channel, we expect ROKG to hold especially close our intentions to make these approaches.

4. We intend to brief the Japanese concerning actions we propose to take with exception of approach to USSR [Union of Soviet Socialist Republics] and PRC and may do so similarly with other powers who have close involvement with Korean question.

B. Military Action. We concur in basic posture and general guidance set forth in REFTEL [reference telegram] B. Following is more specific guidance:

1. It is our general posture that we do not repeat not wish to see or provoke military incidents over these issues, but at the same time we do not intend to accept interference with established rights under the agreement to these islands.

* * *

DOCUMENT No. 4**Joint State/Defense Message, “Questions Regarding Northern Limit Line,” December 21, 1973**

[Source: Gerald R. Ford Presidential Library, National Security Adviser NSC East Asian and Pacific Affairs Staff, Box 36, Korean Northwest Islands (Working File). Obtained for NKIDP by Charles Kraus.]

[...]

SUBJ[ECT]: Questions Regarding Northern Limit Line

REF[ERENCE]: {A} Seoul 8450 ~~{B} Seoul 8512~~ { } Seoul 8574
 { } Seoul 8575

Joint State/Defense Message

1. In answering questions raised Para[graph] 6 Reftel [reference telegram] A, and in connection with MAC [Military Armistice Commission] meeting, we believe it important to keep well in mind distinction between issues of territorial claims {I.E., question of sovereignty over islands and related Law of the Sea Issues} and questions of rights under Armistice Agreement. We continue to believe, as suggested by Embassy, that it is highly preferable to limit US/UNC [United States/United Nations Command] Positions to interpretations and of and [sic] assertion of rights under Armistice Agreement and to avoid unnecessary and possible provocative involvement in territorial disputes. In this regard, care should be exercised to avoid basing our position on support of ROK [Republic of Korea] claims to or rights in “territorial sea” or “territorial waters” around islands which terms under international law connote sovereignty and raise complex Law of the Sea issues. Instead our arguments should be cast in terms of UNC rights under Article 13 of Armistice Agreement of military control over islands and to DPRK [Democratic People’s Republic of Korea] obligation under Article 15 to respect the “waters contiguous to” the islands. Limit of “contiguous waters” around the islands would be the same as the limit of “contiguous waters” of the coast of the ROK and where “continuous waters” of islands overlaps those off the coast of North Korea, a median line should be drawn sine that is the usual method of delimiting maritime boundaries between opposit [sic] or adjacent states.

2. This approach, with background and more detail, geared to arguments put forward by DPRK, would be outlined as follows:

{A} We reject the DPRK’s assertion that Paragraph 13 {B} of the Armistice Agreement establishes Paengyong-Do, Taechong-Do, Sochong-Do, Yonpyong-Do and U-Do as within DPRK coastal waters. Paragraph 13{B} does not address the question of “territorial waters”. The only reference to waters in Paragraph 13{B} is in connection with the requirement of withdrawal of military forces of both sides from “the coastal islands and waters of Korea of the other side”. There is no attempt to delineate such “coastal” waters or to refer to them for any other purpose. It should also be noted that the provincial boundary line mentioned in Paragraph 13{B} serves only as a convenient

means of describing which islands are under the military control of which side, and does not purport to divide waters. This limited purpose of the line is made clear in the text of Map 3, Volume 2 of the Armistice Agreement, which indicates that the seaward extension of the provincial line drawn on the map is solely to indicate the control of coastal islands on the west coast of Korea. This line has no other significance and none shall be attached thereto. The central importance of Paragraph 13(B) to the present controversy, is, of course, the fact that it specifically places the above islands under the military control of CINUNC [Commander in Chief, United Nations Command].

{B} Paragraph 13(B) which places the islands under United States Nations Command “military control” must be read in conjunction with Paragraph 15, which requires the naval forces of both sides to “respect the waters contiguous to the demilitarized zone and to the land area of Korea under the military control of the other side.” It seems clear, contrary to the assertions of the KPA [Korean People’s Army], that the term “land area of Korea” as used in Article 15 includes offshore islands as well as the mainland. Absent some special understanding to the contrary, which the KPA does not to our knowledge assert, the ordinary meaning of the term “land area” would not appear more restrictive than the term “coast”, which for purposes of defining maritime jurisdiction would include islands as well as mainland territory. For example, both under customary international law and the pertinent conventions {1958 Convention of the Territorial Sea and the Contiguous Zone, 1958 Convention on the Continental Shelf}, islands are taken into account in determining the boundary of a country’s territorial sea and contiguous zone, as well as the boundary of its continental shelf. Also, islands far offshore have their own territorial sea and contiguous zone.

{C} The DPRK is, therefore, obligated under Paragraph 15 to respect the waters contiguous to the above-named islands. Since the Agreement does not provide any formula for resolution of the boundary between the overlapping contiguous waters of the two sides, such resolution must be found by reference to the general principles of international law used in the drawing of maritime boundaries. Such principles dictate the drawing of a median line equidistant between the coast {including [illegible] islands} and the islands. This principle of equidistance has served as the basis [illegible] customary international law and in the above [illegible] conventions to determine virtually all maritime [illegible], such as the boundaries of the territorial [illegible] contiguous zone and the continental shelf [illegible] both opposite and adjacent states.

3. [Illegible], of course, no definition of “contiguous waters” [illegible] Article 15 of the Armistice Agreement. In [illegible] based on the records and information available to us here, it would appear that we have in fact [illegible] a “contiguous waters” limit of twelve miles off [illegible] coast as claimed by North Korea {except where [illegible] islands or conflicting ROK territorial sea claim [illegible]}. In accordance with the JSAO {Joint Sea Air Operations} ROK likewise patrols out to at least twelve miles from its coast for Armistice Agreement purposes. Under these circumstances, it would appear difficult to claim other than twelve miles “contiguous waters” limit for islands under Article 15. {This, of course, would be limit solely for purposes of definition of “contiguous” in Article 15 of Armistice Agreement and hence for definition of rights and duties of parties under Armistice Agreement, and would have no RPT

[repeat] no implication in terms of territorial sea question or claims.} In this connection, would appreciate clarification of reference in Para[graph] 6 {C}, Ref[erence telegram] A that UNC/ROK have claimed three mile “contiguous waters” limit for islands.

4. Following above approach and argument, answers to questions posed Para[graph] 6 Ref[erence telegram] {A} are as follows:

{A} The U.S. does not recognize territorial sea claims beyond three miles and protests such claims. Consequently we should not recognize the North Korean claimed twelve mile territorial sea limit. We should, however, continue to respect DPRK claimed twelve mile “contiguous waters” limit in areas where it does not relate to access to islands and where ROK territorial waters do not overlap in accordance with current rules and authorities issued to U.S. Forces.

{B} As far as we can tell, NLL [Northern Limit Line] is unilateral line and is not RPT [repeat] not recognized by North Korea as a dividing line between the “contiguous waters” of the islands and those of the North Korean coast for purposes of the Armistice Agreement. On this assumption we believe patrol limit line should reflect median line as described above rather than NLL.

{C} The UNC should take no position as to the territorial waters claims of either North Korea or the ROK. With respect to UNC claims regarding “contiguous waters” under Article 15, see Para[graph] 3 above.

5. Above guidance was substantially prepared prior to receipts of Refs [reference telegrams] B and C. [And D.] [We concur in arguments outlined Ref B for presentation by senior UNC Commander.] Our comments on ROK memorandum and NLL follow septel [separate telegram].
YY

* * *

DOCUMENT No. 5

Memorandum for Secretary Kissinger from John A. Froebe, Jr., "Korean West Coast Island Situation," December 22, 1973

[Source: Gerald R. Ford Presidential Library, National Security Adviser NSC East Asian and Pacific Affairs Staff, Box 36, Korean Northwest Islands (Working File). Obtained for NKIDP by Charles Kraus.]

MEMORANDUM

6747

NATIONAL SECURITY COUNCIL

ACTION

December 22, 1973

SECRET

MEMORANDUM FOR:

SECRETARY KISSINGER

FROM:

JOHN A. FROEBE, JR. 

SUBJECT:

Korean West Coast Island Situation

At Tabs A and B [not included in NKIDP E-DOSSIER] are draft joint State-Defense cables to Embassy Seoul giving guidance for the Military Armistice Commission (MAC) meeting tentatively scheduled for December 24 and comments on the ROK's proposed memorandum to be circulated to all diplomatic missions in Seoul explaining the South Korean position on the west coast island situation.

-- The proposed guidance for the MAC meeting at Tab A which will be the first full MAC meeting since that on December 1, in which the North Koreans attempted to restrict access to the UNC-controlled islands on the basis of claimed territorial waters -- would have our UNC representative avoid the - conflicting territorial waters claim of the two Koreas. Rather, he would base our rejection of the North Korean demand on our rights of access to the islands as conferred by the Armistice Agreement. He would also not make a legal defense of the Northern Limit Line (see map at Tab C), which the UNC declared unilaterally in the mid-1950s but which North Korean naval patrols began penetrating in late October. Rather, to solve the question of overlap between the "contiguous waters" (the term used in the Agreement) of the islands and those of North Korea we would use a median line, which is the customary solution under international law.

I have no objection to the legal case proposed in the cable, but would propose deleting the second sentence of paragraph 5, and reword the preceding sentence to eliminate reference to reference B. I disagree with the draft cable's assertion that the talking points contained in reference B which were used with the ROKs are appropriate for our UNC representative's use in the MAC meeting.

-- The proposed comments on the RQK memorandum defending its position on the island situation (Tab B) are aimed at bringing the ROK memorandum in line with the legal position proposed in Tab A -- that we not attempt to defend the legality of the Northern Limit Line. We would inform the ROK that we believe that the U.S. and ROK must take consistent positions on the legal aspects of the island issue. I have no objection to this draft cable.

Recommendation:

That you approve the draft State-Defense cables at Tab A (as amended) and Tab B

Approve _____ Disapprove _____

* * *

DOCUMENT No. 6

**Central Intelligence Agency, Directorate of Intelligence, “The West Coast Korean Islands,”
January 1, 1974**

[Source: CIA Records Research Tool (CREST), Document No. CIA-RDP84-00825R000300120001-7, National Archives and Records Administration, College Park, Maryland. Obtained for NKIDP by Jae-Jung Suh.]

Central Intelligence Agency
Directorate of Intelligence
January 1974

THE WEST COAST KOREAN ISLANDS

1. In recent months North Korea has begun what appears to be a deliberate series of provocations against South Korea in the offshore waters northwest of the port of Inch'on. Since late October 1973, North Korean naval craft have established a patrol pattern that threatens access to five island groups claimed by South Korea and occupied by South Korean civilian and military personnel.* The provocations have thus far been minor in nature – high speed approaches by North Korean patrol boats toward South Korean vessels and intrusions within the 3-mile-limit of South Korean islands. Neither side has yet fired on the other.

2. The purpose of these North Korean actions surfaced at the 1 December 1973 meeting of the Military Armistice Commission when North Korea claimed the waters surrounding each of the five island groups -- Paengnyong Do, Taech'ong Do, Soch'ong Do, Yonp'yong Do, and U Do -- as part of its territorial seas (Map 1). P'yongyang demanded that prior permission be obtained for even civilian vessels to transit these waters and land at the islands. Although the United Nations Command (UNC) has not taken a position on the relative merits of the territorial waters claims, it has specifically upheld the right of free access to these islands.

[- 1 -]

3. When the Korean Armistice was signed in 1953, the five island groups were occupied by United Nations forces. Although much closer to North Korean territory than to South Korea, they were specifically retained under UN military control by the provisions of the Armistice. South Korean military forces still are maintained on all island groups and civilians live on four of them; [REDACTED] The

* The island groups lie only 2 to 13 miles from the North Korean mainland, and one of the islands is within 1.3 miles of a North Korean island (Map 1). (All distances are stated in nautical miles.) Further information concerning these island groups is contained in the Appendix.

Comments and questions may be directed to [REDACTED] of the Office of Basic and Geographic Intelligence, Code 143, Extension 3057.

Armistice Agreement also states that forces of both sides are to “respect the waters contiguous to the demilitarized zone and to the land area of Korea under the military control of the other side.” Contiguous waters, however, are not defined.

The Northern Limit Line and Hypothetical Maritime Jurisdiction (Map 1)

4. A major complication in the dispute is the Northern Limit Line (NLL), established in a 14 January 1965 order of the Commander Naval Forces, Korea (COMNAVFORKOREA), and drawn between the five island groups and “hostile waters” considered to be under North Korean control.* A clear antecedent of this line, although not under the same name, was established in 1961 by the same commander. The sole purpose of the NLL was to avoid incidents by forbidding UNC naval units to sail north of it without special permission; in at least two places, however, it crosses waters presumed to be under uncontested North Korean sovereignty.

5. The South Koreans have regarded the NLL as a seaward extension of the Demilitarized Zone (DMZ) and a *de facto* boundary between South and North Korea. The NLL, however, has no legal basis in international law, nor does it conform along some of its length to even minimal provisions regarding the division of territorial waters. It is binding only on those military forces under the command or operational control of COMNAVFORKOREA.

- 2 -

No evidence exists that the North Koreans have ever formally recognized the NLL. South Korea maintains that the North has respected the NLL since the Armistice in 1953, although no documentation can be found to indicate that the NLL was established prior to 1960.

6. The Armistice makes no provision for the delimitation of territorial seas, but Line A-B, drawn in and seaward from the Han Estuary, was used to indicate respective military control of the coastal islands (Map 1). With the exception of the aforementioned five island groups, all islands lying north and west of Line A-B were placed under the “military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers.” All islands lying south of this line were retained under the military control of the CINCUNC.

7. Although the NLL and Line A-B have some immediate importance, the major problems are posed by the territorial waters claims of each nation. The situation is complicated by the vagueness of North and South Korean methods of delimiting their respective territorial seas. Map 1 shows North Korea's 12-mile territorial sea based on a straight baseline constructed along the coast and off-lying North Korean-controlled islands. South Korea's 3-mile territorial sea is similarly depicted.*

* COMNAVFORKOREA, a US Flag Officer, is Navy Component Commander of the UNC and has operation control over the Republic of Korea (ROK) Fleet. Seizures of South Korean fishing vessels off the east coast of Korea in the late 1950's probably prompted the COMNAVFORKOREA to institute the NLL.

* All baselines and territorial seas limits shown on the maps are hypothetical. They have been constructed, using accepted techniques of international law, in such a way as to maximize the probable claims of both nations.

- 3-

8. The areas of potentially conflicting claims are obvious latent zones of conflict. All five island groups lie within North Korea's claimed territorial sea. In the absence of any bilateral agreement, legal as well as *de facto* rights of access to the islands remain unsettled. South Korea's assumed 3-mile limit poses somewhat different potentials for overlapping claims. As depicted on the map, it lies within probable North Korean inland waters (where P'yongyang's sovereignty is complete) in two places -- to the northeast of the western island groups and to the north of the eastern island groups. Although the overlap is small northeast of Paengngyong Do, the South Korean position is to enforce its rights up to the 3-mile limit. North of Yonp-yong Do there is a greater overlap. This is a particularly sensitive area because of North Korea's desire for unimpeded access to its expanding port of Haeju.

Hypothetical Median Line (Map 2)

9. A possible method of delimiting disputed Korean west coast territorial seas is the construction of a median line. Map 2 shows a median line based on *de facto* sovereignty and drawn in general conformity with prevailing international law and practice, equidistant between the North Korean coast (including islands) and the island groups under UN military control. The southward extension of this median line into the high seas would normally be used only to allocate areas on the continental shelf for resource exploitation. Solution of the territorial waters dispute by use of a median line would both assure preservation of South Korean access to the five island groups and enhance access from the high seas to the North Korean port of Haeju.

- 4-

Inland waters, landward from the baseline, are those over which a nation exercises the complete sovereignty it exercises over its land territory. Territorial waters or seas -- regardless of whether they are measured 3 miles, 12 miles, or some other distance seaward from a baseline -- form territory over which a nation has exclusive sovereignty conditioned only by innocent passage, the right of foreign vessels -- merchantmen and possibly warships in times of peace -- to pass through a nation's territorial seas. The enjoyment of this right may depend on the observance of special navigation, customs, quarantine, and other regulations promulgated by the coastal nation.

APPENDIX

UN-CONTROLLED WEST COAST ISLANDS

<u>Island Group</u>	<u>Number of Islands and Islets</u>	<u>Civilian Population*</u>	<u>Economic Activities</u>
Paengnyong Do	16	12,000	Agriculture, fishing, and salt extraction
Taech'ong Do	10	2,600	Agriculture and fishing
Soch'ong Do	7	1,000	Agriculture and fishing
Yonp'yong Do	17	2,000	Agriculture and fishing
U Do	3	None	Entirely military

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[...]

* Regular military forces are located on all island groups except Taech'ong Do and Soch'ong Do. The Homeland Defense Force, the closest South Korean equivalent to the National Guard, is stationed on all island groups except U Do. About 2,000 military personnel, including Homeland Defense Forces, are stationed on the five island groups.



DOCUMENT No. 7

**“Briefing on the Violation of the Territorial Waters of the Democratic People's Republic of Korea by Espionage Vessels of Park Chung Hee's Puppet Clique in South Korea,”
February 1974**

[Source: National Council for the Study of the Security Services Archives (CNSAS), Bucharest Documentary Fund, 9915/V5 D13134/5, Ministry of the Interior, Juridical Secretariat Direction, Special Problems Section, Folder G7/1973 Regarding Documents, Correspondence and Other Materials Regarding the Liaison between the [Romanian] Ministry of Interior with its Homologue in the Democratic People's Republic of Korea, 01/01/1973 – 31/12/1973, 186 pages, Volume: II, Filing: Permanent. Obtained and translated for NKIDP by Eliza Gheorghe.]

