MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: United States Position Regarding the Terms of any United Nations General Assembly Cease-Fire Resolution for the Korean War.

1. This memorandum is responsive to the directive of the National Security Council issued on 11 December 1950 which called for, as a matter of urgency, the views of the Joint Chiefs of Staff as to the terms, conditions, and arrangements which should be agreed to prior to United States acceptance of any United Nations cease-fire resolution for the Korean war.

2. The Joint Chiefs of Staff, from the military point of view, cannot concur in any United Nations cease-fire resolution which does not include the terms, conditions, and arrangements set forth in paragraphs 3, 4, and 5 below. Further, these must be agreed to by all governments and authorities concerned, including North Korea and Communist China, prior to the implementation of any cease-fire arrangement.

3. The cease-fire arrangement:

a. Shall be confined to Korea;

b. Shall require all governments and authorities concerned, including North Korea and Communist China, to order a cessation of all acts of armed force; the establishment of a demilitarized area across Korea; and all ground forces to remain in position or be withdrawn to the rear except that all forces which may be in advance of the demilitarized area shall be moved to positions in the rear thereof.
g. Shall provide for supervision of the general arrangements as well as specific details by a Cease-
Fire Commission designated by the General Assembly of the United Nations, which Commission shall have
free and unlimited access to the whole of Korea.

h. Shall require all governments and authorities concerned to cease promptly the introduction into Korea
of any reinforcing or replacement units or personnel, including volunteers, during the cease-fire period;

i. Shall require all governments and authorities to refrain from introducing additional war equipment and
material into Korea. Such equipment and material will not include those supplies required for the maintenance
of health and welfare and such other supplies as may be authorized by the Cease-Fire Commission; and

j. Shall continue in effect until a permanent settlement of the Korean question has been arranged.

d. The Joint Chiefs of Staff consider the following specific details to be essential to any cease-fire arrange-
ment for the Korean war:

a. The demilitarized area shall be a zone on the order of 20 miles in width, with the southern limit
following generally the line of the 38th parallel.

b. The cease-fire arrangement shall apply to:

(1) All opposing ground forces in Korea, wherever located. In addition, these forces shall respect the demilitarized zone and the
areas in advance thereof;

(2) All opposing naval forces in the Korean area which shall respect the waters contiguous to the
land areas occupied by the opposing armed forces, to the limit of three miles off-shore. Naval units
designated by the Cease-Fire Commission for sea transport, supply, evacuation, surveillance, and
humanitarian purposes shall be excepted from the foregoing provision while such units are engaged
in these duties; and
(3) All opposing air forces which shall respect the air space over the demilitarized zone and the areas in advance thereof. Air units designated by the Cease-Fire Commission for air transport, supply, evacuation, surveillance, and humanitarian purposes shall be excepted from the foregoing provision while such units are engaged in these duties.

2. Military observers appointed by the Cease-Fire Commission, together with such United Nations Armed Guards as may be available and considered appropriate by the Commission, shall have freedom of movement anywhere throughout all Korea.

3. Prisoners of war shall be exchanged on a one-for-one basis, pending final settlement of the Korean question.

4. Organized bodies of armed forces initially in advance of the demilitarized zone shall be moved back or passed through to the area of their own main forces. Guerrillas, both north and south of the demilitarized zone, shall be withdrawn and be granted safe conduct through the demilitarized area.

5. Nothing in the agreement shall preclude commanders in the field from providing for the security of their forces, supplies, and installations, except that no security forces for this purpose will be permitted within the demilitarized area.

6. The Cease-Fire Commission shall be responsible for civil government, including police functions, in the demilitarized zone.

7. Refugees shall not be allowed to migrate in either direction into or across the demilitarized area.

5. The Joint Chiefs of Staff feel strongly that, before the United States should accept any cease-fire arrangement, provision must be made for a competent Cease-Fire Commission which shall inspect to insure that
the terms, conditions, and arrangements as agreed to in the cease-fire resolution will be carried out by all armed forces including guerrillas in Korea. This Commission shall report promptly to the General Assembly of the United Nations all violations of the cease-fire resolution. The Commission shall be provided with a sufficient number of competent military observers to enable it to carry out its duties and functions.

