FROM New York
To: Secretary of State
NO: DELGA 186, November 13, 10:50 p.m.

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Re Korea

1. Fol report of meeting Secy and Gross with Krishna Menon, November 13, a.m.

Menon still without giving draft to Secy, said he had made revisions of earlier draft in light of discussions with Secy and Gross. Referring to draft suggestions we had previously given him (DELGA 151) Menon criticized language para 1, particularly phrase "unrestricted opportunity to be repatriated", as well as final clause this para. He said that statement of principle as embodied in para 1 had been put to CHICOMS and rejected (it was not clear whether text had been sent to CHICOMS or whether Menon was inferring Commie rejection from previous exchanges with Peiping on general question of repatriation principle). Menon said his own redraft made it clear no force would be used and that PWS would have full "freedom to return". He also discussed our suggestion for an "impartial commission" which he said would be objectionable to CHICOMS but stated that he would be prepared to amend his formulation re establishing Poles-Swede-Swiss commission plus three FIOCWS by adding clause "unless otherwise agreed".

Re our para 2(b)(2), DELGA 151, he thought significance of "disposition" must be spelled out and that substance this sub-para might be added to his para "without excluding other things".

Secy then attempted to bring Menon back to first principles and pointed out importance of establishing understanding of ideas between Menon and himself, since it appeared from previous discussions and from this one that some confusion might have arisen by reason of too much discussion of words and phrases. Secy expressed view first major point on which understanding must be reached is that under the Indian proposal, as we understood it, we would be agreeing to send resisting PWS to captivity until they agreed to go back home; or alternatively they will be turned over to peace conference. They will be given indefinite...

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indefinite period be under continued moral pressure and duress. Only one choice vld be open to them, to go back home, and only question would be how soon that vld happen and how long they could withstand persuasion, education and other forms of duress of which the Commies were past masters. We on the other hand insisted that P0Ws must be released, not merely in name but in fact, and those who did not wish to return home would be free to go somewhere they wished to go without moral or any other kind of pressure. We must be sure to avoid either physical force or mental torture.

Secy pointed out to Menon that under his plan we vld be under obligation to deliver POWs to commission by force if necessary, which we vld not do any more than we vld use force to compel them to return home or go any place they did not desire to go. If must be anticipated that POWs vld, if they understood what was happening to them, resist being put in indefinite captivity in hands commission just as much as they vld resist being forced home. This point was to assure them they had a "future".

Menon professed to understand this and said he vld "think it over".

With regard to composition of repatriation commission, Secy restated reasons why we preferred impartial commission and Menon repeated his previously expressed view that Commies would not consider any state impartial and, therefore, US position vld lead to dead end. Menon then also raised question whether repatriation commission in our suggestion vld be "screening body". If so, he said, that vld be objectionable, Secy patiently explained that whatever word was used to describe it, commission if it had any value at all, vld have to screen in sense of determining freely expressed wishes of the individual POWs.

There was then rambling and inconclusive discussions on designa-
tion of umpire in event of deadlock in four-power comm. Here again, the Secy tried to lead Menon back to first principles and Menon said he would think it over.

With regard to question of post-armistice conference and Menon proposal for "three-president group", Secy explained this made no sense. Two questions really were:

(1) What countries should be members of such conference? We assumed it vld include those directly and immediately involved, NK, CHINA, N Korea and others, including US and UK, who were directly engaged in conflict, and those who were not. Secy mentioned specifically importance of having appropriate Asian representation. Menon expressed personal doubt that India vld be prepared to serve.

(2) Other question
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(2) Other question was one of procedure and we assumed that
UNGA would designate members of conference to participate on
behalf of the UN and that OA would naturally expect to have
something to say about results reached, probably in form of
action upon recommendations made by conference.

Menon again professed understanding, but neither agreed nor
disagreed with Secy's comments. At end of mtg, Menon said
he did like to meet Gross during course of day and told advise
as to time. (As of early evening, Menon had not called).

II. Immediately upon conclusion Menon mtg, Secy joined mtg
described UK minutes, DELGA 187. Secy gave group full report
Menon conversation.

Following points by Gross supplement UK minutes this meeting:

(1) Pearson emphasized his view that it is of great importance
to gain "Indian support in the peace-making process" by which
he appeared to mean committing and enlisting India for first
time in efforts to settle armistice on basis specific principles
and procedures.

(2) Spender strongly disagreed, emphasizing importance of walking
straight line and adhering to 21-power resolution with such
amendments as might not do it any violence or introduce unclear
language or principles. Eden reminded Spender that yesterday
Casey had taken opposite line in discussion with him, and
Spender said he was aware of this but intended to take question
up for governmental decision.

(3) Lloyd, in general, supported Pearson's approach, with Eden
indicating dissatisfaction with Menon's draft rather than with
attempt to try to meet Menon.

(4) Webb, with reservations, leaned somewhat in Pearson's
direction but associated himself with Spender to point that
no draft should be vague or ambiguous or unworkable.

(5) Schuman expressed himself in general terms in support
of trying to make Menon proposal work and agreed with Pearson
concerning importance of Asian support.

(6) Secy again stressed "first principles" and dangers to
Menon course.

There followed discussion of proposal to have 21-power mtg in
afternoon, with Lloyd, Pearson, and Hoppner most unresponsive,
considering it "premature" and dangerous as revealing divisions
among the smaller group. Secy explained that purpose of mtg
was to share info and not go into detail or precipitate an
open difference of view.

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