Briefing on the Violation of the Territorial Waters of the Democratic People's Republic of Korea by Espionage Vessels of Park Chung Hee's Puppet Clique in South Korea

Embassy of the Democratic People's Republic of Korea to the Socialist Republic of Romania
February 1974

On February 15 [1974], around 10:30, the puppet clique of Park Chung Hee in South Korea carried out an espionage operation, sending espionage vessels in the Western territorial waters of our country.

Our navy vessels which are usually patrolling the area completely muffled the [action] of the enemy taking the appropriate defense measures against the reconnaissance and provocative measures of the enemy espionage vessels, targeted against our country.

The reconnaissance and provocative acts, undertaken by the puppet clique of Park Chung Hee in South Korea represent a violation of our territorial waters as well as a breach of the North-South Joint Declaration, published on July 4th, 1972. The espionage operation undertaken by our enemy, a premeditated operation, planned by Park Chung Hee's puppet clique, was meant to trigger the aggravation of tension and a breach in the [North-South] dialogue.

This scurvy tactic is nothing but an attempt to get out of the complete isolation in which [South Korea] finds itself internally and externally, diverting attention from the [forces] which fight against Park Chung Hee's fascist clique, for the democratization of the [Korean] society.

In spite of these real and obvious facts, Park Chung Hee's puppet clique is undertaking [a campaign] against the Northern part of the Republic, claiming that the vessels caught in the act were not espionage vessels, but so called fishing vessels.

Regarding this operation, the Korean Central Telegraph Agency and the Committee for the Unification of the Country and the Defense of Peace released the following declaration:

The Declaration of the Korean Central Telegraph Agency

On February 15th [1974], Park Chung Hee's puppet clique undertook glaring provocative measures, sending espionage vessels in the territorial waters of our country, off the coast of Jangsan, located at 124° 28' East and 38° 14' North.

On the same day, provocative elements in South Korea undertook the so-called civilian operation against communists, mobilizing human forces amounting to a few million people, bringing people from towns in the countryside, plus people from Seoul, and simultaneously sending espionage vessels against us.

This is a premeditated operation directed against the Northern part of the Republic and a serious breach of the North-South Joint Declaration from July 4th 1972, through which the two parties committed themselves to not undertake any military action.

In the name of the entire Korean people, which ardently wants peace and the peaceful unification of the country, the Korean Central Telegraph Agency condemns in indignation, in the name of the entire nation, the provocative and insolent measures of Park Chung Hee's puppet clique against us.

Presently, Park Chung Hee's clique is carrying out a rabid and deceitful propaganda campaign, which, in an attempt to camouflage its provocative and hostile actions, it is claiming to have been an armed attack on our behalf against 'some fishing vessels.'

The puppet clique cannot, however, hide its reconnaissance [operations] and hostile maneuvers, although it is the puppet clique which fixed the 'fishing territorial limits' off shore and which is not prohibiting the free access of South Korean fishermen, and which is sending its espionage vessels deep into our territorial waters under the guise of fishing vessels.

Our navy vessels decisively muffled the hostile actions undertaken by Park Chung Hee's puppet clique.

This is a manifestation of [our] sovereignty for the defense of our territorial waters.

It is not haphazard that Park Chung Hee's puppet clique is ever intensifying its hostile reconnaissance operations against us, because over the past few days it continued to carry out scurvy military provocations in the West Sea.

These operations are meant to forestall the influence which [the Democratic People's Republic of Korea] has amongst the masses in South Korea through the successes we scored in the construction of socialism, as our country develops at a sustained pace, unlike South Korea, whose economy is in ruins.

Through these operations, [the puppet clique] seeks to discredit the successes obtained by the Northern part of the Republic in the eyes of the South Korean population which regards [the Northern] part of the Republic as a lighthouse of hope.

This operation is also a scurvy action undertaken in order to distract the attention [of the South Korean population] from the far-ranging crisis, to forestall the struggle of the various South Korean social classes, a struggle which extends and intensifies with every day, and to enshrine the division of the country by artificially creating two Koreas.

But presently, Park Chung Hee's puppet clique must know that the anticommunist motto it has been using for the past 10 years cannot serve as a universal panacea for all the illnesses of the

South Korean population, and the threats it makes with weapons and bayonets cannot stop the people that has risen today for freedom and democracy, for the unification of the homeland.

For [the sake of] Park Chung Hee's clique, it would be better if and he should admit right now that the serious crisis he is undergoing is determined by his policy of betraying and selling the country, by his fascist, terrorist, and anti-popular policy, which is supported by external forces.

We give a serious warning to Park Chung Hee's puppet clique, asking it to immediately stop all military provocations, which are putting undue strain on the North-South dialogue, and which ignore the spirit of the North-South Joint Declaration, through which certain commitments were assumed in front of the whole nation, and by breaching it tension increases.

But if the glaring instigators in South Korea [continue] their brainless military provocations against the Northern side and resort to provocations full of enmity and to reconnaissance and espionage operations, without taking into account what [we are telling] them, they should assume the entire responsibility regarding the consequences deriving from these acts.

The Main Ideas of the Testimony of the Espionage Vessel Commander

The commander of the espionage vessel, Pak Jongju, captured on February 15th [1974] in the West Sea, admitted on February 20th [1974] that on February 7th he received orders to conduct espionage [operations] from Lee Jungyang, the head of the Incheon department within the Korean Central Intelligence Agency.

Pak Jongju said that Lee Jungyang, the head of the Incheon department within the Korean Central Intelligence Agency, told him that with a view to insuring the total security of the country, the South Korea [authorities] were undertaking a propaganda campaign amongst popular masses in South Korea about the alleged "threat of an invasion from North Korea against South Korea," but since they are not succeeding, they were trying to provoke an incident by surprise.

Pak Jongju admitted that he received the task to carry out an espionage operation deep into the territorial waters of the Northern side, so as to probe our attitude and our reactions, to take photographs of our ships around Baeknyeongdo Island, to assess their numbers and their military equipment.

He also confessed that he received orders that in case he got 'uncovered,' he must claim that the ship he was in charge of was a fishing vessel; and that in case he got captured, he must pretend to be a fisherman and continue to observe and examine the situation in North Korea.

He admitted that during the afternoon of February 15th he was taking photos and relaying the information to the [Korean Central Intelligence Agency] on the Jangsan Island, which belongs to the Northern side, when the Korean People's Army patrol asked him to leave the territorial waters of the Democratic People's Republic of Korea.

The espionage vessel commander also declared that one of the two espionage vessels sank while trying to escape, after having hit a patrol ship of the Korean People's Army; the other ship's [crew] threw overboard the transmission machine, the reconnaissance equipment, and set the [cipher] codebook and other documents on fire.



DOCUMENT No. 8

Telegram from Pyongyang to Bucharest, SECRET, Urgent, No. 060.076, February 21, 1974

[Source: Archives of the Romanian Ministry of Foreign Affairs, Matter 220/Year 1974/Country: Democratic People's Republic of Korea, Telegrams from Pyongyang to the Romanian Ministry of Foreign Affairs, January – December 1974. Obtained and translated for NKIDP by Eliza Gheorghe.]

TELEGRAM

Sender: Pyongyang

CLASSIFICATION: SECRET

Urgent

Date: 21.02.1974

No.: 060.076

To: First Direction – Relations; Second Direction – Relations

Concerning the effects of the February 15th incident between the two sides of Korea, we would like to inform you about the following issues:

As it is [well-]known, Pyongyang announced that two South Korean vessels were caught in the act of spying on the Democratic People's Republic of Korea in the territorial waters [of North Korea] and that legitimate defense measures were taken against them, while South Korea claims that the North opened fire on two [South Korean] fishing boats, sailing far in the open sea, sank one of them and captured the other, together with 26 fishermen.

In the time that passed since the incident, countless rallies took place on the entire territory of South Korea, gathering hundreds of thousands of people, culminating with the 1-million people rally in Seoul, where the action of the North was condemned en masse and in the most violent terms; [the participants in these rallies] sent protest notes to the Secretary General of the United Nations, to the International Red Cross.

To our mind, there are few moments in the post-[Korean] War period when the psychosis against the North manifested by South Korean [people] reached such high levels of intensity.

After ignoring the echo of the incident in the South for a few days, the propaganda apparatus in the Democratic People's Republic of Korea released the testimony of the captured vessel commander, who, in a unconvincing manner, admits that the two ships were prepared by the Korean Central Intelligence Agency and sent in the territorial waters of the Democratic People's Republic of Korea with the premeditated goal to get one of the ships captured by the Democratic People's Republic of Korea defense forces, so as to offer public opinion in South Korea a general shock against the North.

After analyzing the incident through the lens of its destructive implications for the inter-Korean dialogue, for the tension it generated on the [Korean] Peninsula and for the unfavorable international echo around the Democratic People's Republic of Korea, we believe the action undertaken by the North was not justified.

The moment of the incident is totally ill-timed for the Democratic People's Republic of Korea, which needed to consolidate its influence and its power of attraction on the eve of the foreseeable political crisis in Seoul, to consolidate its authority on the international stage, all of these aspects being seriously affected by the February 15th operation.

We believe the Democratic People's Republic of Korea did not foresee such a large-scale reaction in South Korea, which goes against the interests [of Pyongyang] towards this part of the country.

It is to be expected that tension deepens, due to the firm request of the South Korean public opinion to immediately release the captured fishermen and vessel.

Signed: Dumitru Popa

* * *

DOCUMENT No. 9

Telegram from Pyongyang to Bucharest, SECRET, Urgent, No. 060.079, February 25, 1974

[Source: Archives of the Romanian Ministry of Foreign Affairs, Matter 220/Year 1974/Country: Democratic People's Republic of Korea, Telegrams from Pyongyang to the Romanian Ministry of Foreign Affairs, January – December 1974. Obtained and translated for NKIDP by Eliza Gheorghe.]

TELEGRAM

Sender: Pyongyang

CLASSIFICATION: SECRET

Urgent

Date: 25.02.1974

No.: 060.079

To: First Direction – Relations; Second Direction – Relations

In a discussion with Aurelian Lazar about the February 15th North-South incident, which resulted in the sinking of a South Korean fishing boat and the capture of a second one by the Democratic People's Republic of Korea, B.K. Pimenov, Minister-Counselor within the USSR Embassy, pointed out that the Soviet Embassy believed that North Korea committed a serious error by undertaking this action.

The Democratic People's Republic of Korea thus offered the authorities in Seoul an important political chapter [content] which the [South Koreans] can use to diminish forthcoming spring student demonstrations and even directing them on an anti-North path.

B.K. Pimenov said that the Democratic People's Republic of Korea would find it difficult from thereon to re-establish its authority amongst its South Korean sympathizers. In these conditions, not even the forthcoming reunion of the North-South committee, scheduled for February 27th, can contribute to reaching an understanding, [being very likely that] the discussions be transformed into a fiery argument.

Signed: Dumitru Popa



DOCUMENT No. 10

348th Meeting of the Military Armistice Commission, February 28, 1974

MILITARY ARMISTICE COMMISSION
UNITED NATIONS COMMAND COMPONENT
APO SAN FRANCISCO 96301

THREE HUNDRED AND FORTY -EIGHTH MEETING

OF

THE MILITARY ARMISTICE COMMISSION

28 FEBRUARY 1974

MEMBERS PRESENT

UNITED NATIONS COMMAND

MG WILLIAM E. McLEOD, USA

MG KANG YEUNG-SIK, ROKA

BRIG DONALD M. FLETCHER,

U.K. ARMY

COL H. FEHMI OKTAY, TURKISH

ARMY

KOREAN PEOPLE'S ARMY

CHINESE PEOPLE'S VOLUNTEERS

MG KIM, PUNG-SOP, KPA

CHEN JIAN WU, CPV

MG OH KI-SU, KPA

SR COL YI, YONG-IL, KPA

SR COL KIM, DU-HWAN, KPA

The meeting convened at 1100 hours, 28 February 1974

UNC

Subsequent to the 347th Military Armistice Commission Meeting, which was recessed at 1605 hours on 24 December 1973, the first official call for a meeting of the Military Armistice Commission issued by either side was our side's message to your side. This message, which proposed a meeting time of 1100 hours, 20 February 1974, and which clearly indicated that our side was calling the meeting to discuss the serious fishing boat incident of 15 February 1974, was acknowledged for receipt by your side at 1229 hours, 16 February 1974. Your actions subsequent to receipt of our side's message as reflected in the official logs of the Joint Duty Office have deliberately and improperly delayed the meeting called by our side until today and, accordingly, are duly noted for the record.

Let it be understood that both sides will honor the first message from either side which calls for a meeting of the Military Armistice Commission with either an acceptance of the proposed time of meeting or a counterproposal as to the time of the meeting. This is in accordance with established procedures observed by both sides for many years and there is nothing to be gained by either side in not adhering to these procedures.

Now, let us address the issue which prompted our side's call for this meeting.

Our side called for this meeting today because of a most serious violation of the Armistice Agreement, a brutal crime. The issue today is the incident of 15 February 1974, involving Suwon-ho 32 and Suwon-ho 33. That is the issue. That is what we are Interested in discussing. While we are always willing to discuss legitimate business of the Military Armistice Commission, we are not receptive to your usual attempts to cloud the main issue by extraneous matters and propaganda. Let us now discuss Suwon-ho 32 and Suwon-ho 33 -that is the issue.

On 7 February 1974, more than 20 boats, part of the Republic of Korea fishing fleet, got underway from Inchon, their home port. The fleet was due to return to Inchon on 5 March 1974. Two of the boats were Suwon-ho 32 and 33. These boats were 24.4 meters in length and displaced 84 tons. They were steel hulled with wooden upper works. Designed for trawling, they carried the gear normally used in that fishing method. They also carried the basic electronic equipment needed for navigation such as radio, radar and a radio direction finder. The boats are 15 years old and have been continuously in use as fishing craft since they were launched in 1959. The Suwon-ho 32 had a crew of 14 aboard; the 33 also had a crew of 14.

Republic of Korea fishing fleets routinely report their position at least every-12 hours. Here is a plot of the fleet's location, as reported by the fleet, from 7 February until 15 February, the day of your attack. At noon on the 8th of February the boats were at point A. By midnight on the 8th the boats were fishing at point B and moving slowly westward, arriving at point C on the 9th. Then proceeding northwestward the boats reached point D at midnight on the 9th. Working together with other vessels of the fishing fleets they fished in this vicinity until the 14th of February. Early on the morning of 15 February the Suwon-ho 32 and 33, in search of better fishing grounds, sailed farther north while remaining clearly in international waters. At 1003 hours, Suwon-ho 33 radioed ashore that its location was as indicated by the picture, clearly in international waters, some 30 nautical miles from North Korea. It also reported that one of your side's gun boats had opened fire from a distance of approximately 1 mile. As a result of this unprovoked attack, the Suwon-ho 32 was sunk. Your gun boat then approached the scene and picked up the only known survivor, Kim Kun Shik. Following this your gun boat forced the innocent, unarmed Suwon-ho 33 to accompany it toward North Korea. At 1323 hours your gun boat attempted to return Kim Kun Shik to Suwon-ho 33. The waters were too rough, however, and this transfer was unsuccessful. At this time, your gun boat informed Suwon-ho 33 that it was released and should return south. Your gun boat further informed Suwon-ho 33 that Kim Kuk Shik [sic] would be returned through Panmunjom.

The Suwon-ho 33 then proceeded south for about one hour on a course of 180°. At 1445 hours, the Suwon-ho 33 was again approached by one of your gun boats and was again taken into custody. What caused this change in your side's orders? Was it because your side realized that the crew of Suwon-ho 33 could be witness before the entire world that your side had murdered 13 innocent fishermen of Suwon-ho 32?

After again being taken into custody, the Suwon-ho 33 was forced by your gun boats to accompany them toward North Korea. The last radio transmission from Suwon-ho 33 was at 1615 hours, with the ships headed for Mongumpo-ri.

What happened after that? Where is the boat now? Where is the crew? How many are alive and well? When are you going to return them to their homes and families? Why did your side take these dastardly actions?

Was it all a mistake on the part of your gun boats, or was it ordered by competent authority of your government? These are the questions we are asking. These are the questions which we want answered today.

KPA/CPV

Your side is shameless enough to use absurd quibblings [sic] that our side delayed this meeting. In this connection I am obligated to make a comment to set the records straight.

We know you are brazen-faced impostors. However, how could you possibly allege that meeting called by us to be a meeting called by you and how could you dare spell out such absurd quibble that our side delayed this meeting?

The Armistice Agreement requires to expeditiously settle through negotiations any violations of the Armistice Agreement.

Therefore, if there is a question to be discussed for the implementation of the Armistice Agreement, one of the sides is entitled to convene a Military Armistice Commission meeting without delay and the other side is bound to comply with it.

However, again in gross violation of the requirements of the Armistice Agreement, your side has unwarrantably delayed the convocation of the 348th Military Armistice Commission Meeting called by our side through its telephone message sent on February 16.

Your side must bear the full responsibility for having made it impossible to hold on February 19 the 348th Military Armistice Commission Meeting called by our side.

Even under the circumstances in which your side had continued its unwarrantable acts, our side which has consistently made sincere efforts to ensure the implementation of the Armistice Agreement and normal activities of the Military Armistice Commission, patiently made repeated proposals that the 348th Military Armistice Commission Meeting be held immediately, not be delayed.

Finding it impossible to justify its unwarranted claim any longer, your side had no alternative but to come to this table today.

As all the records show clearly, the full responsibility for having delayed until today the 348th Military Armistice Commission Meeting called by our side rests with your side.

No amount of quibblings can help your side in justifying its unwarranted act.

Our side resolutely denounces such an unwarrantable conduct on your part and at the same time strongly demands that your side cease reiterating such unwarrantable manoeuvring of creating artificial obstacles in the normal activities of the Military Armistice Commission in the future.