6. In connection with all of the foregoing, the Joint Chiefs of Staff would point out that execution of any United Nations cease-fire resolution will, in all probability, prevent the attainment of the United Nations objective of a free and united Korea.

For the Joint Chiefs of Staff:

SIGNED

OMAR N. BRADLEY,
Chairman,
Joint Chiefs of Staff.
MEMORANDUM TO THE SECRETARY OF STATE

Attached hereto is the statement of the Joint Chiefs of Staff, signed by General Bradley, regarding the terms they feel are necessary and should be imposed regarding any cease-fire settlement in Korea.

I am in general agreement with the various conditions enumerated but I wish to state, however, that I do not consider the contents of Paragraph 6 should have been included in this document. I am assured that the possible implication of that paragraph that the Joint Chiefs of Staff felt that a continued fight for the conquest of North Korea was not the purpose of the statement. Rather it was included merely to bring to the attention of higher authorities the certain possibility resulting from a cease-fire negotiation.
MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: United States Position Regarding An Armistice in Korea.

1. In the course of the meeting on 19 March 1951 which you attended with the Secretary of State and the Joint Chiefs of Staff, the question was posed by the Secretary of State as to whether or not the armistice terms, as set forth in the memorandum to you from the Joint Chiefs of Staff dated 12 December 1950, were still valid.

2. The Joint Chiefs of Staff, from the military point of view, have formulated the following views on the broader problem of the termination of hostilities in Korea which supersede the views furnished you in their memorandum dated 12 December 1950.

3. The Chinese Communists and the North Korean forces are now suffering especially heavy losses. Any arrangement which did not prejudice their position in Korea but which would end the infliction of large losses on the Communists would be greatly to their advantage. Conversely, an arrangement which would require United Nations forces to remain in Korea, and which did not prejudice the position of the Communist forces there, would be greatly to our disadvantage.

   Such an arrangement would, in all probability, jeopardize the security of our forces, constitute an unwarranted drain on our military resources, and tie down our forces in Korea almost as effectively as if they were engaged in combat. From the military point of view, therefore, an armistice arrangement of itself would not, even temporarily, constitute an acceptable solution of the Korean situation.

4. The Joint Chiefs of Staff consider that the present military situation in Korea may be conducive to a satisfactory resolution of the immediate over-all problem by political action. Specifically, it may be possible to take political action to end the aggression, to conclude the fighting and
to insure against its resumption. Such a resolution of the situation, however, must provide for a termination of hostilities in Korea only under circumstances which would make possible the ultimate attainment of our objective without forfeiture of, or prejudice to, our general position with respect to the U.S.S.R., and with specific respect to Formosa, and to seating the Chinese Communists in the United Nations.

5. In view of the foregoing, any armistice arrangement must, from the military point of view, be contingent upon the acceptance of a general agreement which protects the over-all security interests of the United States. Therefore, the Joint Chiefs of Staff cannot consent to any armistice agreement which does not include the terms, conditions, and arrangements set forth in paragraphs 6 and 7 below, and particularly in subparagraph 6 e. Further, these must be agreed to by all governments and authorities concerned, including North Korea and Communist China, prior to the implementation of any armistice arrangement.

6. The armistice arrangement:

a. Must be contingent upon the acceptance by the Communists of a general agreement to end the aggression and to accept basic terms of settlement satisfactory to the United States;

b. Shall be confined to Korea;

c. Shall require all governments and authorities concerned, including North Korea and Communist China, to order a cessation of all acts of armed forces; the establishment of a demilitarized area across Korea; and all ground forces to remain in position or be withdrawn to the rear except that all forces which may be in advance of the demilitarized area shall be moved to positions in the rear thereof;

d. Shall provide for supervision of the general arrangements, as well as specific details, by an Armistice Committee (under a Peace Commission designated by the General Assembly of the United Nations), which Committee shall have free and unlimited access to the whole of Korea. This Committee may, if necessary, be assisted by a limited number of observers designated by the Chinese Communist and/or North Korean forces;
g. Shall require all governments and authorities concerned to cease promptly the introduction into Korea of any reinforcing units or personnel, including volunteers, during the armistice period. This shall not be interpreted as precluding the administrative relief or individual personnel on a man-for-man basis;

f. Shall require all governments and authorities to refrain from introducing additional war equipment and material into Korea. Such equipment and material will not include those supplies required for the maintenance of health and welfare and such other supplies as may be authorized by the Committee; and

g. Shall continue in effect until the details of a permanent settlement of the Korean situation have been arranged;

