INCOMING TELEGRAM
Department of State

SECRET/SENSITIVE INFORMATION

FROM: New York
November 13, 1952
1:39 a.m.

TO: Secretary of State

NO. DELTA 180, November 12, 1952, 11:45 p.m.

PRIORITY
LIMITED DISTRIBUTION

By DRE Nil Date 3-24-52

Re Korea.

Selya Lloyd (UK) called on Secy this afternoon and handed Secy in confidence draft text reproduced below. Lloyd stated he had used our draft suggestions (DELO 151 with modifications) to clarify points in Menon's text. Lloyd felt his text now reflected what we had in mind.

After reading Lloyd text, Secy stated it was indeed now almost frighteningly clear where efforts like Menon's lead us. Even on cursory review of text it was clear to Secy that, though we had started on basis we would not use force to repatriate prisoners, we had now reached a point where if this was passed we would be starting FWs on road to forced repatriation. We would be compelled to turn over prisoners by force to Repatriation Commission which seems to have only one alternative, i.e., to send prisoners of war home. Comm is given no guidance whatsoever re fate of prisoners who resist repatriation and would presumably have to hold them indefinitely, subject them to Communist haranguing until they give up and decided to go home. Under this resolution, it is even possible that Comm might request Chinese Communist troops to guard prisoners now in hands of UNC. Also, text contemplates possibility that FW question might not be finally disposed of and might be submitted to Post-Armistice Conference.

Lloyd defended his text as designed to be acceptable to Chinese Communists and thus to produce armistice. This, he said, was the only way in which we could avoid second phase of Korean problem in GA which we could now have to face under new administration with unknown results. Lloyd stated he did not want any text until he heard further from us. Secy assured him we did not ask Dept and JCS to accept anything like his draft.

Lloyd's text follows:

VERBATIM TEXT

QUOTE

THE GA
November 12, 1952, 11:45 p.m., from New York.

The GA

1. Having received the special report of the Unified Command of Oct 30, on the status of military and the armistice negoti.

2. Noting that disagreement on the issue of release and repatriation of POWs alone prevents the achievement of an armistice on just and honorable terms and the ending of the fighting in Korea;

3. Believing that the release and repatriation of POWs shall be effected in accordance with international law and practice, including the Geneva Convention on POWs of 1949, and with the provisions of the tentative agreements already reached between the Central People's Govt of the People's Repub of China and the UNC;

4. Requests the Rep of the GA to transmit to the Central People's Govt of the People's Repub of China and to the North Korean auth the fol suggestions put forward as a basis for agreement on this sole remaining issue:

A. A commission on repatriation of POWs should be established consisting of the reps of blank or of any other four states to be agreed;

B. All POWs should be released to the commission by both sides in groups of appropriate size at agreed exchange points in demilitarized territory;

C. Force shall not be used to prevent or compel the repatriation of any POW. The commission shall carry out the obligations laid upon detaining powers by Art 13 of the Geneva Convention of 1949 relating to the humane treatment of POWs;

D. POWs shall be classified by the commission according to nationality and domicile;

E. Each side shall have access to the POWs when under the control of the commission to inform them of their rights and to explain to them any matters relevant to their return to their homelands;

F. Red Cross teams of both sides shall have access to the POWs as provided in the tentative armistice agreement already reached;

G. The terms of the armistice agreement relating to POWs shall be made known to all powers and in particular their right to return to their homelands;

H. The commission shall
SECRET SECURITY INFORMATION

3. DELGA 180, November 12, 1952, 11:45 p.m., from New York.

(1) Before the armistice agreement is concluded agree upon an umpire to decide if disagreement shld arise on any issue between members of the commission;

(2) Before the armistice agreement is signed shld make arrangements with the umpire for an adequate staff;

(3) Before the armistice is signed agree with the commands on each side the location of and arrangements for any camp or camps necessary for the discharge of the commission's responsibilities;

(4) Before the armistice is signed agree with the commands on each side the size of the groups referred to in para 3 of this res and the arrangements for their transportation and administration while under the control of the commission;

(5) Have the right to request from the commands on either side or from any other state resources in personnel or material necessary for the discharge of their duties;

5. Notes, from the report of the Unified Command (A/2228, Annex A), that the negotiators at Panmunjom have tentatively agreed to the fol recommendation:

SUBQUO

In order to insure the peaceful settlement of the Korean question, the mil commanders of both sides hereby recommend to the govts of the countries concerned on both sides, that, with three (3) months after the armistice agreement is signed and becomes effective, a polit conference of a higher level of both sides be held by reps appointed respectively to settle through negotiation the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, etc.

END SUBQUO

7. Recommends that any matters relating to repatriation of POWs unsettled at the end of 3 months shld automatically be referred by the Repatriation Commission to the above conference;

8. Decides that upon the coming into effect of the armistice agreement, if the GA is not then in regular session, the S/CO shall convene a special session of the GA at the headquarters of the UN to consider the implementation of such a recommendation;

[Alternative to 8] Requests the President of the GA and the two immediate past Presidents to take steps to convene within the prescribed time.
prescribed time the polit conference referred to in para 5
of this res and to enter into negotiations with the parties
concerned for this purpose, and to take into account proposals
submitted by the del of the USSR on the 10th Nov.

UNQUOTE

Eden and Lloyd are seeing Secy this evening. Menon has asked
to see us Thurs a.m. re new draft on which he is working. We
are planning to consult with sponsors of 21-power res later Thurs
and are disposed to take line we must for present at least
stand firm on 21-power draft res.

ACHESON

Note: * Numbered as received.