I have a statement to make on a serious hostile provocation recently committed by your side on our coastal waters in the West Sea. On February 15 last, the south Korean bellicose elements who had kept on committing, of late, provocations against the northern half of our Republic in the Western Sea, perpetrated a grave military provocation by again dispatching spy boats to our coastal waters in the West Sea to commit espionage and hostile acts.

Have a look at that chart.

As indicated on that chart, your spy boats which had sailed- near to our side's coastal waters from the sea northwest of Paengyong-do Island intruded into our side's coastal waters 10 miles from Cho-do Island around 0800 hours on the morning of February 15.

Your side's spy boats which illegally intruded into our side's coastal waters in the disguise of fishing boats continued espionage acts there.

Around 1030 hours that day they intruded as far as the sea at coordinates 38°14'N, 124°28'E northwest of Changsan-got taking the advantage of dense fog and rain.

The spy boats of your side disguising themselves as "fishing boats" doggedly refused to comply with the repeated demand of our People's Army naval vessel on routine patrol duty in the Western Sea for their withdrawal from our coastal waters.

Under such circumstances, our naval craft sailed to the direction of those unidentified boats to identify them which had illegally intruded into our coastal waters.

Upon the disclosure of their true colours, your side's spy boat "Suwon 32" hurriedly veered to the southwestward to flee and rammed her stem against our naval craft which was just turning sideways and another spy boat "Suwon 33" was captured by our side on the scene of the incident.

It is an overt challenge to the northern half of our Republic that the Pak Jung Hi [Park Chung Hee] clique have again intruded spy boats into our side's coastal waters to commit espionage and hostile acts at a time when we are making all our sincere efforts to remove tension between the north and the south to ensure peace and to achieve the peaceful reunification of our country.

What will be the result of such nasty military provocations the south Korean puppet clique commit against the northern half of our Republic, while inciting confrontation with us and frenziedly speeding up their war preparations under the frivolous pretext of the non-existent "threat of southward aggression?"

They will bring about nothing but a further aggravation of tension, which will lead the situation to a brink of war and in the end to a new war in our country.

Our side cannot but direct a serious attention to the fact that the Pak Jung Hi clique, who are now in a serious predicament, committed the recent grave military provocation, while purposefully increasing tension and frenziedly making preparations to ignite a war in our country.

All the facts vividly show how serious and reckless the war mania of the south Korean bellicose elements is today.

For our naval craft to have completely frustrated the recent espionage and hostile acts of the south Korean warlike elements through her self-defence measures is a due punishment on the provocators [sic] and a proper exercise of sovereignty to defend our inviolable territorial waters.

This notwithstanding, you U.S. imperialist aggressors and the south Korean puppet clique at your instigation are frenziedly kicking up vicious “anti-communist” rackets against the northern half of our Republic, in the manner of a thief turning on the master with a club, as if we made an “armed attack” on “fishing boats,” committed “provocations” and the like, in an attempt to cover up the truth about the recent premeditated grave hostile act committed as a link in the chain of your new war provocation manoeuvres.

Whatever lies you U.S. imperialist aggressors and the south Korean warlike elements may tell to make the spy boats dispatched to our coastal waters into “fishing boats,” you can neither cover up the truth about your espionage and hostile acts nor deceive the world people who are too well aware of the fact that the south Korean puppet clique established even a “fishing limit line” on the sea, preventing south Korean fishermen from engaging in their free fishing activities at the point of bayonet, and keeping them far away from the line.

The frantic “anti-Communist” commotions and the strategical propaganda being conducted by you U.S. imperialist aggressors and the Pak Jung Hi clique only serve to reveal that the recent grave hostile provocation is a criminal act meticulously prepared in advance.

I resolutely protest against and denounce your side for its having again committed the espionage and hostile act by dispatching its spy ships to our coastal waters in the West Sea in gross violation of the Preamble of the Armistice Agreement and Paragraphs 12, 15 and 17 thereof.

And at the same time, I strongly demand of your side to frankly admit the criminal espionage and hostile act committed by your side by intruding its spy boats to our coastal waters, apologize to our side for it and give a responsible assurance for ceasing forthwith the dangerous military provocations aggravating tension in Korea.

UNC

Your obvious cover story together with your propaganda does not change the facts as to what actually happened on the morning of 15 February. I have described the crime committed by your gun boat in sinking one innocent fishing boat and hijacking another.

Since you apparently were not listening closely let me repeat the key points.

Your side’s gun boat attacked our two unarmed fishing vessels at a position more than 30 nautical miles from your side’s territory and clearly in international waters.

Your side sunk one unarmed vessel, the Suwon-ho 32, with the presumed loss of 13 innocent lives. Your side's gun boat then forcibly took the second vessel, Suwon-ho 33, under escort and headed for your territorial waters; a clear act of piracy on the high seas.

Later, your gun boat came alongside Suwon-ho 33 and attempted to transfer Kim Kun Shik, the only known survivor of Suwon-ho 32. The seas were too rough to successfully complete the transfer, so your gun boat informed Suwon-ho 33 that Kim Kun Shik would be returned at Panmunjom. Your gun boat then released Suwon-ho 33 and ordered it to head south.

After one hour your side again changed plans and again seized Suwon-ho 33. What caused these changes in plans? It seems clear that for a period of time your side was willing to admit your error and, knowing the fishermen to be innocent of any misdeeds, you were willing to let them return home. Then your side realized that these fishermen were witness to the criminal sinking of an innocent fishing boat, the Suwon-ho 32. So you then took the inhuman step of removing the witnesses to your crime by again seizing the Suwon-ho 33 and its crew.

In the face of these indisputable facts, how can you possibly claim that the innocent fishing boats were in your territorial waters for purposes of spying?

If these were spy boats, as you say, how did you make this determination before you opened fire from a range of about one mile? Did you see any evidence of spy equipment? The boats contained nothing more than the simple gear required to navigate and catch fish. Did your side board the fishing boats to inspect them for espionage equipment before sinking one and capturing the other? No, you opened fire in poor visibility at a range of one mile and sunk the innocent Suwon-ho 32. You then attempted to pick up and capture the survivors and apparently found only one; the remainder probably having drowned. You then forced the Suwon-ho 33 to accompany your gun boat toward North Korea.

If they were where you say they were, why would it have taken so many hours to escort the Suwon-ho 33 to a North Korean port? The travel time from the location you claim to your port should be no more than about 3 hours. Yet we have clear evidence in a radio transmission from Suwon-ho 33 that at 1615 hours it was still not in port. This was 6 hours after the sinking of Suwon-ho 32. How do you account for this?

If the fishing boats were, as you say, spy boats in your territorial waters, why did your side release the Suwon-ho 33 and allow it to proceed freely south? Is this what you do with spy boats? Why did your gun boat attempt to return the survivor Kim Kun Shik to Suwon-ho 33 before releasing the fishing boat? Is this what you do with spies? Being unsuccessful in returning Kim Kun Shik to Suwon-ho 33, why did your gun boat then inform Suwon-ho 33 that he would be returned at Panmunjom? Is this what you do with spies?

The answer to all these question is "no." This is not the way you would handle spies or spy boats. Obviously, your side made a grave error in sinking the Suwon-ho 32 and capturing the Suwon-ho 33. You then made an effort to rectify your mistake by releasing Suwon-ho 33. You then changed your mind and recaptured the Suwon-ho 33 in a clumsy attempt to eliminate the witnesses.

The best thing your side can do now is to admit your mistakes, and immediately return the innocent fishing ship and its crew. This is what we demand that you do to partially redeem yourself for the unfeeling brutality and inhumanity of your acts.

When do you propose to do this?

KPA/CPV

As I have already stated, the south Korean fascist military bandits infiltrated again this time spy boats into our coastal waters in the West Sea to perpetrate espionage and hostile acts. This is not only a flagrant violation of the Armistice Agreement but also a vicious military provocation intended to doggedly hamper the independent reunification of our country, to perpetuate the national split, and to ignite the fuse of another war in Korea at any cost by extremely heightening [sic] tension to lead it to a brink of war in our country.

This notwithstanding, instead of frankly admitting the grave criminal act, apologizing for it and making an assurance for ceasing similar provocations, you told a downright lie at today's meeting, that the south Korean bellicose elements dispatched not spy boats but "fishing boats" to our coastal waters, and that we made an "armed attack" on "fishing boats," groundlessly defaming and slandering our side.

What prevents you from telling the fact that radio contacts between the "Inchon Branch of the CIA" of south Korea and the spy boat said that not a single shot was fired by us?

Your last verbose remarks at this table are nothing but nonsense.

Whatever lies you may tell here, you can deceive nobody.

It has been irrefutably established by the confession of Pak Jong Ju, captain of the spy boat "Suwon 33," and Paek Hong Son, the boatswain that the south Korean bellicose elements intruded this time spy boats into our western offshore waters under the preplanned manipulation of the south Korean puppet "CIA" to stage the most heinous acts of espionage.

Listen carefully to their voices of confessions:

"I now confess the crime committed against the whole nation. I am Pak Jong Ju, captain of ROK spy ship "Suwon 33" which was captured a few days ago while carrying out espionage mission after intruding into the coastal waters of 'north Korea' in the West Sea.

I was born at No. 249, Taemado-ri, Cho-do sub-county, Chindo county, south Cholla Province. I am 48 years old.

Our ship 'Suwon 32' and the 'Suwon 33' nominally belong to the 'ROK Pusan Company' but actually belong to the 'CIA. '

My boat 'Suwon 33' together with the 'Suwon 32' left Inchon Port on February 7 on a mission given by the 'CIA' of carrying out espionage activities in the waters of 'north Korea. '

Prior to my departure, I together with Kim Saeng Rim, head captain, and Ri Chon Sok, chief radio operator, went to "Mugunghwa Tea House" located at a certain place in the city of

Inchon by taxi sent by the 'CIA Inchon Branch,' where we were received by Li Jung Yong, a section chief of the 'CIA,' with whom I got acquainted before.

Speaking of Li Jung Yong, he worked at the "Masan Intelligence Detachment" in 1959 and later at the "Pusan Intelligence Detachment" before being promoted to the section chief of the 'CIA.'

I met him on January 27 last year for the first time through good offices of a police-detective An working at the police station of Inchon Wharf, when my name was enlisted with my fingerprints on the list of names of agents, thus I was picked up and recruited as an agent of the "CIA."

On the day he referred to the difficulties facing the 'ROK' and give us detailed explanations about internal and external situation.

Then, he put it this way:

The 'Government' put it forth as an important task of the nation to insure the 'harmony of all people' and 'allout [sic] security;' making good use of the so-called 'threat of southward aggression' and West Sea incidents.' But the public is suspicious about them because they hardly deserve any credence. Therefore, we had to make the nation believe even by causing a more shocking incident.

Then he explained us about the purport of our departure, which was to intrude deep into the waters of 'north Korea' around Paengyong-do Island by disguising our boats as fishing boats and to cause some incident there, giving us the following detailed mission:

Firstly; To intrude well into the 'north Korean' waters north of Paengyong-do Island and spy out what attitude the 'north Korean' side would take and how it react, promptly reporting the results through radio to the 'Inchon Branch;'

Secondly; To detect the number of the 'north Korean' naval vessels sailing on the waters around Paengyong-do Island and their structures, arms and equipment, photographing all of them;

Thirdly; In case of being challenged by 'north Korean' naval vessels, not to meekly comply with their demand but to earnestly ask them to allow continued fishing, disguising the boats as fishing boats and insisting on international waters;

Fourthly; In case of being abducted by the 'north Korean' side, not to worry but to collect information on economy, construction work, distribution of military installations, roads and public sentiment of 'north Korea' in disguise of fishermen throughout the period of our stay in the north because we all could be repatriated a few months later. In addition, we were instructed to pay special attention to gathering information of war preparations and public sentiment in particular when we were allowed to sightseeing.

Then he added that we needed not worry about our safety because our espionage activities would be backed by the naval vessels, the 'Destroyer 93' and 'PCE 1001' and that all the crew would be rewarded lots of money when we returned after fulfilling the mission, particularly head captain, chief radio operator and I would be given special reward. He looked

serious when he said that if things went well, the ‘government’ was planning to stir up the ‘anti-Communist’ sentiment among the people and repeatedly stressed that we should keep it secret that the ‘Suwon 32’ and ‘Suwon 33’ belong to the ‘CIA,’ his identity as well as what he told us there that day in any case even if we happened to be captured by the ‘north.’ ‘In case you reveal the secret, your families, to say nothing of you, will not be able to go with impunity. You must keep this in your mind.’ He threatened us in this way.

After that, the head captain and I came out ahead of the chief radio operator, who received separate instructions there for about half an hour, about which I know nothing but the fact that he received two diving suits.

Having been given detailed mission for hours, we made final meticulous preparations, getting additional instruments and apparatuses necessary for our espionage activities and re-examining our camouflage.

In accordance with the procedure for departure Li Chon Sok, the chief radio operator, finished clearance formalities at the ‘police box’ of the Hainchon Pier and we were inspected by the patrol boat ‘PB No. 10’ before our leaving Inchon Port at noon, about 1230 hours.

At first, we sailed to Mokduk-do Island and continued our navigation west north-westwards for 4 hours and again advanced northward for more than 5 hours.

After a long sailing, we crossed the ‘fishing limit line’ without trouble and without any checking or control until we arrived at a point north-west of Paengyong-do about 25 miles from Changsan-got at about 2100 hours on the 14th, and from there we began to approach the coastal waters of north Korea.

Around 0800 hours on the morning of the following day, that is, February 15, we sailed to a point about 10 miles from Cho-do Island of north Korea. In the waters we carried out espionage activities of watching the movement of the north Korean naval vessels and spying out the number of the north Korean fishing boats and reported our findings to the ‘Inchon: branch of the CIA’ through wireless.

We continued to move about in the coastal waters of north Korea until around 1030 hours when we advanced near to the land north-west of Changsan-got availing ourselves of dense fog and rain, and there we intended to observe the movement of the naval vessels of north Korea.

At this very moment, we came to encounter unexpectedly with a north Korean patrol boat. Soon we began to stretch a net to disguise ourselves as fishermen and on the other hand made a report on what had happened through wireless to the ‘ROK’ ‘Destroyer 93’ and the ‘PCE 1001.’

‘Destroyer 93’ sent us an instruction that we should make a report without delay on the number and size of the north Korean naval craft and their armed equipment.

Head captain Kim Saeng Rim and I made a detailed report as was instructed through Li Chon Sok, the chief radio operator.

As soon as the north Korean patrol boat approached ours, we were asked to identify ourselves. Our simple answer was ‘fishing boat,’ and we did not gently respond to the questions.

A man aboard the 'Suwon 32' took several pictures of the north Korean patrol craft from behind taking the opportunity of her movement around us.

As the north Korean patrol boat approached our boat closer, identifying ours as from the 'ROK,' I repeatedly begged them to allow us to catch fish since we crossed the fishing limit line, following after a shoal of fish. The 'north Korean' patrol boat urged us to move to international waters because the waters were under their control, admitting that our wish could be understood,

Harsh words of haggling were exchanged between both sides.

Then, the north Korean patrol boat approached closer our boats in an attempt to identify us. At this moment, head captain Kim Saeng Rim suddenly veered southwestward in an attempt to flee in that direction contrary to what he was instructed, ramming the stem against the north Korean patrol boat which was just then passing by his boat.

At the very moment, I wondered why the head captain was in so hurry, but I did not leave there, thinking of the instructions I had received before my departure. In the long run, we were captured on the scene,

Before our capture we informed the 'CIA Inchon Branch' of our case of emergency, which immediately instructed us in reply to burn our code book and all other things that might divulge secret instead of throwing them into the water employing delay tactics to the maximum and take the 'crystal' off the 'SSB' ultra-short wave radio and throw it into the sea.

Following the instruction we threw espionage equipment and materials into the sea and burnt all the secret papers.

Since our seizure we made a futile attempt to disguise our boats as 'fishing boats, ' trying to prove it.

However, we were not successful because of the suspicious action taken by the 'Suwon 32, ' which give a clue to our identity.

Now I suspect why the 'Suwon 32' did attempt to flee from the scene that day. I surmise that the section chief Li gave an instruction at a private meeting with the chief radio operator on the day of our departure so that the 'Suwon 32' might flee leaving our boat behind as decoy duck.

This is my frank confession to the espionage acts we committed.

We perpetrated unpardonable criminal acts against the Democratic People's Republic of Korea and indelible traitorous acts to the nation.

However, the seamen of the Korean People's Army did not fire even a single shot to us, nor intend to harm us and the authorities concerned of the Republic have afforded us humanitarian treatment, regarding us as those who were utilized by the Pak Jung Hi bandits in committing their criminal acts against the nation.

Now I and all my crewmen are well without least inconvenience.

We only feel sorry that we cannot find adequate words to express our thanks for this.

I bitterly repent of the serious crime we committed and heartily apologize to the Government of the Republic for it.

At the same time I cannot but stress the fact that the direct responsibility for our recent criminal acts rests upon, among other, the south Korean authorities, who forced us to commit espionage acts.

Now, after being captured, I fully realize that the Pak 'regime' plunged us into the systematic espionage activities against the north in an attempt to prop up their system of 'revitalization' dictatorship and to fend off the present crisis which has already reached critical point.

During the 13 years of seizure of power the Pak 'regime' sold out the country to the Japanese scoundrels by concluding the 'ROK-Japan Treaty,' put numerous south Korean youth and the middle aged at the service [sic] of Americans' cannon fodder, forcibly emigrated hundreds of thousands of our compatriots to foreign lands and is sacrificing a number of our women to the Japanese lascivious animals, as playthings.

For the Pak 'regime' it must be nothing to sacrifice such insignificant people like us to prolong the regime.