7. The Joint Chiefs of Staff consider the following specific details to be essential to the above armistice arrangement:

a. The Armistice Committee must be competent to inspect to insure that the terms, conditions and arrangements as agreed to will be carried out by all armed forces, including guerrillas in Korea. It shall be provided with a sufficient number of competent military observers to enable it to carry out its duties and functions;

b. Its provisions should not become effective until the Committee has been organized and is in position to exercise its functions. The Committee shall report promptly to the General Assembly of the United Nations all violations of the armistice arrangement;

c. The demilitarized area shall be a zone on the order of 20 miles in width, centered at or north of the 38th parallel. Its exact location shall be determined by the Armistice Committee on the basis of the position of the opposing ground units in combat at the time;

d. The armistice arrangement shall apply to:
(1) All opposing ground forces in Korea, wherever located. In addition, those forces shall respect the demilitarized zone and the areas in advance thereof;

(2) All opposing naval forces in the Korean area which shall respect the waters contiguous to the land areas occupied by the opposing armed forces, to the limit of three miles offshore. Naval units designated by the Committee for the purpose of transport, supply, evacuation, surveillance, and humanitarian purposes shall be exempted from the foregoing provision while such units are engaged in these duties and have on board a representative of the Committee;

(2) All opposing air forces which shall respect the air space over the demilitarized zone and the areas in advance thereof. Air units designated by the Committee for air transport, supply, evacuation, surveillance, and humanitarian purposes shall be exempted from the foregoing provision while such units are engaged in these duties and have on board a representative of the Committee;

a. Teams of military observers appointed by the committee together with such United Nations Armed Guards as may be available and considered appropriate by the Committee shall have freedom of movement anywhere throughout all Korea;

f. Prisoners of war shall be exchanged on a one-for-one basis as expeditiously as possible;

g. Organized bodies of armed forces initially in advance of the demilitarized zone shall be moved back or passed through to the area of their own main forces. Guerrillas, both north and south of the demilitarized zone, shall be withdrawn and be granted safe conduct through the demilitarized area under terms and conditions to be established by the Committee;

h. Nothing in the agreement shall preclude commanders in the field from providing for the security of their forces, supplies, and installations, except that no security forces for this purpose will be permitted within the demilitarized area;
1. The Committee shall be responsible for civil government, including police functions, in the demilitarized zone; and

2. Refugees shall not be allowed to migrate in either direction into or across the demilitarized area.

For the Joint Chiefs of Staff:

sgd/ Hoyt S. Vandenberg,
Chief of Staff, United States Air Force,
The Secretary of Defense  
Washington

31 Mar. 1951

Dear Mr. Secretary:

With reference to our discussion regarding Korea on 19 March 1951 with the Joint Chiefs of Staff, I am transmitting herewith, for your information and consideration, a memorandum of 27 March 1951 from the Joint Chiefs of Staff on the United States position regarding an armistice in Korea. These views supersede those of the Joint Chiefs of Staff which were submitted to the National Security Council on 13 December 1950 (NSC 95).

I am in general agreement with the terms, conditions and arrangements enumerated in paragraphs 6 and 7 of the Joint Chiefs memorandum. However, I believe that the questions of Formosa and Chinese Communist membership in the United Nations, as well as other general political and security factors referred to in paragraphs 4 and 5 of the memorandum of the Joint Chiefs of Staff, would be fitting topics in the consideration of basic terms of settlement of the Korean situation, and might be taken up in discussions between our two Departments on the overall question of Korea.

Faithfully yours,

sgt/ Robert A. Lovett

The Honorable
The Secretary of State