The more I think of this, the more hardly I can keep down my curse and indignation to the Pak Jung Hi bandits who drove us deep into the abyss of crime against north Korea.

The Pak Jung Hi bandits should duely apologize for their crime to all the people and bear the full responsibility for this, since we were captured red-handed and our criminal acts were brought to broad daylight.

On this occasion I would like to say a few words to our compatriots in the south.

We cannot escape the denunciation even from all the people as we are criminals who have committed the crime against our own nation though temporarily, being deceived for money and forced by power.

Here, we earnestly ask you to direct your curses not to ourselves but to the Pak Jung Hi clique who degraded us to be criminals.

Finally, I in the name of us all the crewmen of the spy boat swear to the authorities concerned of the Republic that we will continuously confess with all sincerity about our serious crime and petition for leniency to our crime."

"I am Paek Hong Son, boatswain of the south Korean spy ship 'Suwon 33' which was captured not long ago while carrying out espionage mission after intruding into the coastal waters of north Korea.

Recently our boat, together with the 'Suwon 32,' stealthily intruded into the coastal waters in the West Sea north of Changsan-got of the northern half of the Republic to commit espionage act, which was, from the very beginning, premeditated and manipulated directly by the south Korean 'CIA.'

I frankly admit the serious criminal acts we have committed and write herein the truth about them.

My native place is Usan-ri, Kwansan subcounty, Changheung county, south Cholla province, and I am 29.

It was on January 10 this year that I was sent to the boat 'Suwon 33' which belonged to the south Korean 'Central Intelligence Agency.' Before and after that day, almost all the crewmen were changed and even on the day when we were going to leave the homeport former 5 crewmen were again replaced with new ones.

Neither I, as a boatswain who was in charge of controlling the crew, nor captain Pak had no idea of the whys at that time, but when I think of this now, I am sure that it was planned trick to camouflage our boat as a 'fishing boat.'

As far as I am concerned, I had been instructed to observe secrecy of all my activities except for my official duty as a boatswain. I was allowed to make secret contracts only with Captain Pak and to act at the instruction of chief radio operator Li Chon Sok.

The boats 'Suwon 33' and 'Suwon 32' nominally belonged to 'Hankuk Pusan Company.' It was only for the sake of camouflage.

Originally, the boats had been owned by a certain An from Pusan.

When he went bankrupt, 'Central Intelligence Agency' brought them through the good offices of a certain Hwang, the boats came under the control of Li Jung Yong, a section chief of the 'Central Intelligence Agency.'

Our 'Suwon 33' and 'Suwon 32' were allowed to go everywhere, be it may both south and west coastal waters, and use fuel for the military use.

Prior to our leaving Inchon Port, some of us received separate espionage missions in addition to the missions which were testified by captain Pak Jong Ju the other day.

The mission I received individually from chief radio operator was to watch and control the crewmen of '33' as the boatswain, to observe the movements of north Korean naval vessels, detect their technical index such as their numbers, types, sizes, arms and equipment, speed, etc, reporting the results to the captain.

In addition, I received such mission as to collect detailed military, political and economic information in north Korea through those called by nick names 'hairy crab' and 'cuttle-fish,' who were picked up by chief radio operator after winning the favour of the north Korean authority, disguising myself as fishermen in case of being captured and to control crewmen lest 'betrayers' should come out of them and to carefully assess ideological firmness during our stay in north Korea.

I already underwent elementary trainings necessary for espionage activities soon after I was recruited by the espionage organ.

I again put my fingerprints on a written oath just before I was assigned to the boat at the end of last year.

The chief radio operator instructed me to test the new crewmen with care and encouraged me with honeyed words of rich rewards for the successful fulfilment [sic] of the mission.

I guess that the chief radio operator is responsible for all activities of our boat related to the 'CIA.'

Though he behaved himself as a radio operator, I regarded him as a hardened agent because of his self-confident manner, crafty conduct accomodating [sic] to occasions, rough and harsh character, and his usual behaviour.

A month ago, he told me a telephone number, which I took down in my notebook, merely thinking it was to be used in case of emergency to communicate with a liaison centre. But it turned out to be a phone number connected with the Central Intelligence Agency.

Having been given detailed espionage mission, we made meticulous preparations.

And on February 7 last our boat 'Suwon 33' and 'Suwon 32' departed Inchon Port in broad daylight and pretended to catch fish on the western sea areas for several days, only waiting orders.

Then, we crossed the 'fishing limit line' without trouble and without subjecting to any checking or control. We arrived at a point northwest of Paengyong-do about 25 miles from Changsan-got of north Korea at a little over 9 o'clock on the night of the 14th of February and from there we continued to stealthily approach coastal waters of north Korea under the cover of darkness.

On the morning of the 15th of February, we continued our navigation to a point about 10 miles southwest Cho-do Island where we set out in espionage activities on a full scale.

In order to carry out my assignment, I watched through binoculars north Korean naval vessels, detecting their number, direction of movement and speed, reporting the findings to Captain Pak. He was in charge of transmitting without delay the collected data to the 'Inchon Branch of the CIA' through the chief radio operator.

We had three sets of up-to-date wireless on board through which we maintained constant contact with the 'Inchon Branch,' frequently exchanging messages.

I have no deep knowledge of technical affairs, but I believe that all the information gathered by each of individuals was transmitted to the 'Inchon Branch of CIA' immediately after being analyzed.

To get more correct information we drew nearer to the coast, frequently changing our location.

It was around 1030 hours that we arrived at a point 9 miles from the coast northwest of Changsan-got and carried out espionage activities, when a patrol boat of the north suddenly appeared.

Captain Pak ordered us to stretch a fishing net, while reporting what happened.

We hurriedly stretched a net, pretending to catch fish.

As was instructed, I made a report on the number and size of the north Korean patrol boat approaching our boat closer as well as its arms and equipment.

At the moment, in respond to the warning from the north Korean patrol boat urging us to move to international waters, Captain pretended to plead them to allow us to catch fish, employing deliberate delay tactics.

Captain Pak continued to behave in this way and the north Korean patrol boat started to identify our boats. Taking advantage of this chance the ‘Suwon 32’ made a desperate attempt to flee.

The ‘Suwon 32’ attempted to flee at the fullest speed, suddenly turned its head only to ram its stem against the north Korean patrol boat which just flanked her.

At that moment, all of the crew on our boat felt that everything was over since the head Captain committed a great mistake in dealing with the situation, revealing uneasiness.

At first the Captain of our ‘Suwon 33’ also looked confused but, losing no time, he reported what happened through the ‘SSB’ ultra-short wave radio with secret-talking device.

Taking advantage of the confusion created by the ‘Suwon 32’ which bumped against the north Korean patrol boat, we set out in the work of ridding our boat of equipment and materials, code-books and secret documents that might be regarded as evidence proving our espionage activities.

I threw into the sea those materials and equipment used for the espionage activities.

I understand that the code-books and secret documents were burnt down in the hatch.

Frankly speaking, I was in a great confusion immediately after my capture, because the condition was too unfavorable to disguise ourselves as fishermen as was originally planned.

The suspicious act of the ‘Suwon 32’ made it difficult for our boat to be regarded as a fishing boat.

Under the circumstances I had no other way but to make up my mind to insist on what was instructed. So, I gathered all the crewmen.

I told them that we were compelled to be captured but we would be able to return in several months in the light of past practice, so we should behave in a proper manner with ‘the sense of duty’ in the north, stressing that we should never let out the real ownership of our boat but insist that our boat belonged to the ‘Pusan Company.’

Many of our crewmen were not clearly aware of the fact that ours was a spy boat belonging to the ‘CIA’ until that time. I believe they knew no more than that Li Jung Yong had something to do with our boat to earn money.

I was afraid of the possibility of the disclosure by crewmen who might let out the name of Li Jung Yong of the 'CIA.' Therefore, I repeatedly emphasized in a tone of threat on the one hand and imploringly on the other that the disclosure of the fact would bring us to our ends.

In this way, I attempted to hide our crimes to the end.

Being dazzled by riches I committed the unpardonable traitorous criminal act against the Republic, for which I deserve capital punishment.

The lapse of time makes me feel more bitterly the seriousness of the crime I have committed, and burning indignation toward the south Korean authorities which forced us into carrying out the espionage activities.

Now it has become clear to me that the Pak Jung Hi clique attempted to realize their dirty aim by using our boat 'Suwon 33' as a bait, of which I was doubtful on the scene of the capture.

That is why the 'Suwon 32' suddenly attempted to flee and that is why they gave the two diving suits to the boat only.

I believe that in case of emergency they wanted to have the chief radio operator and the head captain escape because they knew well about the inside story of the recent espionage acts.

Now that all our criminal acts were brought to daylight, the Pak Jung Hi clique should bear the due full responsibility for the recent intrusion of the spy boats as main culprits and make a formal apology for it.

Our crimes are very serious, but the authority concerned of the Republic have afforded us humanitarian treatment, regarding us as the victim of the Pak Jung Hi clique's deceptive intrigue.

We feel very sorry and can hardly put into words the gratitude we feel for this.

I earnestly petition the authority concerned of the Republic to treat me leniently, solemnly swearing myself not to take again the road of crime in the future."

As you just personally heard, the captain Pak Jong Ju and the boatswain Paek Hong Son of the boat "Suwon 33" have confessed in detail how they were recruited into the "CIA" as spies and what their espionage mission was.

The captain and the boatswain of the spy boat captured by our side in their espionage act, confessed their own crime.

Do you believe that your denial of it can obliterate the stern fact?

Pak Jong Ju, the captain of the spy boat, confessed that the man called section chief of the "CIA" told him, while giving him the espionage mission, that the "Government" put it forth as an important task of the nation to insure the "harmony of all nation" and "all-out security," putting a stress on the so-called "threat of southward invasion" and "West Sea incidents."

But the public is suspicious about them because they hardly deserve any credence. And therefore they had to make the nation believe even by causing a more shocking incident, and that

if the recent mission were carried out well, the “government was planning to stir up the slackened” “anti-communist” sentiment among the people.

You cannot be ignorant of the meaning of what was said by the scoundrel, section chief of the “CIA.”

At present the south Korean bellicose elements have rapidly stepped up “anti-communist” rackets in south Korea against the northern half of our Republic with this incident as an occasion.

This fact itself clearly shows that the recent provocation was deliberate and systematic manoeuvring employed from the outset.

And, Pak Jong Ju, the captain of the “Suwon 33,” and Paek Hong Son, the boatswain, clearly confessed how his boat carried out the spy mission after intruding into our coastal waters and, how it was captured by us.

Yet, are you going to insist that the boats which intruded into our coastal waters were boats which “were engaged in peaceful fishing operation” and that those aboard the boats, were all fishermen who were also engaging in fishing operation?

And, they confessed that, just before they were captured by our naval vessel while carrying out their espionage activities, they threw all the espionage equipment into the sea and burnt all the documents including the cryptograph and certificates following the emergent instructions of the puppet “Inchon Detachment of the Central Intelligence Agency.”

You might have already inquired through the puppet “Central Intelligence Agency” what kinds of espionage equipment and document they received from Li Jung Yong. Haven’t you the courage to tell it at this table?

It is hardly believable that you say so because you have no knowledge of the crime of the south Korean bellicose elements who intruded the spy ship into our coastal waters, when we take into consideration the fact that you U.S. imperialist aggressors are playing the role of the master illegally occupying south Korea and that you are holding two offices concurrently as the chief of staff of the U.S. imperialist aggression troops occupying south Korea and as a Senior Member of one side of this Commission.

You are telling such a lie with a view to covering up the criminal acts committed by the south Korean warlike elements and misleading the world public.

With such childish remarks, however, you can neither cover up your criminal acts nor mislead the world public.

The facts once again clearly expose that you U.S. imperialist aggressors and the Pak Jung Hi puppet clique intentionally committed the latest incident in a meticulously pre-planned way, and you U.S. imperialist aggressors are the craftiest and most shameless swindlers in the world.

Instead of wasting time on useless allegation at this table where the truth about the incident has become clear, frankly admit the criminal acts committed of late by the Pak Jung Hi puppet bandit and who intruded spy boats into our coastal waters, make an apology to our side and give an assurance in a clear term against the recurrence of similar criminal acts in the future.

Our side proposes to your side that this meeting be continued after 20 minutes recess following the conclusion of the Chinese interpretation of my statement.

UNC

Our side accepts your proposal for a recess.

Our side will make our next statement when we return.

The meeting recessed at 1400 hours and reconvened at 1420 hours.

UNC

The so-called confessions, which your side has presented, are so incredible as to be hardly worthy of comment. We will, however, point out a few of the many inconsistencies and then discuss it no further.

First of all, the words in the so-called confessions are obviously not those of fishermen. They were written by, someone else - someone much more familiar with politics and propaganda than with the ways of the sea and the language of fishermen.

If the so-called confessions were, in fact, signed and recorded by these fishermen, as you claim, then it was obviously done under extreme duress. For what other reason would they have made a statement which we know to be untrue?

The so-called confession by Pak Chong Ju lacks logic. For instance it states that one of the specific missions was to be captured and to spy on the internal situation in the North. At the same time it states that the skipper was instructed not to worry about the safety of the boats because the “destroyer number 93 and the escort craft number 1001” would support the mission. It seems your writer could not make up his mind as to whether it was part of the mission to be captured or whether the boats were to be protected.

Your writer states that the boats proceeded north to within 10 miles of Cho-do at 0800, 15 February and “... commenced their espionage activities. “This activity was to move south “... under cover of thick fog and rainfall...” until reaching the point your side claims to have captured the boat at 1030 hours. So the alleged espionage boats were to steam rapidly south through a very heavy fog, supposedly counting the number of naval vessels and photographing them through a fog so thick as to conceal the fishing boats. Incredible!

The fishing boats stopped and according to your writer pretended to fish while a patrol boat approached to inspect them. Your writer then suggests that the Suwon-ho 32 got underway from dead in the water, turned and struck your ship with such force as to sink itself with the loss of all the crew but one. Incredible!

First, when just getting underway the boat couldn't have gotten up enough speed to sink itself ramming a stone pier, much less another ship.

Second, if it had turned into, and struck your gun boat with the force necessary to sink one or the other, then your gun boat would have been the one severely damaged since the heavy pointed bow of the fishing boat would have been hitting the thin side of your gun boat.

Third, if the fishing boat were in fact damaged to the point of sinking by a collision with one of your gun boats, that sinking would have been so slow as to allow time for the crew to get off. There would be a very minor chance of a loss of life from a collision unless, of course, the boat was cut in half by a very large ship. But your writer said the fishing boat turned and struck your gun boat and then supposedly, after causing no damage to the gun boat, the fishing boat sank instantly below the waves carrying her crew with her; at least, this is what your side's observer to the United Nations has indicated. Again, incredible!

In short, your so-called confessions are so obviously fabricated that there is no point in discussing them further. Let us return to the main issue.

Your side attempts to paint a completely unreal picture of a spy boat being fought off by your brave sailors. Your sailors demonstrated their bravery by sinking an unarmed fishing boat and killing unarmed fishermen. This may be considered brave in North Korea. It is considered to be murder in the civilized world.

Whom are you trying to convince when you say these fishing boats are naval craft or spy boats? Do you think you can convince Mrs Kim Saeng Rim? You sunk her husband's vessel. He is missing.

Do you think you can convince Mrs Pak Kyong Won? She is waiting to present her husband with a new born son. Her husband is among those missing.

Can you convince the families of these men? Can you convince their friends? Do you think you can change the facts when anyone can go and speak to these families and find the truth?

Since you cannot change the facts, your side could at least try to atone for the misdeeds by admitting the error and by immediately returning the men to their families.

KPA/CPV

You with two big stars of general on your shoulders have just complained that our naval craft was not damaged even though your spy boat bumped against our naval craft and sunk, revealing your ignorance of military affairs.

Why can't you say that you intend to destroy a big rock with an egg?

What about bumping your head against an iron-clad warship, following your logic?

You personally heard the confessions made by Pak Jong Ju, the captain and Paek Hong Son of the spy boat "Suwon 33" dispatched by the south Korean bellicose elements to our coastal waters, who candidly owned up what induced him to commit the crime and what criminal acts he committed. Yet, you are behaving yourself in such a brazen-faced manner as to try to deny the facts mentioned in the confession.

In a silly attempt to support your unwarrantable allegation that the spy boats are the so-called "fishing boats" and the spies are "fishermen," you have distorted the truth about the incident at random and told such downright lies that we conducted "firing," and we seized the boat again after trying to send it back.

The captain and the boatswain of the spy boat “Suwon 33” dispatched by the south Korean puppet clique, who were captured in the act of crime at the spot of the incident, clearly confessed that they were not fired from the naval craft of the People’s Army and that they pretended to cast a fishing net to disguise their boat as “fishing boat” as was captured.

You are not the man aboard your side’s spy boat nor a witness who was present at the scene of the incident.

Your allegation made at this table is an out-and-out fabrication filled with preposterous quibble.

No amount of trickery, however, can help you either cover up the criminal acts by the south Korean bellicose elements of having dispatched the spy boats to our coastal waters or deceive the world people.

Here is yet another evidence substantiating the recent espionage activities in the West Sea. Have a look.

Have a close look at the video screen instead of telling such lies as the alleged “fabrication” or “pressure” and the like.

Q: “Are you the captain of the spy boat ‘Suwon 33’ which was captured ‘ on February 15 last while carrying out espionage mission after intruding into the coastal waters of the northern half of our Republic?”

A: Yes, I am Pak Jong Ju, captain of ‘Suwon 33’ captured on the 15th in the very a9t of espionage well within the coastal waters of the north.

Q: And who are you?

A: I am Paek Hong Son, boatswain of the spy ship 33.

Q: And you?

A: I am Kim Keun Sik, deck man of the spy boat ‘Suwon 32.’

Q: Now, I ask you a few questions.

A: All right, I will answer as the captain of the ‘Suwon 33.’

Q: Where were you born?

A: I was born at No. 249, Taemado-ri, Chodo sub-country [sic], Chindo country [sic], South Cholla Province.

Q: Where did your spy boat ‘Suwon 33’ belong to?

A: (the boatswain Paek Hong Son)

Originally, the boat was owned by the Suwon Company in Pusan. In 1971 it was sold off to the Navy Intelligence Detachment in Inchon district, and used in carrying out espionage activities.

In July 1973, the ship nominally belonged to the “Pusan Company” but actually it belonged to the Intelligence Detachment to be operated by Li Jung Yong.

Therefore his telephone number 3rd Switchboard 4545 could be found in every crewman’s pocket-book.

Q: Why do they need it?

A: (seamen Kim Keun Sik) The reason is that when we go ashore and have some trouble with policemen because of our identification cards or improper behaviour, we used to call Li Jung Yong through telephone, then, everything went all right.

Q: When were you assigned to the captain of the ‘Suwon 33’?

A: I was appointed as the captain of the boat on December 28, 1973.

Q: Would you tell me the story about how you became the Captain of the ‘Suwon 33’?

A. When I was in Pusan, I had a job in a ship but I got on bad terms with the ship-owner. So, I was laid off in April and had no job.

Just around this time Kim Saeng Rim sent me a telegram from Li Jung Yong working at the Inchon Intelligence Detachment. Thus, I took a job in the ship.

Q: What is Li Jung Yong?

A: (Caption Pak Jong Ju) He originally worked at the ‘Masan Intelligence Detachment’ in 1959. He was later transferred to Pusan before being promoted to the post of a section chief in the ‘Central Intelligence Agency.’

Q: When was it that you became his espionage agent?

A: (Captain Pak Jong Ju) I must say, it was January 27, when I was forced to put my fingerprints on a sheet of white paper by a police detective named certain An working at the information section to a Coastal Police Corps.

Thus my name was registered on the list of espionage agents.

Later I came to know the mastermind was the very Li Jung Yong.

Q: When and where, and by whom were you given the recent espionage mission?

A: (Captain Pak Jong Ju) Early in February Li Jung Yong sent a car to our boats on berth to pick up head captain Khu Saeng Rim, chief radio operator Ri Chon Sok and me to the ‘Mugunghwa Tea-house’

There we were kindly received by the man called Li Jung Yong who gave us the mission.

Q: Tell me what mission you received from him?

A. (Captain Pak Jong Ju) We were instructed to intrude deep into the western sea north of Paengyong-do Island to sound out the attitude and reaction of the north to our intrusion and to expeditiously report the results to Inchon Branch through radio.

In addition we were given the mission of detecting the number, structure and arms of the naval vessels of the north moving around in the waters near Paengyong-do Island, taking pictures of them to be reported.

The third mission was that in case of being challenged by north Korean naval vessels, we should not be submissive but stubborn in insisting on our location on international waters, disguising our boats as fishing boats, earnestly asking them to allow us to continue our fishing.

And, the last mission we received was to collect detailed information to be reported on economy, the work of construction, the distribution of military facilities, road conditions and public sentiments in the north in case of being captured, disguising ourselves as fishermen. We were told that we need not worry about in such a case because we could be released to the south in several months.

Q: Didn't he tell anything about the relation with south Korean naval vessels?

A: (Captain Pak Jong Ju): Yes, he told us in general terms. He said that the Destroyer 93 and PCE 1001 would always keep watching us backing our activities from behind.

Q: What did he say about keeping secrets in case of being arrested?

A: (Captain Pak Jong Ju) He told us to keep it as top secret what he instructed at the place I told you already even in case of being captured by the north and threatened us, by saying that if we reveal the secrets, our families could not be safe, to say nothing of ourselves.

Q: What were you promised in case you return after fulfilling your mission?

A: He promised that all the crewmen would be rewarded lots of money when we returned after fulfilling our mission, particularly the head captain of 'Suwon 32,' chief radio operator Li Chon Sok and I would be given special reward. It was just on the day previous to our departure that I was called by head captain Kim Saeng Rim to come to his bridge for a glass of liquor, I went up there wondering at his gesture on the occasion.

Nobody but we three, the engine driver, myself and the head captain was there.

Filling my glass, the head captain told me that Ri Jung Yong had promised to give me 1, 500, 000 won and make me the head captain if I return after successfully fulfilling the mission, encouraging me to fulfill the mission without fail.

Q: When did the 'Suwon 32' and 'Suwon 33' leave Inchon Port?

A: (Boatswain Paek Hong Son} Let me see! It was around 10 o'clock on the morning of February 7 that chief radio operator Li Chon Sok was sent to a police box at Inchon pier to get clearance. When he came back we were each served a glass of liquor by Li Jung Yong and his

wife who came to the boats and then we underwent the final inspection of the naval patrol boat PB 10, which lasted until 2 o'clock. So, I can say it as around half past twelve when we left the port of Incheon.

Q: They say south Korean fishing boats are not allowed to approach even the vicinity of the 'fishing limit line.' How could it be possible for you to cross the "fishing limit line" at this time?

A: (Captain Pak Jong Ju) It's true, they are dealt with according to the provisions of Korean criminal law, if they violate the 'fishing limit line.' Therefore, they have to be careful not to violate the line. But, speaking of our boats, they were under the control of Li Jung Yang of the 'CIA.' So, we had an advance agreement with naval vessels. That's why we had no trouble in crossing the 'line.'

Q: Can you tell me how you intruded into the coastal waters of the northern half of our Republic after crossing the 'fishing limit line'?

A: (Captain Pak Jong Ju) It was between 2000 hours and 2100 hours on February 14 that we were at a spot 25 miles from Changsan-got from which we began to approach the waters under the control of the north.

Q: How deep did you intrude into the coastal waters of the northern half of our Republic?

A: (Captain Pak Jong Ju) At about 8 o'clock on the morning of the 15th we were at a point about 10 miles away from Cho-do Island, where we moved about until a little over 9 o'clock. Just then fog grew thicker and rain started falling at about half past 10 o'clock, when we began to draw nearer to the land.

Q: What did you spy out and report after you intruded into the waters?

A: (Captain Pak Jong Ju) To carry out our mission we watched carefully the movement of naval vessels and fishing boats, detected their number and reported our findings to the Incheon Branch through wireless.

Q: Tell me how did the 'Suwon 32' and 'Suwon 33' act when you were captured by our People's Army naval craft.

A: (Captain Pak Jong Ju) Discovering the north Korean naval craft approaching us, Kim Saeng Rim, the captain of the 'Suwon 32' called me and instructed me on the 'Suwon 33' to flee to the south at the full speed.

So, I intended to flee and sailed south for about five minutes.

But, I found it was impossible to flee because the north Korean naval craft was much faster than us and equipped with arms. So, I gave up, stopped, and saw the 'Suwon 32.' She was sailing to the south as quickly as she could. I guess she was trying to escape leaving us behind as a decoy duck after seeing us halting against the order. The north Korean naval craft drew near the fleeing boat, which turned its head only to bump her stem against the former.

Q: Why do you think your head captain behaved that way contrary to his mission?

A: (Captain Pak Jong Ju) It's apparent. When I say apparent, it means that they tried to escape using us as a bait because we did not follow his order to flee. I guess they did so following the additional instruction which Li Chon Sok received at the tea-house in the city. What was the additional instruction? When I think over this, the fact comes to my mind that the section chief had separate meeting with Li Chon Sok for scores of minutes after we left the tea house.

Q: What do you think the motive is, that the Pak Jung Hi clique had to intrude this time spy boats in disguise of fishing boats into the coastal waters of the northern half of our Republic?

A: (Captain Pak Jong Ju) I can remember what Li Jung Yong said while giving us the spy mission. He told us that the 'government' is now stressing on the 'threat of southward aggression; and the 'West Sea incident' with a view to ensuring the 'harmony of all nation,' and 'all-out security,' and he continued that the public is suspicious about what the government is now stressing.

Therefore, he said, a more shocking incident is needed to make the public believe on what the government is now putting a stress.

He added-that: the plan resulted in success, the 'government' was planning to stir up the slackened 'anti-communist' sentiment among the people.

I believe that Pak Jung Hi clique recently drove us into the coastal waters of north Korea to wage a deceptive 'anti-communist' propaganda campaign in case we were captured or fired by north Korean patrol boats.

I think they just intended to stave off the most serious present crisis and to prop up their "revitalization" dictatorship system.

Q: How are you getting on since your capture?

A: (crewman Kim Kun Sik) The 'Suwon 32' was trying to flee to the south, finding the People's Army naval craft flanked with it, bumped it's stem against the former. At the time, I jumped into the sea and was saved by the People's Army naval craft.

Since then I have received your humanitarian treatment. I am in good health.

Boatswain Paek Hong Son: They say south Korea is now alleging that the People's Army naval craft made an armed attack on us. It's a lie.

Not a single shot was fired. I and all the other crewmen of the 'Suwon 33; are all very well.

Captain Pak Jong Ju: We have committed unpardonable crime. But, the organs concerned and people have leniently treated us. I would like to express my thanks for it."

You have just seen on the video-screen, Captain Pak Jong Ju, boatswain Paek Hong Son of the spy boat 'Suwon 33,' and Kim Keun Sik, deck hand of the spy boat 'Suwon 32,' who all confessed their criminal acts.

They confessed that the “Suwon 33” originally owned by “Suwon Company” in Pusan was sold off to the puppet navy intelligence detachment in Inchon in 1971 to be used in carrying out espionage activities thenceforth and that since July 1973 has nominally belonged to the ‘Pusan Company’ but actually it has been under the control of the Li Jung Yong, a section chief of the puppet “CIA.”

They also said that whenever they have something to be tackled by Li Jung Yong they used to meet him through telephone whose telephone number was 3rd Switchboard-4545, which they always kept in their notebooks.

Are you still going to insist that the ship was a “fishing boat?”

They also said that the “Suwon 32” and “Suwon 33” crossed the “fishing limit line” without trouble and without any checking or control to enter the north after receiving their spy mission.

If they were bona fide fishing boats as you alleged, why did they enter deep into our coastal waters, instead of fishing in the fishing grounds in the south Korean waters and how could it be possible for them to cross the “fishing limit line” without any trouble under the cover of south Korean puppet naval craft Destroyer 93 and PCE 1001 far from subjecting themselves to any checking or control?

What made you allow the “Suwon 32” and “Suwon 33” alone to enter our coastal waters for their “fishing,” crossing the “fishing limit line” without any trouble?

Pak Jong Ju, the captain of the “Suwon 33” clearly testified that he, together with head captain Kim Saeng Rim and chief radio operator Li Chon Sok were given such spy mission as to intrude deep into our coastal waters north of Paengyong-do with the two spy boats disguised as fishing boats to spy out our side’s attitude and reaction to their intrusion, the number, structure, arms, and equipment of our naval vessels, taking pictures of them and to collect information about our economy, work of construction, distribution of military installations, roads, public sentiments, particularly war preparations and movement of manpower by disguising themselves as fishermen in case of their capture.

How could you dare try to deny the facts?

Now, do you allege these espionage acts to be fishing?

They also testified that when they were challenged by our patrol boat, while carrying out espionage activities after intruding into our coastal waters, the “Suwon 32” hurriedly made an attempt to flee only to ram its stem against our patrol boat.

However, your side distorted the fact in making the unfounded allegation on “armed attack, “inhumanitarian” [sic] and what not. How could you, who were not present on the scene of the incident, possibly deny the testimonies given by those who directly took part in the criminal acts?

Do you think that we should be indifferent to your spy boats carrying out espionage acts in our coastal waters letting them do as they like?

Look at other evidences proving the criminal acts which the south Korean bellicose elements committed by dispatching the spy boats into our coastal waters.

Have a look at that wireless set among others.

That is a wireless set found in the spy boat “Suwon 33” which was captured by us while committing espionage acts after intruding into our coastal waters.

Pak Jong Ju, captain of the boat reported what he ‘spied out through this radio to the “Inchon Branch of the CIA.”

And, have a look at that thing.

That is the film with which the spies took pictures of our naval vessels from the spy boat which intruded into our coastal waters, and that is the picture, the development of the very film.

If the boat which was in our coastal waters was a “fishing boat” as you say, why did they take such pictures?

Do your alleged fishing boats carry out such spy mission of taking pictures as you have just seen instead of catching fish?

Have a look at that chart.

That chart was also found in the boat “Suwon 33,” on which our coastal waters off Changsan-got are depicted.

All the facts irrefutably prove the criminal act which the Pak Jung Hi puppet clique committed by dispatching spy boats into our coastal waters. Now are you still going to use such quibbles as “by force,” “fabrication,” “different dialectic and what not?”

To deny this hard fact is a shameless act of those who are bent on terrorism, blackmail and ruse, and accustomed to regarding a fact as a lie and distorting the truth.

How can your side dare talk about “humanitarianism” after having committed espionage act against the other side?

Do you believe that your reiteration of jargon of the so-called “humanitarianism” and your forced lamentation can cover up your despicable nature?

If you U.S. imperialist aggressors want to talk about “humanitarianism” you should not have instigated from the outset the south Korean puppet clique to the military provocation against the northern half of our Republic, and should not have forced the innocent south Korean people to take, the road to espionage act for your preparation of an aggression war.

It is indeed preposterous that human butchers who persecute and slaughter innocent people in south Korea at random and the criminals who commit reckless military provocation against the other side fancy themselves to be humanitarians.

Your shameless conduct only serves to expose the brigandish nature of the U.S. imperialist aggressors accustomed to describe war as “peace,” plunder “aid” and aggression and barbarity “protection.”

However, with no amount of pretexts, quibblings and trickery can you either conceal the criminal act the south Korean bellicose elements committed by infiltrating spy boats into our coastal waters or deceive the world people.

Since we have in our hands those scoundrels who were perpetrating espionage acts on the spy boat sent by the south Korean bellicose elements into our coastal waters and those material evidences proving their criminal espionage acts, they will serve as powerful means in smashing your fraud and deceit.

Though it is late, you should be mindful and don't tell a lie any further.

Whatever quibblings and pretexts you may use, you cannot find a way-out which will enable you to relieve yourself from your awkward position.

I once again strongly demand of you to frankly admit the criminal act which the south Korean bellicose elements recently committed by dispatching a spy boat to our coastal waters and the fact that your side, with it as an occasion, has suddenly kicked up “anti-communism” racket in south Korea against the northern half of our Republic in a pre-planned and systematic way, apologize to our side for it and to give an assurance that you will take responsible measures against the recurrence of such criminal acts.

UNC

We have heard your so-called confessions three times: first, on your radio; then a recording; and finally on video tape. Finally, we have viewed your hard evidence: an old radio, which we have already stated was on the fishing boat; some film and photographs which amount to nothing as evidence; and then an old dog-eared [sic] map of all Korea and part of China.

The more we see and hear, the more ridiculous this whole cover-up becomes. It has become clear that there is nothing to be gained by continuing his farce.

We demand, once again, that you return the Suwon-ho 33 and its crew, and any survivors of the Suwon-ho 32.

Our side has nothing further to discuss at this meeting.

KPA/CPV

You always spew out the words “falsehood,” “fabrication” and what not whenever you are at a loss for words because of the exposure of immovable criminal acts.

With such worn-out, base and mean tactic you can never succeed in stamping out the criminal acts committed by your side which were already established by human and material evidence.

Since you are still making a childish attempt to explain away the criminal act by the south Korean puppet clique of having intruded the spy boats into our side's western coastal waters, I will let you hear other testimonies through the video tape.

Have a close look at it and cease talking nonsense any longer.

Q: "I ask a few questions to the boatswain of the spy ship 'Suwon 33' which was captured on February 15 last while carrying out espionage mission after illegally intruding into the coastal waters of the northern half of the Republic in the West Sea.

A: Please!

Q: What is your native place?

A: My native place is Usan-ri, Kwansan subcounty, Changheung county, south Cholla Province.

Q: How long have you been the crew of the spy ship 'Suwon 33'?

A: Not long. I was assigned to the ship around January 10.

Q: And how about the other crewmen of the spy ship 'Suwon 33,' are they old crew?

A: Before and after January 10, when I became a crew of the ship, all the crewmen were changed and on the day of our departure former 5 crewmen were again replaced with new ones.

Q: What's the reason that almost all crewmen of the spy boat 'Suwon 33' were replaced with new ones?

A: Now, it has become clear to me.

It was just to camouflage our boat as a "fishing boat," I believe.

Q. What relation did you have with spy organs.

A: I underwent elementary trainings necessary for espionage activities soon after I was involved in the espionage activities, and put my fingerprints on the list of agents at the end of last year.

Q: Have you received any espionage mission from anyone before intruding into the coastal waters of the northern half of the Republic?

A: Yes, I did. I received a few missions from Li Chon Sok, the chief radio operator, which were to be performed individually.

Q: Tell me the missions!

A: They were to closely watch and control the crewmen of the boat '33' as a boatswain, to observe the movements of north Korean naval vessels, to detect their technical index such as their numbers, types, sizes, arms and equipment, speed, etc, reporting the findings to the captain. In addition, I received such mission as to collect detailed military, political and economic

information in north Korea through those called by nick names ‘hairy crab’ and ‘cuttlefish,’ who were picked by the chief radio operator, after winning the favour of the north Korean authority, disguising myself as a fisherman, in case of being captured and to control crewmen lest ‘betrayers’ should come out of them and to carefully assess their ideological firmness during the stay in north Korea.

Q: What was the chief radio operator?

A: The chief radio operator Li Chon Sok, I think, was responsible for all spy activities of the boat ‘Suwon 32’ and ‘Suwon 33.’

Q: What have you spied out in the coastal waters of the northern half of our Republic to carry out your mission?

A: Around 0800 hours on the 15th, I watched at a point 10 miles from Cho-do Island through binoculars north Korean naval vessels and detected their numbers, sizes, speed and arms and equipment, reporting them to my captain.

When the north Korean vessel approached near ours at about 1030 hours, I came to know her number, arms and equipment, speed and so on, which were reported directly to our captain.

Q: How did the captain deal with the information he got from you?

A: We had 3 sets of up-to-date wireless on board, through which we maintained direct contacts with the ‘CIA Inchon Branch’ and I am sure that our captain reported through the wireless the secrets gathered by us to the ‘CIA Inchon Branch.’

Q: What were you doing at the time when the spy ship ‘Suwon 33’ was capture?

A: Taking the advantage of the confusion created by the ‘Suwon 32’ which bumped against the north Korean patrol boat while attempting to flee, we threw into the water all the materials and equipment which might be regarded *as* evidence proving our espionage activities and burnt codebooks and secret documents.

Q: What did you do when the ‘Suwon 33’ was captured?

A: I gathered all the crewmen and told them that we were compelled to be captured but we all would be able to return to south Korea after several months’ stay in north Korea in the light of past practice and stressed that we should never reveal that our ships belonged to the ‘CIA’ but insist that they belonged to the ‘Pusan Company.’

Q: You all said that the Pak Jung Hi clique attempted to realize their sinister purpose by using the ‘Suwon 33’ as a bait. On what ground can you say in that way?

A: The ‘Suwon 32’ suddenly attempted to flee and they gave the two diving suits to the boat only. I believe that they did it, wanting to have Li Chon Sok and Kim Saeng Rim, head captain, escape because they knew well about the inside story of the recent espionage acts.

Q: If you have anything more to add, go on.

A: The Pak Jung Hi clique should apologize for all the criminal acts because they were brought to daylight. We committed such grave crime but the authorities concerned have accorded us humanitarian treatment. Therefore, we can hardly put into words the gratitude we feel for this.”

You have just personally seen and heard through video the interview of your spy Pak Hong Son with our personnel in which he confessed without any restrictions and in a free atmosphere to their criminal espionage activities.

As you have just seen and heard, the flagrant offender himself admitted that he was a hired spy of the south Korean “CIA” and the espionage activities were carried out in our coastal waters. Therefore, it is of no use for you to prevaricate that his dialect is quite different and that he confessed not at his own free will, isn’t it?

Do you think that with such preposterous prevarications you can cover up your side’s criminal acts?

The south Korean bellicose element beat their brain hard in working out a meticulous plan in advance to carry out espionage activities by dispatching spy boats into our coastal waters and raised their glasses anticipating their success too early. You should come to realize their stupid and inert acts now since they came to a complete failure.

Just as it is impossible for you to restore a broken bowl to its original [sic] state, so it makes no sense however hard you may try to explain away the criminal acts which have already been brought to daylight.

Even though you feel awkward and embarrassing, you should calm yourself all the more. You should not try to explain away your side’s crime but frankly admit it and apologize to our side for it.

UNC

I ask again, when are you going to return the Suwon-ho 33 and its crew and the survivor of Suwon-ho. 32? If you are not prepared to answer that question now, there is no point in continuing this meeting.

I have already stated that our side has nothing further to discuss.

KPA/CPV

You are now talking about the so-called “repatriation of the crewmen” instead of admitting and apologizing for the criminal acts of the south Korean bellicose dements who dispatched spy boats to our western coastal waters to commit espionage and hostile acts.

Cease making such shameless remarks.

With no amount of quibbles, can you U.S. imperialist aggressors deny the fact that the boat “Suwon 32” and “Suwon 33” are spy boats which committed espionage and hostile acts after intruding deep into our coastal waters.

As is widely known, the confessions made by Pak Jong Ju and Paek Hong Son, captain and boatswain of the boat “Suwon 33” substantiate that the alleged “fishing boats” are spy boats.

I will refer to other materials.

The “Inchon Branch” of the south Korean “CIA” has already made public the data proving that the boats are spy boats.

That is, at the time of the February 15 incident the south Korean “CIA Inchon Branch” openly sent the instruction to the boat “Suwon 33” to “burn the code books and all other things of your boat that might divulge secret instead of throwing them into the water.”

After that it openly sent another instruction to “burn all the things related to communication and take the crystal off the SSB and throw it into the water.”

What does this fact imply that you sent the instructions openly instead in code?

The fact plainly testifies that upon receiving the emergency report that the boats were being arrested by our naval vessel, the south Korean “CIA Inchon Branch” was thrown into a great confusion [sic] and haste with fear that the secret of the boats being spy boats might be revealed.

In this way you gave us and the world with all the information that the boat “Suwon 33” and “Suwon 32” are spy boats.

The mission given to the spy boats by the south Korean “Inchon Branch of the CIA” saliently [sic] proves that the confession made by the captain Pak Jong Ju is true.

That the boat “Suwon 32” and “Suwon 33” are spy boats is also clearly proved by the fact that the south Korean “CIA Inchon Branch” ordered Destroyer 93 and PCE 1001 to let these spy boats cross the 38th parallel to the north.

It is too clear that if the boats are fishing boats as you allege, the “CIA Inchon Branch” has nothing to do with allowing them to cross the 38th parallel or not.

In addition, it has been again proved by the fact that only these boats were allowed to freely cross the “fishing limit line” though all fishing boats are prohibited to cross the “fishing limit line.”

The evidence that the “Suwon 32” and “Suwon 33” are spy boats is that these boats had each an ultra short-wave wireless with secret-talking device which ordinary wireless set has not.

You, as a general with two big stars on your shoulders, should have known what ship has ultra short-wave wireless telephone with secret-talking device shouldn't you?

If those boats were fishing boats, why should they have ultra short-wave wireless with secret-talking device.

And if they were fishing boats, they ought to have gone to a fishing ground abundant in fish.

But the ships intruded in this cold winter season into our coastal waters Changsan-got where the fastest current flows in the West Sea with least fish. This fact itself vividly shows that the ships are spy boats disguised as fishing boats.

All the facts irrefutably prove that the “Suwon 32” and “Suwon 33” are spy boats.

As I have already stated, the recent grave military provocation committed by the south Korean bellicose elements is the continuation of and a link in the whole chain of the hostile acts ceaselessly perpetrated by the south Korean puppet clique of late against the northern half of our Republic and of their criminal acts of having stepped up new war preparations while keying up tension in Korea.

It is fully disclosed by all the human and material evidences and the confessions made by the captain and other criminals that the military provocations by the south Korean puppet clique was a criminal act carefully planned in advance and committed in an organized way.

As is already well known to the world, since the flame of the struggle by the south Korean student youth and the people of all walks of life against fascism and for democratization became raging again in October last year, the south Korean fascist military gangsters have more frequently intruded various naval craft including destroyers into the sea off the Ongjin Peninsula in the coastal waters of our side to commit grave military provocations against the northern half of our Republic.

Under the circumstances, we repeatedly warned at several meetings including the 344th Meeting of this Commission your side to cease at once such provocations.

This notwithstanding, your side, as already planned has continued its espionage and hostile acts to intentionally aggravate tension there in defiance of our repeated warnings, blaring that the “incident is the biggest incident following the Pueblo incident” or the like.

As can be seen on that chart, your side has infiltrated more than 600 various combat war ships including destroyers on more than 150 occasions into the western coastal waters of our side from October to the end of last year. And, your side had intruded more than 300 combat naval vessels of various kinds into the western coastal waters of our side on as many as 200 occasions until February 20 since the beginning of this year.

During the period from October last year to February 20 this year your side had intruded more then [sic] 900 naval craft, armed ships and spy boats of various kinds into the western coastal waters of our side to commit espionage and hostile acts against our side on more than 350 occasions.

Our side takes such reckless provocations by the south Korean bellicose elements serious and strongly protests against and denounces them.

The stern fact plainly shows that the war mania of the Pak Jung Hi puppet clique has reached an extremely dangerous and reckless stage.

It was a proper exercise of our sovereign right and fully justifiable for peace and peaceful reunification of our country that we took resolute self-defence measures against the reckless

provocation of the south Korean bellicose elements who are scheming at this time to split our nation, deliberately creating tension and indulging in play with fire going against the burning desire of all nation for the peaceful reunification.

Our naval officers and men of the People's Army captured the south Korean spy boat on the scene without firing even a single shot. As for the sinking of the south Korean puppet clique's spy boat "Suwon 32" it was a result of its striking against our naval craft.

Nevertheless, the south Korean fascist military gangsters have come out with the brazen-faced allegation on "attack upon fishing boats" or "inhumanitarian acts" like a thief crying stop thief to mislead public opinion, kicking up even "anti-communist" rackets against our side.

From the next day on after having committed grave espionage and hostile acts against the northern half of our Republic the Pak Jung Hi puppet clique forcibly drove inhabitants to the So-called "denunciation meeting" in Inchon, Sokcho, Yangyang, Pusan and many other places in south Korea to carry out vicious "anti-communist" campaign, slandering and defaming us groundlessly.

The south Korean bellicose elements were preposterous enough to blurt that "they would take action to rule us by force of arms," kicking up a fuss about the alleged "provocation" by us.

Such "anti-communist" racket kicked up by the south Korean bellicose elements is also a political ruse and a deceptive farce designed to achieve their sinister political purposes.

The south Korean warlike elements committed the deliberate military provocation against us on the day following the 8th plenary meeting of the 5th Central Committee of the Worker's Party of Korea, at which our Party put forth the magnificent [sic] programme of socialist construction and took epoch-making measures for the complete abolition of taxes and drastic reduction of the prices of industrial goods and the provocation followed by the despicable large-scale "anti-communist" rackets.

It is all too obvious why the south Korean puppet clique have been carrying out boisterous "anti-communist" campaign following the provocation they committee: against the northern half of our Republic.

They are pursuing the heinous purposes of groundlessly disparaging us who are making consistant [sic] efforts to realize the independent, peaceful reunification [sic] of our country and preventing the mighty influence of the tremendous political and economic achievements and brilliant successes gained in the prosperous and developing northern half of our Republic on the south Korean people on the one hand and on the other diverting the attention of the people elsewhere by fabricating the so-call non-existent "threat of south-ward invasion," misleading public opinion, repressing the ever-increasing patriotic struggles being waged by the south Korean people and student youth and thus tiding over the internal crisis.

No amount of deceptive propaganda and desperate manoeuvres of the south Korean bellicose elements, however, can either defame the ever-increasing international authority and prestige of our Republic, or dampen the yearning of the south Korean people towards the northern half of the Republic or cover up their criminal barbarous suppression upon the south Korean people being intensified in pursuit of their reckless war policy.

The proceedings of this meeting also illustratively prove that at the instigation of you U.S. imperialist aggressors the south Korean war-like elements committed the recent military provocations against the northern half of our Republic and are kicking up the “anti-communist” racket.

It is by no means accidental that you U.S. imperialist aggressors pursuing the policies of aggression on Korea and war have been abetting them as mentioned above.

You U.S. imperialist aggressors and the south Korean bellicose elements should view correctly the realities and ponder over the consequences to be entailed by your reckless machination for a war.

You U.S. imperialist aggressors and the south Korean bellicose elements should draw a due lesson from the fact that you got due punishment and paid cost for the recent espionage and hostile acts, while committing them against the northern half of our Republic.

Now, will you take practical measures to prevent your side from committing espionage and hostile acts against our side?

Make an answer to this.

Our side has yet other subjects to be raised at this meeting, it proposes to your side that this meeting be continued after 20 minutes’ recess following the Chinese [sic] interpretation of my statement in accordance with the agreed procedure.

UNC

Our side accepts your proposal for a recess.

Our side will make our next statement when we return.

The meeting recessed at 1720 hours and reconvened at 1750 hours.

UNC

Our side categorically denies your charges of intruding naval vessels into your contiguous waters.

The United Nations Command maintains positive control of all of our naval vessels operating in the Western Sea and our vessels have only operated in international waters or waters contiguous to our side’s territory.

Our side came to this meeting for the purpose of discussing your attack on the fishing boats Suwon-ho 32 and Suwon-ho 33.

I have asked you when you are going to return the Suwon-ho 33, its crew and the survivors of the Suwon-ho 32.

You have failed to answer that question. Therefore, I have nothing further to discuss; and there is no point in continuing this meeting.

KPA/CPV

Being protested against by our side for your side's criminal acts of having infiltrated its naval vessels into our coastal waters, you are making a shameless attempt to deny your criminal acts, talking as if your naval vessels moved in "international waters" and in "contiguous waters" of your side.

You are talking about "international waters," "contiguous waters" or the like after intruding your naval craft into our coastal waters. What nonsense!

Who on earth authorized you to proclaim our coastal waters to be "international waters" or "contiguous waters" of your side?

I categorically denounce your side's unwarrantable denial of its stern criminal acts, taking serious the insidious attempt of your side to create tension in our coastal waters and to threaten its peace and security.

Your side should not run riot recklessly but correctly view the created situation and behave itself in a discreet manner.

You are still harping on the string of the so-called "return of some boat and crew."

The "Suwon 32" and "Suwon 33" the south Korean puppet CIA dispatched to our side's coastal waters recently are spy boat and those aboard them are not fishermen but espionage agents.

You should know this clearly and don't let such words slip out of your tongue.

The truth about the espionage and hostile acts committed by the south Korean bellicose elements against the northern half of our Republic by dispatching spy boats to our coastal waters in the West Sea on February 15 has been exposed at this table today irrefutably and thoroughly by the human and material evidence.

No crafty and shameless tactic on your part can either cover up the espionage acts of the south Korean puppet clique which have already been exposed nor free you from the responsibility for them.

If your side continues to perpetrate reckless espionage acts and hostile acts against the northern half of our Republic in disregard of our repeated warnings, it should bear the full responsibility for all the consequences arising therefrom.

You U.S. imperialist aggressors and the south Korean bellicose elements must draw a due lesson from the latest incident and behave in a discreet manner.

Your side which is running amuck to provoke a fresh war of aggression, disturbing peace in our country, has not only dispatched to our western coastal waters naval vessels and armed spy boats in a planned way to commit espionage and hostile provocation but also frenziedly perpetrated espionage and hostile acts in the air and on the ground against the northern half of the Republic.

Of late, you U.S. imperialist aggressors have been more frequently carrying out reconnaissance activities against the northern half of our Republic through the medium of the high-speed, high-altitude spy plane "SR-71."

Around 1240 hours on February 25, you U.S. imperialist aggressors committed grave military provocations: you infiltrated the high-speed, high-altitude spy plane “SR-71” into the air over the MDL to commit espionage and hostile acts against the northern half of our Republic.

You U.S. imperialist aggressors committed espionage and hostile acts against the northern half of our Republic by flying the high-speed, high altitude spy plane “SR-71” over the MDL from the east to the west at about 1320 hours on February 10 last.

All those including your side’s personnel who were present in the Conference Area that day directly heard a bursting sound of rocket booster and witnessed vapor trail left behind.

You U.S. imperialist aggressors committed similar grave military provocation by dispatching the spy plane “SR-71” on February 18 and 27. The number of the grave military provocations amounts to as many as 9 cases during the one month of January alone.

The facts graphically show how systematically and viciously you U.S. imperialist aggressors are committing espionage acts against the northern half of our Republic.

In addition, the south Korean war-like elements at the instigation of you U.S. imperialist aggressors, are perpetrating such criminal acts of infiltrating an armed spy into the northern half of our Republic, too.

On January 15, the Pak Jung Hi puppet clique stealthily dispatched an armed spy Li Kwan Sung via the vicinity of MDL Marker No. 0493 to the area of our side on a mission of espionage and subversion against the northern half of our Republic.

The scoundrel was captured by the highly vigilant [sic] sentinels of the KPA before carrying out his “mission” given by his master.

According to your side’s armed spy Li Kwan Sung captured by our side, south Korean intelligence agencies gave professional spy trainings for a long period in Chollwon, Seoul and Ryongsan, and infiltrated him into the area of the northern half of our Republic on a “mission” of espionage and subversion-spying out numerous military installations and military secrets, abducting military cadres and taking pictures of political, economic and military establishments and facilities, which are of special importance.

To carry out the mission of espionage and subversion the rascal carried with him such lethal [sic] weapons and various espionage equipment as a noiseless pistol, a time bomb, a dagger, a camera, a topographic chart, a small radio set, packages of poison and narcotic, binoculars and all-purpose keys.

Besides, the south Korean puppet clique have not stopped their air reconnaissance of our side from the air over the DMZ.

The south Korean puppet army has continuously flow its military aircraft over the area particularly in the vicinity of a spot 1, 500 metres east of MDL Marker No. 0351 in the DMZ. The number of such criminal acts amounts to a total of 14 cases just between December 24 last year and February 24 this year.

You U.S. imperialist aggressors and the south Korean war-like elements are not merely hell bent on espionage acts as mentioned above against the northern half of our Republic at sea, in the air and on the ground, but also continuously committing hostile provocations against our side in the Headquarters Area of the Military Armistice Commission and in the DMZ.

To take a few examples, U.S. imperialist aggression troops illegally brought a 57mm recoilless gun mounted on a truck to the post on the nameless hill of Songhyon-ri in the southern part of the Headquarters Area of the Military Armistice Commission at about 0755 hours on February 6 last and a U. S. imperialist aggression army soldier fired his “M-16” automatic rifle from the road leading to this Joint Security Area in the Headquarters Area of the Military Armistice Commission toward our side at about 1105 hours on February 5 last.

South Korean puppet army soldiers fired scores of rounds of machine gun fire into our side in the DMZ from the vicinity of a spot 900 metres southeast of MDL Marker No. 0220 around 1100 hours on February 12 last and from the vicinity of a spot 1, 750 metres east of MDL Marker No. 0046 around 1210 hours on February 13 last.

The number of such criminal act in which you U.S. imperialist aggressors and the south Korean bellicose elements brought various guns into the southern part of the Headquarters Area of the Military Armistice Commission and of the DMZ during the period from December 22 last year to February 25 this year amounts to 23 cases in all and they committed gunfirings [sic] from the places against our side on as many as 36 occasions.

All the facts clearly show that you U.S. imperialist aggressors and the Pak Jung Hi puppet clique being instigated by you have kept on committing espionage acts and military provocations against the northern half of our Republic, more viciously running wild to aggravate tension between the north and the south and to step up their criminal war preparations.

I strongly protest against and denounce your side for its having committed the aforesaid espionage acts and hostile provocations against our side in wanton violation of the Preamble of the Armistice Agreement and Paragraphs 6, 10, 12, 14, 16 and 17 thereof.

At the same time, I strongly demand that your side make a thoroughgoing investigation into them, severely punish the prime movers who organized and commanded such criminal acts. and all the criminals involved in them in accordance with the requirements of the Armistice Agreement and take responsible measures so that similar criminal acts may not recur.

Our side has nothing further to bring up at this meeting.

UNC

Our side categorically denies that any United Nations Command aircraft has violated your side’s airspace. The United Nations Command maintains positive control of all of our side’s aircraft at all times and can state, without hesitation, that our aircraft did not overfly over the Demilitarized Zone or any area of Korea under your side’s military control.

Your sides other allegations in your last statement will be investigated.

Our side called today's meeting to bare the facts surrounding the inhumane and unwarranted attack by your gun boat upon the two unarmed fishing vessels of our side, a clear violation of the terms, the spirit and the intent of the Armistice Agreement.

Nothing your side has presented today has changed the validity of the facts - these were fishermen conducting their trade in international waters more than 30 miles from any point of your side's territory. You are accountable under the Armistice Agreement for your action. Your side claimed that this incident took place in your territorial waters, yet your very act in releasing Suwon-ho 33 to return south after you had attempted to return Kim Kun Shik, the survivor from Suwon-ho 32, belies your claim. Your side's past record shows clearly that had these boats been in your side's territorial waters, you would never have taken such action. Your subsequent actions in recapture of Suwon-ho 33 only confirm your side's later decision to do everything in your power to cover up this grave mistake as you have demonstrated today. Our side expects you to punish those responsible for this unprovoked and vicious action, and to release without further delay the Suwon-33 and its crew along with any surviving members of the crew of the Suwon-ho 32.

Our side proposes to recess today's meeting.

KPA/CPV

Being subjected to our side's protest against the recent intrusion of the military aircraft sent by your side, you have attempted to deny the indisputable criminal acts alleging that "no violation had occurred."

I resolutely denounce your side's shameless act of denying its criminal acts of continuously dispatching its military aircraft.

At the same time, I demand of you not to resort to such fraudulent acts but to immediately stop committing criminal acts of flying military aircraft.

I warn once again your side that if it keeps on committing such criminal acts in defiance of our warnings and demands, it should bear the full responsibility for all the consequences arising therefrom.

As I have already stated, you U.S. imperialist aggressors and the fascist military bandits of south Korea have been more viciously committing military provocations against the northern half of our Republic in gross violation and disruption of the Armistice Agreement this year, too as last year.

You U.S. imperialist aggressors and the south Korean war-like elements not only have been committing more persistent and systematic aggressive espionage acts against the northern half of our Republic in the air, on the ground and at sea, but also introducing on a large scale into the southern portion of the DMZ heavy weapons and combatants in great numbers and frequently perpetrating hostile gun firing and military provocations against our side.

Your reckless provocations have brought about serious consequences of preventing the implementation of the Armistice Agreement in Korea, disturbing peace, creating a high state of military confrontation between the north and south and leading the situation to the brink of war.

Therefore, our side vigorously protested against and denounced your side's criminal act at this meeting, strongly demanding of your side to take measure against similar criminal machinations without delay.

However, your side has failed to give any assurance that it will comply with our just demand.

All the proceeding of this meeting clearly exposed again.to the world the sinister nature of your side which has been persistently pursuing the policies of aggression and war in Korea.

Firstly, your side is the flagrant violator of the Armistice Agreement and the sworn enemy of the Korean people who has been violating peace, aggravating tension in Korea and hindering the peaceful reunification of Korea;

Secondly, your side is a crafty swindler who stages a heinous political, deceptive farce whose vicious aim is to distort its aggressive, espionage acts in our coastal waters of the West Sea, thus revealing its shameless and burglarious nature as swindlers.

Thirdly; your side is the war maniac who has failed to give any assurance for ceasing such crimes far from admitting any of its criminal acts, thereby vividly exposing its vicious aggressive nature as a war maniac who intends to continue adventurous war preparation machination and military provocations in Korea against the northern half of our Republic this year, too.

The vicious nature and crafty and insidious aggressive intention of your side laid bare at today's meeting are closely associated with the aggression and war policies being invariably pursued by you U.S. imperialist aggressors as well as with the wild ambition of the south Korean war-like elements to achieve the "reunification by prevailing over Communism."

As is generally known already to the world, in accordance with your double-dealing tactics you U.S. imperialist aggressors have been talking outwardly about the so-called "maintenance of peace" and "reunification" but in fact you are stepping up war preparations in Korea, pertinaciously committing acts of aggression and military provocations against the northern half of our Republic, deliberately aggravating tension, trying hard to perpetuate the national split and hindering the independent, peaceful reunification in all conceivable ways, incessantly encouraging the south Korean bellicose elements to the military confrontation with us.

Since the beginning of this year, too, you U.S. imperialist aggressors have still resorted to such criminal machination.

At the beginning of this year, you U.S. imperialist aggressors, in order to execute your war policy, sent in pairs your war servitors called both commander of the U.S. Air Force, Pacific and commander of the U.S. Army, Pacific to south Korea and then dispatched to south Korea the assistant Secretary of U.S. State Department for the Asian and Pacific areas and the Chief of staff of the U.S. Air Force all of whom gadded about the military bases and the areas along the MDL to check up and hasten war preparations and had war confabs with south Korean war-like elements to whip up a war hysteria to make Koreans fight against each other.

In keeping pace with such machination of you U.S. imperialist aggressors, the fascist military bandits of south Korea have been whipping up war hysteria and causing frantic war commotions since the very beginning of this year.

From the first day of this year the Pak Jung Hi clique, through the so-called “new year address,” “statement,” “talks” and the like, have blown a war trumpet about the so-called “establishment of war footing,” “predominance of strength,” “fostering of state power” and what not, blurting that “this year cannot but be a year of challenge,” while at the same time indulging in vicious defamation and slanders against the northern half of our Republic and whipping up confrontation between the north and south and stepping up war preparations.

The south Korean war-like elements held various kinds of “meetings of principal [sic] commanders” of the south Korean puppet army in succession, at which they worked out the plan of “increasing the military equipment,” “intensifying trainings for real battle,” and speeding up “the conversion of reserve army into high-level combat forces, while making such outrageous remarks that “war posture” should be further “strengthened” and that “the fighting power for the counterretaliation [sic] should be retained to the maximum. “

Under the support of you U.S. imperialist aggressors the south Korean bellicose elements, while overtly talking about the further consolidation of the ROK-U.S. defence system, have brought into south Korea various kinds of new-type weapons and combat equipment and mapped out and put into action the plan to newly construct and expand the bases of munitions industry and military facilities.

The south Korean puppet clique conducted Honest John launchings near the MDL, have staged “anti-aircraft firing exercises” in succession on the East, West and South Seas of south Korea and made the “civil anti-air raid exercise” commotions throughout south Korea, creating awe-inspiring war atmosphere.

All the facts indisputably prove that the root cause of tension and war danger in Korea today is sought in the aggression and war policy of you U, S, imperialist aggressors and in the reckless war machination of the Pak Jung Hi puppet clique.

This notwithstanding, the south Korean bellicose elements are blaring the false trumpet about our “threat of southward aggression” and what not in a silly attempt to reverse black and white and have impertinently brought forward the so-called “non-aggression pact” in a crafty attempt to free themselves from the responsibility for their criminal acts of having brought the north-south dialogue to bankruptcy and aggravated tension in our country.

How is it possible for them to talk such nonsense as “threat of southward aggression” while vociferating about “fostering of state power” and “predominance of strength” and reiterating the war jargon “establishment of war footing?”

To make much ado about “threat of southward aggression” is a deceptive trick with which the south Korean traitors to the nation always come forward whenever rejected by and isolated from the people and place in a crisis.

What you call “threat of southward aggression” has never existed, does not exist and cannot exist.

The falsity of the propaganda by the south Korean bellicose elements has been brought to light in forging the so-called “West Sea incident.”

The south Korean war-like elements systematically infiltrate various kinds of naval vessels into the coastal waters of our side to perpetrate espionage and hostile acts before fabricating alleged “intrusions” by us to spread a false rumour.

Not long ago, they went so far as to establish at their own will what they call “northern guard limit” in our coastal waters in the West Sea, alleging in a disgraceful manner that our naval craft “violated” their “territorial waters.”

Which paragraph of the Armistice Agreement does provide for the so-called “northern guard limit” and who gave them right to establish such guard limit in our coastal waters?

What is this but despicable and shameless deceptive trickery?

What is more, on February 15, the south Korean puppet clique dispatched spy boats to our coastal waters northwest of Changsan-got on the west coast to commit espionage and hostile acts, but blared a false trumpet that our side attacked so-called “fishing boats engaging in peaceful fishery.”

As the truth was thoroughly exposed at this table today, the south Korean fascist military clique dispatched spy ships to our coastal waters to commit espionage and hostile acts.

These were clearly proven by the confession of the captain and espionage agents of the spy boat dispatched by the south Korean puppet clique. As the fact clearly shows, our side did not attack south Korean fishing boats on the sea off Pusan, but took self-defence measures against the south Korean puppet clique’s spy boats which had intruded in our coastal waters to commit espionage and hostile acts.

The measures of ours are fully righteous one in the light of both the requirements of the Armistice Agreement and the principles of international law, and by doing so, we meted out due punishment to the provocators and exercised the justifiable right of self-defence to defend our sacred territorial waters.

This notwithstanding the south Korean bellicose elements, at the instigation of you U.S. imperialist aggressors reversing black and white, talk about “barbarity,” “creation of tension” and the like, blowing a false trumpet as if we committed a “provocation.” And, they went so far as to make such reckless utterances as “calling” us “to account,” “countering force by force of arms and so on.

What is worse, the south Korean puppet clique not only made deceptive propaganda in an attempt to mislead public opinion, but also, taking the latest incident as a chance forced the south Korean people to attend the so-called “anti-communist popular mass meetings” in all parts of south Korea, at which they made slanderous, vile propaganda against our side, sow the seeds of discord between the north and south Korean people, and inculcate in the south Korean people the idea of “prevail-over-communism reunification.”

This, too, is a ruse reflecting the warlikeness [sic] of the south Korean puppet clique who are feverish with war hysteria.

All the facts clearly show how mad the Pak Jung Hi puppet clique are in fraud and deceit, in aggravating tension at will and igniting a war in our country for the foul purpose on their part.

Such being the case, how can we explain the behaviour of the south Korean war-like elements?

What is the difference between a cry of fire given by a man who set fire and the deceptive method of the Hitlerites who staged a farce in which they burnt the Reichstag building before charging the Communists with it?

What else can't be done by the south Korean puppet clique, the despicable swindlers, who tired [sic] to make Kimpo look like Pyongyang in a broad daylight?

The fact well bespeaks that pure lies are the words of the south Korean bellicose elements at the instigation of you U.S. imperialist aggressors about the so-called "threat of southward invasion," "provocation," "warlike" and "creation of tension."

Obvious enough is the foul purpose of the false propaganda introduced today by you U.S. imperialist aggressors and the south Korean war-like elements keeping aloof from the stern reality and reversing right and wrong.

That is to cover up your reckless war machinations, free yourself from the responsibility for the obtaining tension in Korea, find a pretext for the perpetual occupation of south Korea by the U.S. imperialist aggression troops, create antagonism between the north and south, key up tension, speed up war preparations for fratricidal war, divert elsewhere the attention of the south Korean people, suppress and obliterate their struggle against the government and fascistization [sic] and for democratization, and save the colonial domination from a crisis.

But with such clumsy fraudulent farce, you U.S. imperialist aggressors and the south Korean bellicose elements can neither hide the dirty criminal nature as the war maniacs nor get out of the present crisis of ruin.

In order to relax tension and achieve the peaceful reunification in Korea today, powder-reeking war commotions should be ceased, the military confrontation between the north and south removed, arms race stopped, hostile provocations against the other side ended, a struggle waged against all the internal and external forces hindering the independent peaceful reunification by pulling together on the basis of the great national unity between the north and south instead of resorting to foreign forces and antagonism, and the obstacles to the reunification be removed.

You U.S. imperialist aggressors and the south Korean war-like elements should not hold fast to the policy of aggression and war but discontinue the reckless war provocation machination, all kinds of military provocations against the northern half of our Republic and the reckless maneuvers aggravating tension in our western coastal waters.

You U.S. imperialist aggressors and the military, fascist bandits of south Korea should not ride roughshod but ponder over what subsequences may be entailed by the indiscreet war preparation machinations and the military provocations against the northern half of our Republic.

It is fully ascribable to our consistent efforts and patience that peace is maintained today in Korea even under the circumstances that the military provocation machinations of you U.S. imperialist aggressors and the Pak Jung Hi puppet clique are being committed ceaselessly.

Our people have no interest in provoking others but they will never allow anyone to toy with them.

We do not want war, but we are not afraid of it and if you U.S. imperialist aggressors and the south Korean military fascist bandits lunge at us with arms and force a war upon us, we will decisively rise to fight and destroy the aggressors to a man and not one will return home alive.

In this case you U.S. imperialist aggressors and the south Korean puppet clique must surely be aware that you will have to bear the full responsibility for all the consequences arising therefrom.

Our side agrees to your proposal for a recess.

The meeting recessed at 1932 hours 28 February 1974

THE FOLLOWING UNC ADVISORY GROUP MEMBERS ATTENDED:

AUSTRALIA	LTC JOHN S. KENDELL
CANADA	MAJ GLEN A. HOLMES
ETHIOPIA	MAJ KEBEDE GAS CPT GETAHUN WOLDE GIORGIS
REPUBLIC OF THE PHILIPPINES	LTC ROMAN Q. GAVINO, JR.
REPUBLIC OF KOREA	COL LEE SANG-KI
THAILAND	COL VICHIEUN SUNGPRIWON CPT CHOKECHAI HONGSTONG
UNITED KINGDOM	MAJ PAUL A. GRAY
UNITED STATES	LTC RAYMOND C. CONDER

This record of the 348th Military Armistice Commission Meeting was prepared from verbatim statements in English by the Senior Member UNCMAC and English translations of Korean statements provided by the Senior Member, KPA/CPV, MAC.



SAMUEL L. SMITH
COLONEL, USA
SECRETARY
UNITED NATIONS COMMAND COMPONENT
MILITARY ARMISTICE COMMISSION

28 February 1974



DOCUMENT No. 11

Telegram from the American Embassy in Seoul to the Secretary of State, “Yellow Sea Incident between North and South, February 26-27,” February 27, 1975

[Source: Gerald R. Ford Presidential Library, National Security Adviser Presidential Country Files for East Asia and the Pacific, Box 11, Korea - State Department Telegrams, to SecState - EXDIS (1). Obtained for NKIDP by Charles Kraus.]

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[...]

FM AmEmbassy Seoul

TO SecState WashDC NIACT IMMEDIATE

[...]

SUBJECT: Yellow Sea Incident Between North and South, February 26-27

REFTEL: CINCUNC 270350 FEB 75

1. We have just reviewed report by CINCUNC [Commander in Chief of the United Nations Command] to JCS [Joint Chiefs of Staff] (REFTEL [Reference Telegram]). Report covers basic facts but there are number of details still to be fill in B[sic] CINCUNC.

2. From embassy viewpoint, we have following preliminary comments of our own:

A. Yellow Sea incident was first in our recollection to take place in international waters as clearly accepted by both sides. In past incidents, there has always been a claim by either side that incident originated in international waters.

B. While this is first incident involving North Korean fishing vessels south of NLL [Northern Limit Line] to our recollection, there can be a number of explanations for this. One possibility is that smaller North Korean fishing vessels strayed south and two larger armed North Korean vessels were sent south to direct them back north.

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C. At no point in our records of incident did larger armed vessels head toward South Korean territory, although they were moving southward when spotted and continued to do so. Ramming incident took place after North Koreans turned westward from South Korean territory to move out of area which CINCUNC defines roughly as ADIZ [Air Defense Identification Zone].

D. Our initial intelligence assessment of North Korean reaction leads us to tentative conclusion that North Koreans were reacting to what they considered to be unique action of engaging their vessels in international waters. Their reaction was in turn unique and uncharacteristic, particularly with respect to use of aircraft south of NLL and over UNC [United Nations Command] controlled Northwest Islands. Nevertheless, as REFTEL points out, North Korean aircraft actions were defensive in nature.

E. We also are concerned that North Koreans may be reacting to loss of two vessels in previous months and that as a request of this incident they may wish to even the score.

F. At present time our principal concern is continuation of tense atmosphere which could lead to further incidents initiated by the North or as result South Korean reaction to North Korean actions. I have spoken with General [Richard G.] Stilwell and he assures me that very tight control is being maintained over ROK [Republic of Korea] forces.

G. Finally I recommend urgent review of rules of engagement as they affect actions in international waters. As we understand current rules of engagement as explained to us by CINCUNC, our ships have right to challenge and seek to board ships that refuse to identify themselves, where there is no clear evidence of hostile intent.

[Ambassador Richard] Sneider
[...]



DOCUMENT No. 12

Telegram from Romanian Embassy in Pyongyang to the Romanian Ministry of Foreign Affairs, Bucharest, “Yellow Sea Incident,” February 27, 1975

[Source: Archives of the Romanian Ministry of Foreign Affairs, Matter 220/Year 1975/Country: South Korea, Folder 1632, Secret, Concerning the Sessions of the North-South Coordination Committee. Problems Discussed by the Co-Presidents of the Committee. Assessments regarding the Prospects for Korea’s Unification. Some Incidents Occurring between the Two Koreas, etc., Filing: Permanent. Obtained and translated for NKIDP by Eliza Gheorghe.]

TELEGRAM

Sender: Pyongyang

CLASSIFICATION: SECRET

Date: 27.02.1975

No.: 059.057

To: Comrade Stancu (handwritten)

Less than two weeks [since the last incident], a second serious incident took place in the South Korean territorial waters, which resulted in the sinking of another North Korean vessel. Pyongyang says it was a fishing vessel while Seoul claims it was an armed vessel, which, together with a group of military vessels went into the South Korean territorial waters.

Navy and Air Force units from both sides were deployed during this incident. In order to expedite the succession of events, an American Phantom Fighter jets escadrille intervened. Each side blamed the other for the occurrence of this incident, accusing each other of being the instigators. News agencies in both the North and the South published statements. Both sides asked for the urgent summoning of the Panmunjeom Armistice Supervisory Commission. After this incident, which began on February 26th in the afternoon, a state of tension, almost incandescent, emerged: decision-makers in South Korea ordered the general mobilization [of the armed forces] and they are keeping air, navy and army units in the impact areas with North Korea in a state of alert.

The Democratic People's Republic of Korea is using this incident to intensify its campaign against the Seoul authorities and the US presence in South Korea, to intensify the disorder which dominates Seoul and within the South Korean military leadership.

We will inform you separately on the official position of the Democratic People's Republic of Korea.

Signed: Dumitru Popa



DOCUMENT No. 13

Telegram from Romanian Embassy in Pyongyang to the Romanian Ministry of Foreign Affairs, Bucharest, “Yellow Sea Incident,” March 1, 1975

[Source: Archives of the Romanian Ministry of Foreign Affairs, Matter 220/Year 1975/Country: South Korea, Folder 1632, Secret, Concerning the Sessions of the North-South Coordination Committee. Problems Discussed by the Co-Presidents of the Committee. Assessments regarding the Prospects for Korea’s Unification. Some Incidents Occurring between the Two Koreas, etc., Filing: Permanent. Obtained and translated for NKIDP by Eliza Gheorghe.]

TELEGRAM

Sender: Pyongyang

CLASSIFICATION: SECRET

Date: 1.03.1975

No.: 059.060

To: Comrade Stancu (handwritten)

To continue our telegram no. 059.057, we would like to inform you that after four days since the Yellow Sea incident between South Korean and Democratic People's Republic of Korea vessels, a fiery debate on this topic continues, in which the Democratic People's Republic of Korea is seeking to involve the support of those countries with which it has friendly relations; in this respect, the Democratic People's Republic of Korea is releasing numerous official documents to the press and it is summoning the diplomatic corps at various levels.

At a meeting with the heads of diplomatic missions to Pyongyang, Li Jongmok the North Korean deputy foreign minister, asked on behalf of his government that the governments of all states represented in Pyongyang to support the measures undertaken by the Democratic People's Republic of Korea on matters related to this conflict.

At the reunion of all ambassadors with Li Jongmok, our attention was caught by the fact that the insufficient preparation of the North Korean Ministry of Foreign Affairs to be able to completely and accurately inform the heads of diplomatic missions about the February 26th incident.

When asked to elaborate on whether the US air forces, involved in the incident, opened fire on the Democratic People's Republic of Korea vessels, the Deputy Foreign Minister said that because of the darkness in which the incident occurred, it is impossible to accurately know what happened, although the briefing contained formulations with clear accusations in this respect.

After omitting to inform that the North Korean fishing ships were themselves protected by military vessels and aircraft which took part in the conflict, a fact which is absent from public documents, Li Jongmok admitted to this fact only after being repeatedly and directly asked about it by the diplomats present at the meeting.

The opinion of our mission is that the February 26th incident eloquently reflects the high level of tension between the North and the South, tension which often turns into military conflict.

By insisting on not avoiding such situations, the Democratic People's Republic of Korea tries to demonstrate the righteousness of its statements regarding the aggressive nature of the current South Korean administration, [which enjoys the] support of the United States, regarding the irreconcilable character of North-South relations, and consequently, regarding the need to “prepare for war,” an idea put forward in recent [official] documents.

The increased frequency of armed clashes, the last one being of noteworthy seriousness, and the aggravation of inter-Korean disagreements give birth to the danger of sparking new conflicts of this sort.

Signed: General Dumitru Popa



DOCUMENT No. 14

Memorandum for Richard Smyser from Morton I. Abramowitz, “26-27 February Yellow Sea Incident (U),” March 14, 1975

[Source: Gerald R. Ford Presidential Library, National Security Adviser Presidential Country Files for East Asia and the Pacific, Box 9, Korea (5). Obtained for NKIDP by Charles Kraus.]

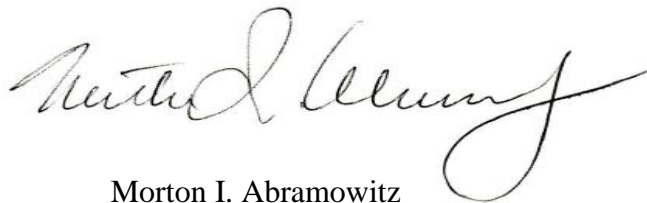
Assistant Secretary of Defense
Washington, D.C. 20301

14 Mar[ch] 1975

MEMORANDUM FOR MR. RICHARD SMYSER, NATIONAL SECURITY COUNCIL
SUBJECT: 26-27 February Yellow Sea Incident (U)

Attached, as you request, are a chronology of events associated with the subject incident, a copy of JCS [Joint Chiefs of Staff] cable transmitting the Rules of Engagement to CINCPAC [U.S. Pacific Command], and a joint State/Defense cable dispatched after the incident.

Attachments



Morton I. Abramowitz
Deputy Assistant Secretary

26-27 February Yellow Sea Incident – Republic of Korea (ROK)

<u>TIME</u> <u>(EDT)</u>	<u>EVENT</u>
260205	South Korean radar station made first radar contact with unidentified North Korean boats south of Py-do.
260430	ROKN [Republic of Korea Navy] Escort Transport (ADP-82) challenged NK [North Korean] armed patrol boats at 37-39N/124-15E. The NK boats ignored the challenge, and the subsequent ROK warning shots, and proceeded south at 15K. ADP-82 pursued and was joined by ROKN destroyer DD-92. The two NK boats merged with an estimated eight NK fishing boats.
260508	Two ROKAF [Republic of Korea Air Force] F-5s scrambled from Suwon against track of unidentified vessels.
260633	COMROKFLT [Commander ROK Fleet] ordered ROKN ships to capture the two original NK boats, using minimum force and without main battery gunfire.
260710	First NK aircraft penetrated Northern Limit Line (NLL) – i.e. extension of the Military Demarcation line into international waters – 10 NM [nautical miles] southeast of Py-do.
260720	314th Air Division Commander, to support the ROKs, ordered an air defense scramble. Two USAF [United States Air Force] F-4E aircraft from Osan AB [airbase] assumed CAP [combat air patrol] at a position 70 NM west of Osan.
260726	DD-92 collided accidentally with a small NK fishing boat at 37-36N/124-00E. The vessel was sunk, and no survivors were found. The other NK boats then proceeded north at 5 knots, shadowed by APD-82 and DD-92.
260813	USAF F-4E's were directed to return to base; landed 0835.
261055	Second scramble of two USAF F-4E aircraft from Osan AB. Flew CAP at position 30 NM west of base.
261116	South Korean radar station reported two high speed surface contacts (in excess of 30 knots), presumed to North Korean patrol boats, south of NLL, proceeding on apparent course to intercept ROKN units. NK boats came to within 7 NM of ROKN vessels, then turned back.
261230	Second flight of F-4E aircraft returned to Osan AB. No further activity by US aircraft.
26 Feb	Throughout the day, radar trackings indicated 68 NKAf aircraft in defensive fighter patrol in the area around UN-controlled islands south of the NLL. The maximum number detected at one time was seven, with the deepest penetration about 40 NM southwest of Py-do. Some NK aircraft flew over UN-controlled islands. Air Forces Korea responded throughout the incident with 77 sorties (4

USAF F-4E's and 73 ROKAF: 71 F-4D's and F-5's', 1 AT-33, and 1 C-46 flare ship). The actions of all aircraft on both sides was defensive. The opposing aircraft maintained a minimum 40 NM separation. Except for the ROKN warning shots mentioned above, no rounds were fired by either side.

262145 All NK aircraft had returned to base.

262235 All ROKAF aircraft had returned to base.

[...]

FM SecState WashDC

TO RUMJSL/AmEmbassy Seoul Priority 0000

[...]

LIMDIS - Joint State/Defense Message

[...]

1. We appreciate considerations cited REFTEL. We further recognize that no boarding or seizure did in fact take place and that sinking of North Korean ship was through inadvertent collision.
2. At the same time, there is no justification under international law for boarding or seizure of vessels on high seas except in the most narrowly defined instances as specified by Convention or international treaties.
3. The Convention on the High Seas, concluded under U.N. [United Nations] auspices, is primary codification of international law in

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this area. US [United States] is party to the Convention and although neither ROK [Republic of Korea] nor NK [North Korea] is a party, we consider them bound by principles of international law codified therein.

4. In the exercise of its international law right of approach and identification unquote, a warship may approach and challenge (challenge in this sense is limited to right to request id by AA from international code of signals or by other appropriate means) with respect to an unidentified vessel on the high seas. (Obviously a vessel clearly identifiable as a warship of a foreign state is not an unidentified vessel.) There is, moreover, no correlative duty upon the challenged vessel to respond in any prescribed manner, or indeed to respond at all. As you know, US ships routinely ignore challenges from PRC [People's Republic of China] shore installations while entering Hong Kong. This right of approach and challenge does not include the right to hazard the vessel or direct its course.

5. If the vessel is a warship, such vessel is, under Article 8 of the Convention, completely immune from the jurisdiction of any state other than its flag state. In particular there is no right of visit and search of a foreign warship. In this connection, a warship is defined by Article 8 of the Convention as quote: a ship belonging to the naval forces of a state and bearing the external marks distinguishing warships of its nationality, under command of an officer duly commissioned by the government, whose name appears in the navy list, and manned by a crew who are under regular naval discipline -- unquote. Determination whether approached vessel is a warship may on occasion be difficult for the responsible commander, since some elements of Article 8 definition are not verifiable by observation in any event. Under conditions of restricted visibility, and dealing with small patrol-type craft, judgment is particularly difficult and is recognized as such. Nevertheless, exercise or attempted exercise of jurisdiction over a foreign warship on the high seas is a serious breach of international law and custom. Accordingly a high degree of circumspection is required in making this determination.

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The vessel's general configuration and appearance, the presence of external armament or distinguishing markings, ensign displayed, and response, if any, to challenge are all relevant circumstances to be taken into account.

6. Even if unidentified vessel is determined not repeat not to be a warship, not automatic right of visit and search arises, even if vessel ignores challenge. Under Article 22 of the Convention, such right arises only if there are reasonable grounds for suspecting piracy, slave trade, that the vessel is really of the same flag as warship challenging it, or if flag state of challenged vessel has by treaty conferred special powers on challenged vessel. Refusal to display any national ensign in response to challenge is only one circumstance to be considered in determining whether vessel falls into one of above categories.

7. Article 23 of Convention authorizes hot pursuit of foreign vessels on high seas only where pursuing state has good reason to believe its laws and regulations may have been violated and if pursuit is commenced when foreign ship was within its internal waters, territorial sea or contiguous zone (limited to 12 nautical miles). Since hot pursuit contemplates ultimate arrest of foreign vessel, and since warships are not subject to arrest, hot pursuit does not apply to warships.

8. Foregoing, of course, does not affect right of a vessel or aircraft to defend itself when vessel, aircraft or coastal state is under attack.

9. We do not repeat not consider that Armistice creates exceptions to convention and international law with respect to boarding or bringing in foreign vessels on high seas, nor are we aware of any customary international practice which would permit, despite convention, such actions. We are well aware that hostile acts between two sides continue despite Armistice. Armistice nevertheless remains in force, and it would be most difficult to allege some special belligerency rights such as visit and search under or outside Armistice in light of our

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past public position in cases such as Pueblo and February 15, 1974 incident.

10. Aside from legal consideration involved, seizure or successful boarding would have created serious political problems. Seizure would have constituted apparent parallel to NK actions in case of Pueblo and ROK fishing boats attacked February 15, 1974. In both instances we raised strong protest over seizure on high seas in cases where vessels were outside territorial waters, but much closer to NK mainland. Others would be quick to cite the apparent inconsistency. Global mobility of US naval and merchant fleet depends in large measure on strict observance of international law even when suspicious of a vessel's intent.

11. More immediate problem would have been Charges relative to United Nations Command role and authority. Legitimacy of present UNC [United Nations Command] relationship came under strong attack in UNGA [United Nations General Assembly] last year. Plausible charges that US was exceeding its role as UNC in support of ROKG [Republic of Korea Government] fishing or quote operational waters unquote claims would be highly damaging to US/ROK political interests in UNGA and difficult if not impossible to counter.

12. In this regard, it is imperative that all concerned avoid US involvement in future actions which appear to violate accepted principles of international law and insure that ROK forces do not participate in similar actions while under UNC control. You should exert appropriate influence to discourage ROKG from unilaterally participating in such actions as well.

[Robert S.] Ingersoll

[...]

PAGE 4

[...]

* * *

DOCUMENT No. 15

Memorandum for General Scowcroft from W.R. Smyser, "Defense of the Northwest UNC-Controlled Islands in Korea," June 24, 1975

[Source: Gerald R. Ford Presidential Library, National Security Adviser Presidential Country Files for East Asia and the Pacific, Box 9, Korea (7). Obtained for NKIDP by Charles Kraus.]

MEMORANDUM

4333

NATIONAL SECURITY COUNCIL

SECRET

GDS

ACTION

June 24, 1975

MEMORANDUM FOR:

GENERAL SCOWCROFT

FROM:

W.R. SMYSER

SUBJECT:

Defense of the Northwest UNC-Controlled Islands in Korea

Heightened concern about North Korea's intentions in the wake of the Indochina collapse has underscored the vulnerability of the five islands off the northwest coast of Korea. President Park, in a letter of May 12 to ROK Defense Minister Suh, instructed the Minister to work out jointly with General Stilwell a coordinated plan for the defense of the islands in case of large-scale surprise attack by the enemy. Minister Suh, in a subsequent letter to General Stilwell of May 13 requested that a clear-cut policy on the defense of the islands be established as soon as possible. Minister Suh specifically requested that the plans provide for the contingency employment of U.S. air and naval forces in the defense of the islands (see Tab B).

The issue is whether or not we should affirm that the islands indeed fall under the MDT and thus whether or not to engage in joint planning. (A year ago when the ROK unilaterally reinforced the island garrison.

If we assume that joint planning is now appropriate and necessary,

Ambassador Sneider and General Stilwell have both recommended that we engage in joint planning regarding the islands

State/Defense Position

A joint State/Defense message attached at Tab A reaffirms that the islands fit the definition of territory under ROK administrative control and therefore come under the MDT. The message authorizes CINCUNC to discuss planning for the defense of the islands with a view toward reaching understanding that (a) the ROK will not act precipitously and unilaterally and CINCUNC will exercise opcon [operational control] of ROK forces; and (b) in the event of an attack on the islands, CINCUNC will immediately commit ROK forces but these commitments must not jeopardize the capability to defend the ROK as a whole. [REDACTED]

Our View

[REDACTED]

Except for this addition, we recommend approval of the joint State I Defense message. Joint planning will remove the element of ambiguity regarding our commitment, will reassure the ROK, and once Pyongyang hears of it may constrain DPRK adventures. By asserting CINCUNC opcon, we will also be better able to control ROK response and to head off any precipitous ROK effort [REDACTED]

Recommendation

That you approve the joint Defense/State cable at Tab A with our recommend addition.

Approve _____ Disapprove _____

Approve without our addition _____

*Review guidance
in cable in wake
of Dec deflating
trip. (and outcome
of his talks) [initials]
[initials]*

* * *

DOCUMENT No. 16

Note for Ltg. Brent Scowcroft from John A. Wickham, Jr., “Defense of UNC Controlled Islands,” September 15, 1975

[Source: Gerald R. Ford Presidential Library, National Security Adviser Presidential Country Files for East Asia and the Pacific, Box 9, Korea (11). Obtained for NKIDP by Charles Kraus.]

15 September 15

NOTE FOR LTG BRENT SCOWCROFT, USAF
DEPUTY ASSISTANT TO THE PRESIDENT
FOR NATIONAL SECURITY AFFAIRS

Brent –

Attached message has been in the NSC for coordination and based on the SecDef's [Secretary of Defense's] discussions with MOD Suh, it should be released to initiate detailed planning. This planning can consider the request of MOD Suh to station a U.S. combat liaison team on the islands. Definitive guidance on this proposal can be the subject of a separate message. What is needed now is to authorize CINCUNC to discuss planning with the ROK. Request prompt clearance.

A handwritten signature in black ink, consisting of a stylized 'W' enclosed within an oval shape.

JOHN A. WICKHAM, JR.
Major General, USA
Military Assistant

Attachment
as